

113TH CONGRESS  
2D SESSION

# H. R. 4892

To expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2014

Mr. LANGEVIN (for himself, Mr. MICHAUD, and Ms. ESTY) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Ways and Means, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Military and Veteran  
3 Caregiver Services Improvement Act of 2014”.

4 **SEC. 2. EXPANSION OF ELIGIBILITY FOR PARTICIPATION IN**  
5 **AND SERVICES PROVIDED UNDER FAMILY**  
6 **CAREGIVER PROGRAM OF DEPARTMENT OF**  
7 **VETERANS AFFAIRS.**

8 (a) FAMILY CAREGIVER PROGRAM.—

9 (1) EXPANSION OF ELIGIBILITY.—Subsection  
10 (a)(2)(B) of section 1720G of title 38, United States  
11 Code, is amended by striking “on or after September  
12 11, 2001”.

13 (2) CLARIFICATION OF ELIGIBILITY FOR ILL-  
14 NESS.—Such subsection is further amended by in-  
15 serting “or illness” after “serious injury”.

16 (3) EXPANSION OF NEEDED SERVICES IN ELI-  
17 GIBILITY CRITERIA.—Subsection (a)(2)(C) of such  
18 section is amended—

19 (A) in clause (ii), by striking “; or” and in-  
20 serting a semicolon;

21 (B) by redesignating clause (iii) as clause  
22 (iv); and

23 (C) by inserting after clause (ii) the fol-  
24 lowing new clause (iii):

1           “(iii) a need for regular or extensive in-  
2           struction or supervision in completing two or  
3           more instrumental activities of daily living; or”.

4           (4) EXPANSION OF SERVICES PROVIDED.—Sub-  
5           section (a)(3)(A)(ii) of such section is amended—

6                   (A) in subclause (IV), by striking “; and”  
7                   and inserting a semicolon;

8                   (B) in subclause (V), by striking the period  
9                   at the end and inserting a semicolon; and

10                  (C) by adding at the end the following new  
11                  subclauses:

12                           “(VI) child care services or a monthly sti-  
13                           pend for such services if such services are not  
14                           readily available from the Department;

15                           “(VII) financial planning services relating  
16                           to the needs of injured and ill veterans and  
17                           their caregivers; and

18                           “(VIII) legal services, including legal ad-  
19                           vice and consultation, relating to the needs of  
20                           injured and ill veterans and their caregivers.”.

21           (5) EXPANSION OF RESPITE CARE PROVIDED.—  
22           Subsection (a)(3)(B) of such section is amended by  
23           striking “shall be” and all that follows through the  
24           period at the end and inserting “shall—

25                   “(i) be medically and age-appropriate;

1 “(ii) include in-home care; and

2 “(iii) include peer-oriented group activities.”.

3 (6) MODIFICATION OF STIPEND CALCULA-  
4 TION.—Subsection (a)(3)(C) of such section is  
5 amended—

6 (A) by redesignating clause (iii) as clause  
7 (iv); and

8 (B) by inserting after clause (ii) the fol-  
9 lowing new clause (iii):

10 “(iii) In determining the amount and degree of per-  
11 sonal services provided under clause (i) with respect to an  
12 eligible veteran whose need for personal care services is  
13 based in whole or in part on a need for supervision or  
14 protection under paragraph (2)(C)(ii) or regular instruc-  
15 tion or supervision in completing tasks under paragraph  
16 (2)(C)(iii), the Secretary shall take into account the fol-  
17 lowing:

18 “(I) The assessment by the family caregiver of  
19 the needs and limitations of the veteran.

20 “(II) The extent to which the veteran can func-  
21 tion safely and independently in the absence of such  
22 supervision, protection, or instruction.

23 “(III) The amount of time required for the  
24 family caregiver to provide such supervision, protec-  
25 tion, or instruction to the veteran.”.

1           (7) PERIODIC EVALUATION OF NEED FOR CER-  
2           TAIN SERVICES.—Subsection (a)(3) of such section  
3           is amended by adding at the end the following new  
4           subparagraph:

5           “(D) In providing instruction, preparation, and  
6           training under subparagraph (A)(i)(I) and technical  
7           support under subparagraph (A)(i)(II) to each fam-  
8           ily caregiver who is approved as a provider of per-  
9           sonal care services for an eligible veteran under  
10          paragraph (6), the Secretary shall periodically evalu-  
11          ate the needs of the eligible veteran and the skills  
12          of the family caregiver of such veteran to determine  
13          if additional instruction, preparation, training, or  
14          technical support under those subparagraphs is nec-  
15          essary.”.

