

117TH CONGRESS
1ST SESSION

S. 3017

To expand the provision and availability of dental care furnished by the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 20, 2021

Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BOOKER, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To expand the provision and availability of dental care furnished by 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 “Veterans Dental Care
5 Eligibility Expansion and Enhancement Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the Department of Veterans Affairs has pio-
9 neered a whole health approach to health care, which

1 brought mental health and suicide prevention under
2 the umbrella of primary care and integrated health,
3 provides access to alternative medicines, delivers a
4 holistic approach to health and well-being, and re-
5 peatedly demonstrates better health outcomes than
6 the private sector at a low cost to taxpayers in the
7 United States;

8 (2) the effects of poor dental care are seen in
9 patients who are at risk of or diagnosed with diabe-
10 tes, cardiovascular disease, pulmonary conditions,
11 kidney impairment, and even dementia;

12 (3) the Department spends countless dollars on
13 prescription drugs, community care, urgent care,
14 and emergency room visits on preventable ailments
15 that would be reduced or eliminated through pre-
16 ventative dental care; and

17 (4) in order to best achieve a whole health
18 model for the provision of health care to veterans
19 and reduce long-term costs, the Department must
20 furnish veterans with preventative and comprehen-
21 sive dental care.

1 **SEC. 3. REQUIREMENT THAT SECRETARY OF VETERANS AF-**
2 **FAIRS FURNISH DENTAL CARE IN THE SAME**
3 **MANNER AS ANY OTHER MEDICAL SERVICE.**

4 (a) IN GENERAL.—Title 38, United States Code, is
5 amended—

6 (1) in section 1701(6)(B), by striking “as de-
7 scribed in sections 1710 and 1712 of this title”;

8 (2) in section 1710(c), by striking the second
9 sentence; and

10 (3) in section 1712—

11 (A) by striking subsections (a) and (b);

12 (B) by redesignating subsections (c), (d),
13 and (e) as subsections (a), (b), and (c), respec-
14 tively; and

15 (C) in subsection (a), as redesignated by
16 subparagraph (B)—

17 (i) by striking “Dental appliances”
18 and inserting “The Secretary may furnish
19 dentures, dental appliances”; and

20 (ii) by striking “to be furnished by the
21 Secretary under this section may be pro-
22 cured by the Secretary” and inserting
23 “under this section and may procure such
24 appliances”.

25 (b) CONFORMING AND CLERICAL AMENDMENTS.—

26 (1) CONFORMING AMENDMENTS.—

1 (A) PROTECTION OF HEALTH CARE ELIGI-
 2 BILITY.—Section 1525(a) of such title is
 3 amended by striking “medicines under section
 4 1712(d)” and inserting “medicines under sec-
 5 tion 1712(b)”.

6 (B) DENTAL INSURANCE PLAN.—Section
 7 1712C(h) of such title is amended—

8 (i) by striking “section 1712 of this
 9 title” and inserting “this chapter”; and

10 (ii) by striking “such section 1712”
 11 and inserting “this chapter”.

12 (2) HEADING AMENDMENT.—The heading for
 13 section 1712 of such title is amended to read as fol-
 14 lows:

15 **“§ 1712. Appliances; drugs and medicines for certain**
 16 **disabled veterans; vaccines”.**

17 (3) CLERICAL AMENDMENT.—The table of sec-
 18 tions at the beginning of subchapter II of chapter 17
 19 of such title is amended by striking the item relating
 20 to section 1712 and inserting the following new
 21 item:

“1712. Appliances; drugs and medicines for certain disabled veterans; vac-
 cines.”.

22 (c) EFFECTIVE DATE.—The amendments made by
 23 this section shall take effect on the date that is one year
 24 after the date of the enactment of this Act.

1 **SEC. 4. EXPANSION OF FURNISHING BY DEPARTMENT OF**
2 **VETERANS AFFAIRS OF DENTAL CARE TO ALL**
3 **ENROLLED VETERANS.**

4 (a) IN GENERAL.—The Secretary of Veterans Affairs
5 shall furnish dental care to all veterans enrolled in the sys-
6 tem of annual patient enrollment of the Department of
7 Veterans Affairs established and operated under section
8 1705(a) of title 38, United States Code, pursuant to the
9 phased approach required under this section.

10 (b) PHASE ONE REQUIRED.—

11 (1) COMMENCEMENT.—

12 (A) IN GENERAL.—Commencing not later
13 than one year after the date of the enactment
14 of this Act, the Secretary of Veterans Affairs
15 shall furnish dental care to all covered veterans
16 who are not eligible for dental services and
17 treatment and related dental appliances under
18 the laws administered by the Secretary as of
19 the date of the enactment of this Act.

20 (B) PHASE ONE.—In this section, the fur-
21 nishing of dental care under subparagraph (A)
22 shall be referred to as “phase one”.

