

.....
(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To improve the integrity and oversight of the Foreign Medical Program
of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To improve the integrity and oversight of the Foreign Med-
ical Program of the Department of Veterans Affairs,
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. SHORT TITLE.**

4 This Act may be cited as the “Foreign Medical Pro-
5 gram Integrity and Improvement Act”.

1 **SEC. 2. FOREIGN MEDICAL PROGRAM OF THE DEPART-**
2 **MENT OF VETERANS AFFAIRS: RATES OF PAY-**
3 **MENT; OVERSIGHT.**

4 (a) RATES OF PAYMENT.—Section 1724 of title 38,
5 United States Code, is amended by adding at the end the
6 following new subsection:

7 “(g)(1) Subject to paragraph (2), the rate paid for
8 hospital care or medical services under this section shall
9 be the lesser of—

10 “(A) the amount billed for such hospital care or
11 medical services; or

12 “(B) the rate paid by the United States to a
13 provider of services (as defined in section 1861(u) of
14 the Social Security Act (42 U.S.C. 1395x(u))) or a
15 supplier (as defined in section 1861(d) of such Act
16 (42 U.S.C. 1395x(d))) under the Medicare program
17 under title XVIII of the Social Security Act (42
18 U.S.C. 1301 et seq.), including section 1834 of such
19 Act (42 U.S.C. 1395m), for the same care or serv-
20 ices.

21 “(2) The Secretary may make a payment in excess
22 of a the rate determined under paragraph (1) to ensure
23 that a veteran has access to hospital care or medical serv-
24 ices, including in an emergency.”.

25 (b) IN THE CASE OF A DECEASED VETERAN OR PRO-
26 VIDER.—Section 1724 of title 38, United States Code, is

1 amended by adding at the end the following new sub-
2 section:

3 “(h)(1) The Secretary may not use any Federal funds
4 to pay for care or services furnished under this section—

5 “(A)(i) to an individual who appears in the
6 Death Master File; or

7 “(ii) by an individual who appears in the Death
8 Master File; and

9 “(B) after the date of death of such individual.

10 “(2) In this subsection, the term ‘Death Master File’
11 has the meaning given such term in section 203 of the
12 Bipartisan Budget Act of 2013 (Public Law 113–167; 42
13 U.S.C. 1306c).”.

14 (c) IN CASES OF FRAUD.—Section 1724 of title 38,
15 United States Code, is further amended by adding at the
16 end the following new subsections:

17 “(i) In the case of a claim for payment for care or
18 services furnished under this section that the Secretary
19 suspects constitutes fraud, waste or abuse, the Sec-
20 retary—

21 “(1) shall refer such claim to the Inspector
22 General of the Department;

23 “(2) may withhold such payment during the in-
24 vestigation of such claim;

1 “(3) shall approve the claim and release such
2 payment as soon as practicable if the Inspector Gen-
3 eral determines that the claim is proper; and

4 “(4) shall, if the Inspector General determines
5 that such claim constitutes fraud, waste or abuse—

6 “(A) deny the claim; and

7 “(B) take action the Secretary determines
8 appropriate to recover any Federal funds al-
9 ready paid in relation to such claim, claimant,
10 or provider.

11 “(j)(1) The Secretary shall maintain a list of pro-
12 viders of care or services furnished under this section who
13 have submitted fraudulent claims for such care or services.

14 “(2) The Secretary may not use any Federal funds
15 to pay for care or services furnished under this section
16 by a provider whose name appears on the list.

17 “(3) Each time the Secretary adds the name of a pro-
18 vider to the list, the Secretary shall distribute the list elec-
19 tronically to veterans registered in a program under this
20 section.

21 “(j) The Secretary shall designate a Fraud Detection
22 and Prevention Coordinator to carry out subsections (h),
23 (i), and (j) of this section.”.

24 (d) AUTHORITY TO CONTRACT.—

1 (1) IN GENERAL.—Section 1724 of title 38,
2 United States Code, is further amended by adding
3 at the end the following new subsection:

4 “(k) The Secretary may enter into an agreement with
5 an entity pursuant to which such entity shall serve as a
6 third-party administrator of claims for care or services
7 furnished under this section.”.

8 (2) TEMPORARY EXPANSION.—The Secretary of
9 Veterans Affairs may enter into an agreement with
10 an entity pursuant to which such entity shall provide
11 to the Secretary access to an information technology
12 system for the administration of claims for care or
13 services furnished under such section. If the Sec-
14 retary exercises such authority, the Secretary shall
15 ensure that implementation of such system is com-
16 plete not later than one year after the date of the
17 enactment of this Act.