16          (b) REPEAL OF GENERAL CAREGIVER SUPPORT PRO-  
17          GRAM.—Such section is amended by striking subsection  
18          (b).

19          (c) PROVISION OF ASSISTANCE TO CAREGIVERS OF  
20          CERTAIN VETERANS.—Such section is further amended  
21          by inserting after subsection (a) the following new sub-  
22          section (b):

23          “(b) PROVISION OF ASSISTANCE TO CAREGIVERS OF  
24          CERTAIN VETERANS.—(1) In providing assistance under  
25          subsection (a) to family caregivers of eligible veterans who

1 were discharged from the Armed Forces before September  
2 11, 2001, the Secretary may enter into memoranda of un-  
3 derstanding with agencies, States, and other entities to  
4 provide such assistance to such veterans.

5 “(2) The Secretary may provide assistance under this  
6 subsection only if such assistance is reasonably accessible  
7 to the veteran and is substantially equivalent or better in  
8 quality to similar services provided by the Department.

9 “(3) The Secretary may provide fair compensation to  
10 entities that provide assistance under this subsection pur-  
11 suant to memoranda of understanding entered into under  
12 paragraph (1).

13 “(4) In carrying out this subsection, the Secretary  
14 shall work with the interagency working group on policies  
15 relating to caregivers of veterans and members of the  
16 Armed Forces established under section 7 of the Military  
17 and Veteran Caregiver Services Improvement Act of  
18 2014.”.

19 (d) MODIFICATION OF DEFINITION OF FAMILY MEM-  
20 BER.—Subparagraph (B) of subsection (d)(3) of such sec-  
21 tion is amended to read as follows:

22 “(B) is not a member of the family of the  
23 veteran and does not provide care to the vet-  
24 eran on a professional basis.”.

1 (e) MODIFICATION OF DEFINITION OF PERSONAL  
2 CARE SERVICES.—Subsection (d)(4) of such section is  
3 amended—

4 (1) in subparagraph (A), by striking “inde-  
5 pendent”;

6 (2) by redesignating subparagraph (B) as sub-  
7 paragraph (D); and

8 (3) by inserting after subparagraph (A) the fol-  
9 lowing new subparagraphs:

10 “(B) Supervision or protection based on  
11 symptoms or residuals of neurological or other  
12 impairment or injury.

13 “(C) Regular or extensive instruction or  
14 supervision in completing two or more instru-  
15 mental activities of daily living.”.

16 (f) ANNUAL EVALUATION REPORT.—

17 (1) IN GENERAL.—Paragraph (2) of section  
18 101(c) of the Caregivers and Veterans Omnibus  
19 Health Services Act of 2010 (Public Law 111–163;  
20 38 U.S.C. 1720G note) is amended to read as fol-  
21 lows:

22 “(2) CONTENTS.—Each report required by  
23 paragraph (1) after the date of the enactment of the  
24 Military and Veteran Caregiver Services Improve-  
25 ment Act of 2014 shall include the following with re-

1 spect to the program of comprehensive assistance for  
2 family caregivers required by subsection (a)(1) of  
3 such section 1720G:

4 “(A) The number of family caregivers that  
5 received assistance under such program.

6 “(B) The cost to the Department of pro-  
7 viding assistance under such program.

8 “(C) A description of the outcomes  
9 achieved by, and any measurable benefits of,  
10 carrying out such program.

11 “(D) An assessment of the effectiveness  
12 and the efficiency of the implementation of such  
13 program, including a description of any barriers  
14 to accessing and receiving care and services  
15 under such program.

16 “(E) A description of the outreach activi-  
17 ties carried out by the Secretary under such  
18 program.

19 “(F) An assessment of the manner in  
20 which resources are expended by the Secretary  
21 under such program, particularly with respect  
22 to the provision of monthly personal caregiver  
23 stipends under subsection (a)(3)(A)(ii)(V) of  
24 such section 1720G.



1           “(G) An evaluation of the sufficiency and  
2 consistency of the training provided to family  
3 caregivers under such program in preparing  
4 family caregivers to provide care to veterans  
5 under such program.