23 (2) DURATION OF PHASE ONE.—Phase one
24 shall be carried out during the two-year period be-
25 ginning on the date of the commencement of phase
26 one.

1 (3) LOCATIONS.—

2 (A) IN GENERAL.—The Secretary shall
3 carry out phase one at the following locations:

4 (i) Each medical center of the Depart-
5 ment with an established dental clinic.

6 (ii) Not fewer than four military med-
7 ical treatment facilities of the Department
8 of Defense with the capacity to furnish
9 dental care, which shall be selected in con-
10 sultation with the Secretary of Defense.

11 (iii) Not fewer than four community-
12 based outpatient clinics with space avail-
13 able for the furnishing of dental care under
14 phase one.

15 (iv) Not fewer than four Federally
16 Qualified Health Centers.

17 (v) Not fewer than four facilities of
18 the Indian Health Service with established
19 dental clinics, which shall be selected in
20 consultation with the Secretary of Health
21 and Human Services.

22 (B) CONSIDERATIONS.—In selecting loca-
23 tions for phase one, the Secretary shall consider
24 the feasibility and advisability of selecting loca-
25 tions in each of the following:

1 (i) Rural areas.

2 (ii) Areas that are not in close prox-
3 imity to an active duty military installa-
4 tion.

5 (iii) Areas representing different geo-
6 graphic locations, such as census tracts es-
7 tablished by the Bureau of the Census.

8 (C) MOBILE DENTAL CLINICS.—In car-
9 rying out phase one, the Secretary shall test the
10 efficacy of mobile dental clinics to service rural
11 areas that do not have a population base to
12 warrant a full-time clinic but where there are
13 covered veterans in need of dental care.

14 (D) HOME-BASED DENTAL CARE.—In car-
15 rying out phase one, the Secretary shall test the
16 efficacy of portable dental care units to service
17 rural veteran in their homes, as the Secretary
18 considers medically appropriate.

19 (4) SCOPE OF SERVICES.—The dental care fur-
20 nished to covered veterans under phase one shall be
21 consistent with the dental services and treatment
22 furnished by the Secretary to veterans with service-
23 connected disabilities rated 100-percent disabling
24 under the laws administered by the Secretary.

1 (5) USE OF TELEMEDICINE.—When providing
2 dental services via telemedicine under phase one, the
3 Secretary shall use Federal employees to the max-
4 imum extent possible.

5 (6) VOLUNTARY PARTICIPATION.—The partici-
6 pation of a covered veteran in phase one shall be at
7 the election of the veteran.

8 (7) COPAYMENTS.—The Secretary may collect
9 copayments for dental care furnished under phase
10 one in accordance with authorities on the collection
11 of copayments for medical care of veterans under
12 chapter 17 of title 38, United States Code.

13 (8) ADMINISTRATION.—

14 (A) NOTICE TO COVERED VETERANS ON
15 PHASE ONE.—In carrying out phase one, the
16 Secretary shall inform all covered veterans of
17 the services and treatment available under
18 phase one.

19 (B) CONTRACTS.—

20 (i) IN GENERAL.—Subject to clause
21 (iii), in carrying out phase one, the Sec-
22 retary may enter into contracts with ap-
23 propriate entities for the provision of den-
24 tal care under phase one.

1 (ii) PERFORMANCE STANDARDS AND
2 METRICS.—Each contract entered into
3 under clause (i) shall specify performance
4 standards and metrics and processes for
5 ensuring compliance of the contractor con-
6 cerned with such performance standards.

7 (iii) LIMITATION.—The Secretary may
8 only enter into contracts under clause (i) if
9 the Secretary determines that the Depart-
10 ment does not employ, and cannot recruit
11 and retain, qualified dentists, dental hy-
12 gienists, and oral surgeons in the applica-
13 ble location.

14 (9) DEFINITIONS.—In this subsection:

15 (A) COVERED VETERAN.—The term “cov-
16 ered veteran” means a veteran enrolled in the
17 system of annual patient enrollment of the De-
18 partment of Veterans Affairs established and
19 operated under section 1705(a) of title 38,
20 United States Code, pursuant to paragraph (1)
21 or (2) of such section.

22 (B) FEDERALLY QUALIFIED HEALTH CEN-
23 TER.—The term “Federally Qualified Health
24 Center” means a Federally-qualified health cen-

1 ter as defined in section 1905(l)(2)(B) of the
2 Social Security Act (42 U.S.C. 1396d(l)(2)(B)).

