

118TH CONGRESS  
1ST SESSION

# S. 112

To amend title 38, United States Code, to strengthen benefits for children of Vietnam veterans born with spina bifida, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2023

Mr. BRAUN (for himself, Ms. HASSAN, Mr. RUBIO, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

---

## A BILL

To amend title 38, United States Code, to strengthen benefits for children of Vietnam veterans born with spina bifida, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BENEFITS FOR CERTAIN CHILDREN OF VIET-**  
4 **NAM VETERANS AND CERTAIN OTHER VET-**  
5 **ERANS.**

6 (a) DEFINITIONS.—Section 1831 of title 38, United  
7 States Code, is amended—

8 (1) by redesignating paragraphs (2) and (3) as  
9 paragraphs (4) and (5), respectively; and

1           (2) by inserting after paragraph (1) the fol-  
2           lowing new paragraphs:

3           “(2) The term ‘covered child’ means a child  
4           who is eligible for health care and benefits under  
5           this chapter.

6           “(3) The term ‘covered veteran’ means an indi-  
7           vidual whose children are eligible for health care and  
8           benefits under this chapter.”.

9           (b) IN GENERAL.—Subchapter IV of chapter 18 of  
10          title 38, United States Code, is amended by adding at the  
11          end the following new sections:

12          **“§ 1835. Advisory council**

13           “(a) IN GENERAL.—The Secretary shall establish an  
14          advisory council on health care and benefits for covered  
15          children.

16           “(b) MEMBERSHIP.—The advisory council estab-  
17          lished under subsection (a) shall be composed of Federal  
18          employees.

19           “(c) DUTIES.—The advisory council established  
20          under subsection (a) shall solicit feedback from covered  
21          children and covered veterans on the health care and bene-  
22          fits provided under this chapter and communicate such  
23          feedback to the Secretary.

1 **“§ 1836. Care and coordination teams**

2 “(a) IN GENERAL.—The Secretary shall establish  
3 care and coordination teams for covered children.

4 “(b) OUTREACH.—A care and coordination team es-  
5 tablished under subsection (a) shall attempt to contact  
6 each covered child—

7 “(1) not less frequently than once every 180  
8 days, to ensure the continued care of the child and  
9 assist with any changes in care needed due to a  
10 changed situation of the child; and

11 “(2) as soon as practicable after the identifica-  
12 tion of a condition listed in the report required by  
13 subsection (c).

14 “(c) REPORT.—Not later than 180 days after the  
15 date of the enactment of this section, the Secretary shall  
16 submit to the Committee on Veterans’ Affairs of the Sen-  
17 ate and the Committee on Veterans’ Affairs of the House  
18 of Representatives a report setting forth a list of condi-  
19 tions that will trigger outreach to covered children under  
20 subsection (b)(2).

21 **“§ 1837. Duration of health care and benefits pro-  
22 vided**

23 “The Secretary shall provide a covered child with  
24 health care and benefits under this chapter—

25 “(1) for the duration of the life of the child;  
26 and

1           “(2) notwithstanding any death of a parent of  
2           the child that precedes the death of the child.

3   **“§ 1838. Biennial report**

4           “Not less frequently than once every two years, the  
5 Secretary shall submit to Congress a report setting forth  
6 the following:

7           “(1) The number of covered children receiving  
8           health care or benefits under this chapter as of the  
9           date on which the report is submitted.

10           “(2) The number of covered children for which  
11           the Department is paying for or providing a social  
12           worker as of such date.

13           “(3) Metrics on outreach conducted under sec-  
14           tion 1836(b) of this title.”.

15           (c) MEMORANDUM OF UNDERSTANDING.—Not later  
16 than 90 days after the date of the enactment of this Act,  
17 the Under Secretary for Benefits of the Department of  
18 Veterans Affairs and the Under Secretary for Health of  
19 the Department shall enter into a memorandum of under-  
20 standing—

21           (1) to better assist covered children (as defined  
22           in section 1831 of title 38, United States Code, as  
23           amended by subsection (a)); and

1           (2) to establish conditions to be included in the  
2 report required by section 1836(c) of title 38,  
3 United States Code, as added by subsection (b).

4 (d) IMPLEMENTATION.—

5           (1) ADVISORY COUNCIL.—Not later than 270  
6 days after the date of the enactment of this Act, the  
7 Secretary of Veterans Affairs shall establish the ad-  
8 visory council required under section 1835 of title  
9 38, United States Code, as added by subsection (b).

10          (2) CARE AND COORDINATION TEAMS.—Not  
11 later than one year after the date of the enactment  
12 of this Act, the Secretary of Veterans Affairs shall  
13 establish the care and coordination teams required  
14 under section 1836 of such title, as added by sub-  
15 section (b).

16          (e) CLERICAL AMENDMENT.—The table of sections  
17 at the beginning of chapter 18 of title 38, United States  
18 Code, is amended by adding at the end the following new  
19 items:

“1835. Advisory council.

“1836. Care and coordination teams.

“1837. Duration of health care and benefits provided.

“1838. Biennial report.”.

○