6           “(H) Such recommendations, including  
7 recommendations for legislative or administra-  
8 tive action, as the Secretary considers appro-  
9 priate in light of carrying out such program.”.

10 (g) CONFORMING AMENDMENTS.—

11           (1) ELIGIBLE VETERAN.—Subsection (a)(2) of  
12 such section is amended, in the matter preceding  
13 subparagraph (A), by striking “subsection” and in-  
14 serting “section”.

15           (2) DEFINITIONS.—Subsection (d) of such sec-  
16 tion is amended—

17           (A) in paragraph (1), by striking “under  
18 subsection (a) or a covered veteran under sub-  
19 section (b)”;

20           (B) in paragraph (2), by striking “under  
21 subsection (a)”;

22           (C) in paragraph (3), by striking “under  
23 subsection (a)”;

24           (D) in paragraph (4), in the matter pre-  
25 ceding subparagraph (A), by striking “under

1 subsection (a) or a covered veteran under sub-  
2 section (b)”).

3 (3) COUNSELING, TRAINING, AND MENTAL  
4 HEALTH SERVICES.—Section 1782(c)(2) of title 38,  
5 United States Code, is amended by striking “or a  
6 caregiver of a covered veteran”.

7 **SEC. 3. AUTHORITY TO TRANSFER ENTITLEMENT TO POST-**  
8 **9/11 EDUCATION ASSISTANCE TO FAMILY**  
9 **MEMBERS BY SERIOUSLY INJURED VET-**  
10 **ERANS IN NEED OF PERSONAL CARE SERV-**  
11 **ICES.**

12 (a) IN GENERAL.—Subchapter II of chapter 33 of  
13 title 38, United States Code, is amended by adding at the  
14 end the following new section:

15 **“§ 3319A. Authority to transfer unused education**  
16 **benefits to family members by seriously**  
17 **injured veterans**

18 “(a) IN GENERAL.—Subject to the provisions of this  
19 section, the Secretary may permit an individual described  
20 in subsection (b) who is entitled to educational assistance  
21 under this chapter to elect to transfer to one or more of  
22 the dependents specified in subsection (c) a portion of  
23 such individual’s entitlement to such assistance, subject  
24 to the limitation under subsection (d).

1       “(b) ELIGIBLE INDIVIDUALS.—An individual re-  
2       ferred to in subsection (a) is any individual who—

3               “(1) retired for physical disability under chap-  
4       ter 61 of title 10; or

5               “(2) is described in paragraph (2) of section  
6       1720G(a) of this title and who is participating in the  
7       program established under paragraph (1) of such  
8       section.

9       “(c) ELIGIBLE DEPENDENTS.—An individual ap-  
10       proved to transfer an entitlement to educational assistance  
11       under this section may transfer the individual’s entitle-  
12       ment as follows:

13               “(1) To the individual’s spouse.

14               “(2) To one or more of the individual’s chil-  
15       dren.

16               “(3) To a combination of the individuals re-  
17       ferred to in paragraphs (1) and (2).

18       “(d) LIMITATION ON MONTHS OF TRANSFER.—(1)  
19       The total number of months of entitlement transferred by  
20       a individual under this section may not exceed 36 months.

21               “(2) The Secretary may prescribe regulations that  
22       would limit the months of entitlement that may be trans-  
23       ferred under this section to no less than 18 months.

1       “(e) DESIGNATION OF TRANSFEREE.—An individual  
2 transferring an entitlement to educational assistance  
3 under this section shall—

4           “(1) designate the dependent or dependents to  
5 whom such entitlement is being transferred;

6           “(2) designate the number of months of such  
7 entitlement to be transferred to each such depend-  
8 ent; and

9           “(3) specify the period for which the transfer  
10 shall be effective for each dependent designated  
11 under paragraph (1).

12       “(f) TIME FOR TRANSFER; REVOCATION AND MODI-  
13 FICATION.—(1) Transfer of entitlement to educational as-  
14 sistance under this section shall be subject to the time lim-  
15 itation for use of entitlement under section 3321 of this  
16 title.

17       “(2)(A) An individual transferring entitlement under  
18 this section may modify or revoke at any time the transfer  
19 of any unused portion of the entitlement so transferred.

20       “(B) The modification or revocation of the transfer  
21 of entitlement under this paragraph shall be made by the  
22 submittal of written notice of the action to the Secretary.