3 (c) EXPANSION.—

4 (1) IN GENERAL.—After the completion of
5 phase one, the Secretary shall expand the provision
6 of dental care under this section to all veterans, in-
7 cluding through the use of the recommendations of
8 the Secretary under subsection (d)(2)(F), as follows:

9 (A) In phase two, which shall—

10 (i) commence not later than 90 days
11 after the completion of phase one; and

12 (ii) consist of the provision of dental
13 care to all veterans enrolled in the system
14 of annual patient enrollment of the De-
15 partment of Veterans Affairs established
16 and operated under section 1705(a) of title
17 38, United States Code, pursuant to para-
18 graph (1), (2), (3), or (4) of such section.

19 (B) In phase three, which shall—

20 (i) commence not later than 90 days
21 after the completion of phase two; and

22 (ii) consist of the provision of dental
23 care to all veterans enrolled in such system
24 pursuant to paragraph (1), (2), (3), (4),
25 (5), or (6) of such section.

- 1 (C) In phase four, which shall—
- 2 (i) commence not later than 90 days
- 3 after the completion of phase three; and
- 4 (ii) consist of the provision of dental
- 5 care to all veterans enrolled in such sys-
- 6 tem.

7 (2) FACILITY EXPANSION.—Under each phase

8 specified in paragraph (1), the Secretary shall ex-

9 pand the number of facilities described in subsection

10 (b)(3) furnishing dental care under this section com-

11 mensurate to the number of new veterans furnished

12 care under such phase, including through the use of

13 any other facilities to which veterans have access.

14 (3) DURATION.—Each phase specified in para-

15 graph (1) shall be carried out during a period not

16 to exceed two years and all such phases, including

17 phase one, shall be carried out for a period not to

18 exceed eight years.

19 (4) CONCLUSION.—Upon the conclusion of

20 phase four specified under paragraph (1)(C), all vet-

21 erans enrolled in the system of annual patient enroll-

22 ment of the Department of Veterans Affairs estab-

23 lished and operated under section 1705(a) of title

24 38, United States Code, shall be eligible for dental

25 care from the Department.

1 (d) REPORTS.—

2 (1) IN GENERAL.—Not later than 90 days be-
3 fore the completion of phase one, and not later than
4 180 days after the completion of each subsequent
5 phase under subsection (c)(1), the Secretary shall
6 submit to the Committee on Veterans' Affairs and
7 the Committee on Armed Services of the Senate and
8 the Committee on Veterans' Affairs and the Com-
9 mittee on Armed Services of the House of Rep-
10 resentatives a report on the phase about to be com-
11 pleted and the plans of the Secretary for implemen-
12 tation of expansion of the provision of dental care
13 pursuant to subsection (c).

14 (2) CONTENTS.—Each report under paragraph
15 (1) shall include the following:

16 (A) A description of the implementation
17 and operation of the phase covered by the re-
18 port.

19 (B) The number of veterans receiving den-
20 tal care under such phase and a description of
21 the dental care furnished to such veterans.

22 (C) An analysis of the costs and benefits
23 of such phase, including a comparison of costs
24 and benefits by location type.

1 (D) An assessment of the impact of such
2 phase on appointments for care, prescriptions,
3 hospitalizations, emergency room visits, well-
4 ness, employability, and satisfaction of patients,
5 and perceived quality of life of veterans.

6 (E) An analysis and assessment of the effi-
7 cacy of mobile clinics and home-based dental
8 care to service the dental needs of veterans dur-
9 ing such phase.

10 (F) The findings and conclusions of the
11 Secretary with respect to such phase.

12 (G) A comparison of the costs for private
13 sector dental care with cost of furnishing dental
14 care from the Department, broken down by
15 each locality included in such phase.

16 (H) Such recommendations for the expan-
17 sion of dental care pursuant to subsection (c)
18 as the Secretary considers appropriate.

19 **SEC. 5. REQUIREMENT OF DENTAL CLINIC OF DEPART-**
20 **MENT OF VETERANS AFFAIRS IN EACH**
21 **STATE.**

22 (a) IN GENERAL.—The Secretary of Veterans Affairs
23 shall ensure that each State has a dental clinic of the De-
24 partment of Veterans Affairs to service the needs of the
25 veterans within that State.

1 (b) EFFECTIVE DATE.—This section shall take effect
2 on the date that is one year after the date of the enact-
3 ment of this Act.

4 **SEC. 6. PROGRAM ON EDUCATION TO PROMOTE DENTAL**
5 **HEALTH IN VETERANS.**

6 (a) PROGRAM REQUIRED.—The Secretary of Vet-
7 erans Affairs shall carry out a program of education to
8 promote dental health for veterans who are enrolled in the
9 system of annual patient enrollment of the Department
10 of Veterans Affairs established and operated under section
11 1705(a) of title 38, United States Code.

12 (b) ELEMENTS.—The program required by sub-
13 section (a) shall provide education for veterans on the fol-
14 lowing:

15 (1) The association between dental health and
16 overall health and well-being.

17 (2) Proper techniques for dental care.

18 (3) Signs and symptoms of commonly occurring
19 dental conditions.