23       “(3) Entitlement transferred under this section may  
24 not be treated as marital property, or the asset of a mar-

1 ital estate, subject to division in a divorce or other civil  
2 proceeding.

3 “(g) COMMENCEMENT OF USE.—A dependent child  
4 to whom entitlement to educational assistance is trans-  
5 ferred under this section may not commence the use of  
6 the transferred entitlement until either—

7 “(1) the completion by the child of the require-  
8 ments of a secondary school diploma (or equivalency  
9 certificate); or

10 “(2) the attainment by the child of 18 years of  
11 age.

12 “(h) ADDITIONAL ADMINISTRATIVE MATTERS.—(1)  
13 The use of any entitlement to educational assistance  
14 transferred under this section shall be charged against the  
15 entitlement of the individual making the transfer at the  
16 rate of one month for each month of transferred entitle-  
17 ment that is used.

18 “(2) Except as provided under subsection (e)(2) and  
19 subject to paragraphs (5) and (6), a dependent to whom  
20 entitlement is transferred under this section is entitled to  
21 educational assistance under this chapter in the same  
22 manner as the individual from whom the entitlement was  
23 transferred.

24 “(3) The monthly rate of educational assistance pay-  
25 able to a dependent to whom entitlement referred to in

1 paragraph (2) is transferred under this section shall be  
2 payable at the same rate as such entitlement would other-  
3 wise be payable under this chapter to the individual mak-  
4 ing the transfer.

5 “(4) The death of an individual transferring an enti-  
6 tlement under this section shall not affect the use of the  
7 entitlement by the dependent to whom the entitlement is  
8 transferred.

9 “(5)(A) A child to whom entitlement is transferred  
10 under this section may use the benefits transferred with-  
11 out regard to the 15-year delimiting date specified in sec-  
12 tion 3321 of this title, but may not, except as provided  
13 in subparagraph (B), use any benefits so transferred after  
14 attaining the age of 26 years.

15 “(B)(i) Subject to clause (ii), in the case of a child  
16 who, before attaining the age of 26 years, is prevented  
17 from pursuing a chosen program of education by reason  
18 of acting as the primary provider of personal care services  
19 for a veteran or member of the Armed Forces under sec-  
20 tion 1720G(a) of this title, the child may use the benefits  
21 beginning on the date specified in clause (iii) for a period  
22 whose length is specified in clause (iv).

23 “(ii) Clause (i) shall not apply with respect to the  
24 period of an individual as a primary provider of personal  
25 care services if the period concludes with the revocation

1 of the individual’s designation as such a primary provider  
2 under section 1720G(a)(7)(D) of this title.

3 “(iii) The date specified in this clause for the begin-  
4 ning of the use of benefits by a child under clause (i) is  
5 the later of—

6 “(I) the date on which the child ceases acting  
7 as the primary provider of personal care services for  
8 the veteran or member concerned as described in  
9 clause (i);

10 “(II) the date on which it is reasonably feasible,  
11 as determined under regulations prescribed by the  
12 Secretary, for the child to initiate or resume the use  
13 of benefits; or

14 “(III) the date on which the child attains the  
15 age of 26 years.

16 “(iv) The length of the period specified in this clause  
17 for the use of benefits by a child under clause (i) is the  
18 length equal to the length of the period that—

19 “(I) begins on the date on which the child be-  
20 gins acting as the primary provider of personal care  
21 services for the veteran or member concerned as de-  
22 scribed in clause (i); and

23 “(II) ends on the later of—

24 “(aa) the date on which the child ceases  
25 acting as the primary provider of personal care

1 services for the veteran or member as described  
2 in clause (i); or

3 “(bb) the date on which it is reasonably  
4 feasible, as so determined, for the child to ini-  
5 tiate or resume the use of benefits.

6 “(6) The purposes for which a dependent to whom  
7 entitlement is transferred under this section may use such  
8 entitlement shall include the pursuit and completion of the  
9 requirements of a secondary school diploma (or equiva-  
10 lency certificate).

11 “(7) The administrative provisions of this chapter  
12 shall apply to the use of entitlement transferred under this  
13 section, except that the dependent to whom the entitle-  
14 ment is transferred shall be treated as the eligible indi-  
15 vidual for purposes of such provisions.

16 “(i) OVERPAYMENT.—(1) In the event of an overpay-  
17 ment of educational assistance with respect to a dependent  
18 to whom entitlement is transferred under this section, the  
19 dependent and the individual making the transfer shall be  
20 jointly and severally liable to the United States for the  
21 amount of the overpayment for purposes of section 3685  
22 of this title.

23 “(2)(A) Except as provided in subparagraph (B), if  
24 an individual transferring entitlement under this section  
25 fails to complete the service agreed to by the individual



1 under subsection (b)(1) in accordance with the terms of  
2 the agreement of the individual under that subsection, the  
3 amount of any transferred entitlement under this section  
4 that is used by a dependent of the individual as of the  
5 date of such failure shall be treated as an overpayment  
6 of educational assistance under paragraph (1).

7 “(B) Subparagraph (A) shall not apply in the case  
8 of an individual who fails to complete service agreed to  
9 by the individual—

10 “(i) by reason of the death of the individual; or

11 “(ii) for a reason referred to in section  
12 3311(c)(4) of this title.

13 “(j) REGULATIONS.—(1) The Secretary shall pre-  
14 scribe regulations to carry out this section.

15 “(2) Such regulations shall specify—

16 “(A) the manner of authorizing the transfer of  
17 entitlements under this section;

18 “(B) the eligibility criteria in accordance with  
19 subsection (b); and

20 “(C) the manner and effect of an election to  
21 modify or revoke a transfer of entitlement under  
22 subsection (f)(2).”.

23 (b) CONFORMING AMENDMENTS.—

24 (1) TRANSFERS BY MEMBERS OF ARMED  
25 FORCES.—The heading of section 3319 of such title

1 is amended by inserting “**by members of the**  
2 **Armed Forces**” after “**family members**”.

3 (2) BAR TO DUPLICATION OF EDUCATIONAL AS-  
4 SISTANCE BENEFITS.—Section 3322(e) of such title  
5 is amended by inserting “or 3319A” after “and  
6 3319”.

7 (c) CLERICAL AMENDMENT.—The table of sections  
8 at the beginning of chapter 33 of such title is amended  
9 by striking the item relating to section 3319 and inserting  
10 the following new items:

“3319. Authority to transfer unused education benefits to family members by  
members of the Armed Forces.

“3319A. Authority to transfer unused education benefits to family members by  
seriously injured veterans.”.

11 **SEC. 4. ENHANCEMENT OF SPECIAL COMPENSATION FOR**  
12 **MEMBERS OF THE UNIFORMED SERVICES**  
13 **WITH INJURIES OR ILLNESSES REQUIRING**  
14 **ASSISTANCE IN EVERYDAY LIVING.**

15 (a) EXPANSION OF COVERED MEMBERS.—Sub-  
16 section (b) of section 439 of title 37, United States Code,  
17 is amended—

18 (1) by striking paragraphs (1) through (3) and  
19 inserting the following new paragraphs:

20 “(1) has a serious injury or illness that was in-  
21 curred or aggravated in the line of duty;

22 “(2) is in need of personal care services (includ-  
23 ing supervision or protection or regular instruction

1 or supervision) as a result of such injury or illness;  
2 and”;

3 (2) by redesignating paragraph (4) as para-  
4 graph (3).

5 (b) NONTAXABILITY OF SPECIAL COMPENSATION.—  
6 Such section is further amended—

7 (1) by redesignating subsections (e), (f), (g),  
8 and (h) as subsections (g), (h), (i), and (j), respec-  
9 tively; and

10 (2) by inserting after subsection (d) the fol-  
11 lowing new subsection (e):

12 “(e) NONTAXABILITY OF COMPENSATION.—Monthly  
13 special compensation paid under subsection (a) shall not  
14 be included in income for purposes of the Internal Rev-  
15 enue Code of 1986.”.

16 (c) PROVISION OF ASSISTANCE TO FAMILY CARE-  
17 GIVERS.—Such section is further amended by inserting  
18 after subsection (e), as amended by subsection (b) of this  
19 section, the following new subsection (f):

20 “(f) ASSISTANCE FOR FAMILY CAREGIVERS.—(1)  
21 The Secretary of Veterans Affairs shall provide family  
22 caregivers of a member in receipt of monthly special com-  
23 pensation under subsection (a) the assistance required to  
24 be provided to family caregivers of eligible veterans under  
25 section 1720G(a)(3)(A) of title 38 (other than the monthly

1 personal caregiver stipend provided for in clause (ii)(V)  
2 of such section). For purposes of the provision of such  
3 assistance under this subsection, the definitions in section  
4 1720G(d) of title 38 shall apply, except that any reference  
5 in such definitions to a veteran or eligible veteran shall  
6 be deemed to be a reference to the member concerned.