20 (4) Treatment options for commonly occurring
21 dental issues.

22 (5) Options for obtaining access to dental care,
23 including information on eligibility for dental care
24 through the Department.

1 (6) Available and accessible options for obtain-
2 ing low or no-cost dental care, including through
3 dental schools and Federally Qualified Health Cen-
4 ters.

5 (7) Such other matters relating to dental health
6 as the Secretary considers appropriate.

7 (c) DELIVERY OF EDUCATIONAL MATERIALS.—

8 (1) IN GENERAL.—The Secretary shall provide
9 educational materials to veterans under the program
10 required by subsection (a) through a variety of
11 mechanisms, including the following:

12 (A) The availability and distribution of
13 print materials at facilities of the Department
14 (including at medical centers, clinics, Vet Cen-
15 ters, and readjustment counseling centers) and
16 to providers (including members of Patient
17 Aligned Care Teams).

18 (B) The availability and distribution of
19 materials over the internet, including through
20 webinars, My HealtheVet, and VA.gov.

21 (C) Presentations by the dental program
22 office of the Department of information, includ-
23 ing both small group and large group presen-
24 tations, and distribution of such information to

1 all locations in which the program is being car-
2 ried out.

3 (2) SELECTION OF MECHANISMS.—In selecting
4 mechanisms under paragraph (1), the Secretary
5 shall select mechanisms designed to maximize the
6 number of veterans who receive education under the
7 program.

8 (d) CONSTRUCTION.—Nothing in this section shall be
9 construed to alter or revise the eligibility of any veteran
10 for dental care under the laws administered by the Sec-
11 retary.

12 (e) DEFINITIONS.—In this section—

13 (1) FEDERALLY QUALIFIED HEALTH CEN-
14 TER.—The term “Federally Qualified Health Cen-
15 ter” means a Federally-qualified health center as de-
16 fined in section 1905(l)(2)(B) of the Social Security
17 Act (42 U.S.C. 1396d(l)(2)(B)).

18 (2) VET CENTER.—The term “Vet Center” has
19 the meaning given that term in section 1712A(h) of
20 title 38, United States Code.

21 (f) EFFECTIVE DATE.—This section shall take effect
22 on the date that is one year after the date of the enact-
23 ment of this Act.

1 **SEC. 7. STUDENT LOAN REPAYMENT PROGRAM TO**
2 **INCENTIVIZE DENTAL TRAINING AND EN-**
3 **SURE THE DENTAL WORKFORCE OF THE DE-**
4 **PARTMENT OF VETERANS AFFAIRS.**

5 (a) PROGRAM REQUIRED.—The Secretary of Vet-
6 erans Affairs, to ensure that the Department of Veterans
7 Affairs has sufficient staff to provide dental service to vet-
8 erans, shall implement a loan reimbursement program for
9 qualified dentists, dental hygienists, and oral surgeons
10 who agree—

11 (1) to be appointed by the Secretary as a den-
12 tist, dental hygienist, or oral surgeon, as the case
13 may be, under section 7401 of title 38, United
14 States Code; and

15 (2) to serve as a dentist, dental hygienist, or
16 oral surgeon, as the case may be, of the Department
17 pursuant to such appointment at a dental clinic of
18 the Department for a period of not less than five
19 years.

20 (b) MAXIMUM AMOUNT.—The Secretary may reim-
21 burse not more than—

22 (1) \$75,000 for each dentist participating in
23 the program under subsection (a);

24 (2) \$10,000 for each dental hygienist partici-
25 pating in such program; and

1 (3) \$20,000 for each oral surgeon participating
2 in such program.

3 (c) **SELECTION OF LOCATIONS.**—The Secretary shall
4 monitor demand among veterans for dental care and re-
5 quire participants in the program under subsection (a) to
6 choose from dental clinics of the Department with the
7 greatest need for dentists, dental hygienists, or oral sur-
8 geons, as the case may be, according to facility enrollment
9 and patient demand.

10 **SEC. 8. EDUCATIONAL AND TRAINING PARTNERSHIPS FOR**
11 **DENTISTS, DENTAL HYGIENISTS, AND ORAL**
12 **SURGEONS.**

13 The Secretary of Veterans Affairs shall enter into
14 educational and training partnerships with dental schools
15 to provide training and employment opportunities for den-
16 tists, dental hygienists, and oral surgeons.

17 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) **IN GENERAL.**—There is authorized to be appro-
19 priated for the Department of Veterans Affairs for fiscal
20 year 2021 such sums as may be necessary to carry out
21 this Act and the amendments made by this Act.

22 (b) **AVAILABILITY.**—The amount authorized to be ap-
23 propriated under subsection (a) shall be available for obli-

1 gation for the eight-year period beginning on the date that
2 is one year after the date of the enactment of this Act.

○