7 “(2) The Secretary of Veterans Affairs shall provide  
8 assistance under this subsection—

9 “(A) in accordance with a memorandum of un-  
10 derstanding entered into by the Secretary of Vet-  
11 erans Affairs and the Secretary of Defense; and

12 “(B) in accordance with a memorandum of un-  
13 derstanding entered into by the Secretary of Vet-  
14 erans Affairs and the Secretary of Homeland Secu-  
15 rity (with respect to members of the Coast Guard).”.

16 (d) EXPANSION OF COVERED INJURIES AND ILL-  
17 NESSES.—Subsection (i) of such section, as redesignated  
18 by subsection (b)(1) of this section, is amended to read  
19 as follows:

20 “(i) SERIOUS INJURY OR ILLNESS DEFINED.—In  
21 this section, the term ‘serious injury or illness’ means an  
22 injury, disorder, or illness (including traumatic brain in-  
23 jury, psychological trauma, or other mental disorder)  
24 that—

1           “(1) renders the afflicted person unable to  
2 carry out one or more activities of daily living;

3           “(2) renders the afflicted person in need of su-  
4 pervision or protection due to the manifestation by  
5 such person of symptoms or residuals of neurological  
6 or other impairment or injury;

7           “(3) renders the afflicted person in need of reg-  
8 ular or extensive instruction or supervision in com-  
9 pleting two or more instrumental activities of daily  
10 living; or

11           “(4) otherwise impairs the afflicted person in  
12 such manner as the Secretary of Defense (or the  
13 Secretary of Homeland Security, with respect to the  
14 Coast Guard) prescribes for purposes of this sec-  
15 tion.”.

16 (e) CLERICAL AMENDMENTS.—

17           (1) HEADING AMENDMENT.—The heading for  
18 such section is amended to read as follows:

19 **“§ 439. Special compensation: members of the uni-**  
20 **formed services with serious injuries or**  
21 **illnesses requiring assistance in everyday**  
22 **living”.**

23           (2) TABLE OF SECTIONS AMENDMENT.—The  
24 table of sections at the beginning of chapter 7 of

1 such title is amended by striking the item relating  
2 to section 439 and inserting the following new item:

“439. Special compensation: members of the uniformed services with serious injuries or illnesses requiring assistance in everyday living.”.

3 **SEC. 5. FLEXIBLE WORK ARRANGEMENTS FOR CERTAIN**  
4 **FEDERAL EMPLOYEES.**

5 (a) DEFINITION OF COVERED EMPLOYEE.—In this  
6 section, the term “covered employee” means an employee  
7 (as defined in section 2105 of title 5, United States Code)  
8 who—

9 (1) is a caregiver, as defined in section 1720G  
10 of title 38, United States Code; or

11 (2) is a caregiver of an individual who receives  
12 compensation under section 439 of title 37, United  
13 States Code.

14 (b) AUTHORITY TO ALLOW FLEXIBLE WORK AR-  
15 RANGEMENTS.—The Director of the Office of Personnel  
16 Management may promulgate regulations under which a  
17 covered employee may—

18 (1) use a flexible schedule or compressed sched-  
19 ule in accordance with subchapter II of chapter 61  
20 of title 5, United States Code; or

21 (2) telework in accordance with chapter 65 of  
22 title 5, United States Code.

1 **SEC. 6. LIFESPAN RESPITE CARE.**

2 (a) DEFINITIONS.—Section 2901 of the Public  
3 Health Service Act (42 U.S.C. 300ii) is amended—

4 (1) in paragraph (1)—

5 (A) by redesignating subparagraphs (A)  
6 through (C) as clauses (i) through (iii), respec-  
7 tively, and realigning the margins accordingly;

8 (B) by striking “who requires care or su-  
9 pervision to—” and inserting “who—

10 “(A) requires care or supervision to—”;

11 (C) by striking the period and inserting “;  
12 or”; and

13 (D) by adding at the end the following:

14 “(B) is a veteran participating in the pro-  
15 gram of comprehensive assistance for family  
16 caregivers under section 1720G of title 38,  
17 United States Code.”; and

18 (2) in paragraph (5), by striking “or another  
19 unpaid adult,” and inserting “another unpaid adult,  
20 or a family caregiver as defined in section 1720G of  
21 title 38, United States Code, who receives compensa-  
22 tion under such section,”.

23 (b) GRANTS AND COOPERATIVE AGREEMENTS.—Sec-  
24 tion 2902(c) of the Public Health Service Act (42 U.S.C.  
25 300ii–1(c)) is amended by inserting “and the interagency  
26 working group on policies relating to caregivers of vet-

1 erans established under section 7 of the Military and Vet-  
2 eran Caregiver Services Improvement Act of 2014” after  
3 “Human Services”.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
5 2905 of the Public Health Service Act (42 U.S.C. 300ii–  
6 4) is amended—

7 (1) in paragraph (4), by striking “and” at the  
8 end;

9 (2) in paragraph (5), by striking the period and  
10 inserting “; and”; and

11 (3) by adding at the end the following:

12 “(6) \$15,000,000 for each of fiscal years 2015  
13 through 2019.”.

14 **SEC. 7. INTERAGENCY WORKING GROUP ON CAREGIVER**  
15 **POLICY.**

16 (a) ESTABLISHMENT.—There shall be established in  
17 the executive branch an interagency working group on  
18 policies relating to caregivers of veterans and members of  
19 the Armed Forces (in this section referred to as the  
20 “working group”).

21 (b) COMPOSITION.—

22 (1) IN GENERAL.—The working group shall be  
23 composed of the following:

24 (A) A chair selected by the President.



1 (B) A representative from each of the fol-  
2 lowing agencies or organizations selected by the  
3 head of such agency or organization:

4 (i) The Department of Veterans Af-  
5 fairs.

6 (ii) The Department of Defense.

7 (iii) The Department of Health and  
8 Human Services.

9 (iv) The Department of Labor.

10 (v) The Centers for Medicare and  
11 Medicaid Services.

12 (2) ADVISORS.—The chair may select any of  
13 the following individuals that the chair considers ap-  
14 propriate to advise the working group in carrying  
15 out the duties of the working group:

16 (A) Academic experts in fields relating to  
17 caregivers.

18 (B) Clinicians.

19 (C) Caregivers.

20 (D) Individuals in receipt of caregiver serv-  
21 ices.

22 (c) DUTIES.—The duties of the working group are  
23 as follows:

1           (1) To regularly review policies relating to care-  
2           givers of veterans and members of the Armed  
3           Forces.

4           (2) To coordinate and oversee the implementa-  
5           tion of policies relating to caregivers of veterans and  
6           members of the Armed Forces.

7           (3) To evaluate the effectiveness of policies re-  
8           lating to caregivers of veterans and members of the  
9           Armed Forces, including programs in each relevant  
10          agency, by developing and applying specific goals  
11          and performance measures.

12          (4) To develop standards of care for caregiver  
13          services and respite care services provided to a care-  
14          giver, veteran, or member of the Armed Forces by  
15          a non-profit or private sector entity.

16          (5) To ensure the availability of mechanisms for  
17          agencies, and entities affiliated with or providing  
18          services on behalf of agencies, to enforce the stand-  
19          ards described in paragraph (4) and conduct over-  
20          sight on the implementation of such standards.

21          (6) To develop recommendations for legislative  
22          or administrative action to enhance the provision of  
23          services to caregivers, veterans, and members of the  
24          Armed Forces, including eliminating gaps in such

1 services and eliminating disparities in eligibility for  
2 such services.

3 (7) To coordinate with State and local agencies  
4 and relevant non-profit organizations on maximizing  
5 the use and effectiveness of resources for caregivers  
6 of veterans and members of the Armed Forces.

7 (d) REPORTS.—

8 (1) IN GENERAL.—Not later than December 31,  
9 2014, and annually thereafter, the chair of the work-  
10 ing group shall submit to Congress a report on poli-  
11 cies and services relating to caregivers of veterans  
12 and members of the Armed Forces.

13 (2) ELEMENTS.—Each report required by para-  
14 graph (1) shall include the following:

15 (A) An assessment of the policies relating  
16 to caregivers of veterans and members of the  
17 Armed Forces and services provided pursuant  
18 to such policies as of the date of submittal of  
19 such report.

20 (B) A description of any steps taken by  
21 the working group to improve the coordination  
22 of services for caregivers of veterans and mem-  
23 bers of the Armed Forces among the entities  
24 specified in subsection (b)(1)(B) and eliminate

1 barriers to effective use of such services, includ-  
2 ing aligning eligibility criteria.

3 (C) An evaluation of the performance of  
4 the entities specified in subsection (b)(1)(B) in  
5 providing services for caregivers of veterans and  
6 members of the Armed Forces.

7 (D) An evaluation of the quality and suffi-  
8 ciency of services for caregivers of veterans and  
9 members of the Armed Forces available from  
10 non-governmental organizations.

11 (E) A description of any gaps in care or  
12 services provided by caregivers to veterans or  
13 members of the Armed Forces identified by the  
14 working group, and steps taken by the entities  
15 specified in subsection (b)(1)(B) to eliminate  
16 such gaps or recommendations for legislative or  
17 administrative action to address such gaps.

18 (F) Such other matters or recommenda-  
19 tions as the chair considers appropriate.

20 **SEC. 8. STUDIES ON POST-SEPTEMBER 11, 2001, VETERANS**  
21 **AND SERIOUSLY INJURED VETERANS.**

22 (a) LONGITUDINAL STUDY ON POST-9/11 VET-  
23 ERANS.—

24 (1) IN GENERAL.—The Secretary of Veterans  
25 Affairs shall provide for the conduct of a longitu-

1       dinal study on members of the Armed Forces who  
2       commenced service in the Armed Forces after Sep-  
3       tember 11, 2001.

4               (2) GRANT OR CONTRACT.—The Secretary shall  
5       award a grant to, or enter into a contract with, an  
6       appropriate entity unaffiliated with the Department  
7       of Veterans Affairs to conduct the study required by  
8       paragraph (1).

9               (3) PLAN.—Not later than one year after the  
10       date of the enactment of this Act, the Secretary  
11       shall submit to the Committee on Veterans' Affairs  
12       of the Senate and the Committee on Veterans' Af-  
13       fairs of the House of Representatives a plan for the  
14       conduct of the study required by paragraph (1).

15              (4) REPORTS.—Not later than October 1, 2019,  
16       and every four years thereafter, the Secretary shall  
17       submit to the Committee on Veterans' Affairs of the  
18       Senate and the Committee on Veterans' Affairs of  
19       the House of Representatives a report on the results  
20       of the study required by paragraph (1) as of the  
21       date of such report.

22       (b) COMPREHENSIVE STUDY ON SERIOUSLY IN-  
23       JURED VETERANS AND THEIR CAREGIVERS.—

1           (1) IN GENERAL.—The Secretary of Veterans  
2 Affairs shall provide for the conduct of a comprehen-  
3 sive study on the following:

4           (A) Veterans who have incurred a serious  
5 injury or illness, including a mental health in-  
6 jury.

7           (B) Individuals who are acting as care-  
8 givers for veterans.

9           (2) ELEMENTS.—The comprehensive study re-  
10 quired by paragraph (1) shall include the following  
11 with respect to each veteran included in such study:

12           (A) The health of the veteran and, if appli-  
13 cable, the impact of the caregiver of such vet-  
14 eran on the health of such veteran.

15           (B) The employment status of the veteran  
16 and, if applicable, the impact of the caregiver of  
17 such veteran on the employment status of such  
18 veteran.

19           (C) The financial status and needs of the  
20 veteran.

21           (D) The use by the veteran of benefits  
22 available to such veteran from the Department  
23 of Veterans Affairs.

24           (E) Any other information that the Sec-  
25 retary considers appropriate.

1           (3) GRANT OR CONTRACT.—The Secretary shall  
2           award a grant to, or enter into a contract with, an  
3           appropriate entity unaffiliated with the Department  
4           of Veterans Affairs to conduct the study required by  
5           paragraph (1).

6           (4) REPORT.—Not later than two years after  
7           the date of the enactment of this Act, the Secretary  
8           shall submit to the Committee on Veterans' Affairs  
9           of the Senate and the Committee on Veterans' Af-  
10          fairs of the House of Representatives a report on the  
11          results of the study required by paragraph (1).

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