

118TH CONGRESS  
1ST SESSION

# H. R. 3948

To expand access to health care for veterans in the Freely Associated States,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2023

Mr. BERA (for himself, Mr. CASE, Mrs. RADEWAGEN, Ms. TOKUDA, and Mr. WOMACK) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To expand access to health care for veterans in the Freely  
Associated States, 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 “Care for COFA Vet-  
5 erans Act”.

6 **SEC. 2. EXPANSION OF EXISTING AUTHORITIES TO PRO-**  
7 **VIDE HEALTH CARE TO VETERANS IN THE**  
8 **FREELY ASSOCIATED STATES.**

9 (a) HEALTH CARE ABROAD.—Section 1724 of title  
10 38, United States Code, is amended—

1           (1) in subsection (a), by striking “subsections  
2           (b) and (c)” and inserting “subsections (b), (c), and  
3           (f)”; and

4           (2) by adding at the end the following new sub-  
5           section:

6           “(f)(1) The Secretary may furnish hospital care and  
7           medical services in the Freely Associated States for any  
8           service-connected disability or non-service-connected dis-  
9           ability.

10          “(2) In furnishing care and services under paragraph  
11          (1), the Secretary may furnish such care and services  
12          through contracts or other agreements, through reim-  
13          bursement, or through the direct provision of care by  
14          health care personnel of the Department.

15          “(3) In this subsection, the term ‘Freely Associated  
16          States’ means the Republic of Palau, the Republic of the  
17          Marshall Islands, and the Federated States of Micronesia,  
18          which have each entered into a Compact of Free Associa-  
19          tion with the United States.”.

20          (b) BENEFICIARY TRAVEL FOR TREATMENT OF  
21          SERVICE-CONNECTED DISABILITIES.—Section 111 of  
22          such title is amended by adding at the end the following  
23          new subsection:

24          “(h)(1) The Secretary may make payments provided  
25          for in this section to or for any person specified in sub-

1 section (b)(1)(A) for travel specified in that subsection to,  
2 from, or within the Freely Associated States.

3 “(2) In this subsection, the term ‘Freely Associated  
4 States’ means the Republic of Palau, the Republic of the  
5 Marshall Islands, and the Federated States of Micronesia,  
6 which have each entered into a Compact of Free Associa-  
7 tion with the United States.”.

8 (c) LEGAL ISSUES.—The Secretary of Veterans Af-  
9 fairs, in consultation with the Secretary of State, shall  
10 work with the governments of the Freely Associated States  
11 to facilitate the furnishing of health services, including  
12 telehealth, under the laws administered by the Secretary  
13 of Veterans Affairs to veterans in the Freely Associated  
14 States, such as by addressing—

15 (1) licensure, certification, registration, and tort  
16 issues relating to health care personnel; and

17 (2) matters relating to deliveries of pharma-  
18 ceutical products and medical surgical products, in-  
19 cluding deliveries of such products through the phar-  
20 macy of the Department of Veterans Affairs, to the  
21 Freely Associated States.

22 (d) OUTREACH AND ASSESSMENT OF OPTIONS.—  
23 During the one-year period beginning on the date of the  
24 enactment of this Act, the Secretary of Veterans Affairs  
25 shall—

1           (1) conduct robust outreach to and engage with  
2           each government of the Freely Associated States;  
3           and

4           (2) assess options about the best way to furnish  
5           care under section 1724(f) of title 38, United States  
6           Code, as added by subsection (a).

7           (e) REPORT ON PROVISION OF HEALTH CARE TO  
8           VETERANS IN THE FREELY ASSOCIATED STATES.—Not  
9           later than one year after the date of the enactment of this  
10          Act, the Secretary of Veterans Affairs shall submit to Con-  
11          gress a report on the implementation of the authorities  
12          provided pursuant to the amendments made by this sec-  
13          tion and any additional authorities and resources needed  
14          by the Secretary to carry out those authorities, including  
15          to carry out the following:

16           (1) Reimbursement of care for non-service-con-  
17           nected disabilities in the Freely Associated States  
18           under section 1724(f) of title 38, United States  
19           Code, as added by subsection (a).

20           (2) Contracts with local clinics and federally  
21           qualified health centers (as defined in section  
22           1905(l)(2)(B) of the Social Security Act (42 U.S.C.  
23           1396d(l)(2)(B))) in the Freely Associated States to  
24           provide care and services such section 1724(f), as so  
25           added.

1           (3) Furnishing of telehealth services and tech-  
2           nologies to veterans in the Freely Associated States  
3           by providers of the Department under such section  
4           1724(f), as so added.

5           (4) Payment under section 111(h) of title 38,  
6           United States Code, as added by subsection (b), for  
7           travel to, from, or within the Freely Associated  
8           States for veterans seeking health care for service-  
9           connected disabilities.

10          (5) Construction of clinics in the Freely Associ-  
11          ated States or leasing of space at military installa-  
12          tions, embassy compounds, or consulate facilities to  
13          provide care under section 1724(f) of title 38,  
14          United States Code, as added by subsection (a).

15          (6) Such other matters as the Secretary con-  
16          siders appropriate.

17          (f) FREELY ASSOCIATED STATES DEFINED.—In this  
18          section, the term “Freely Associated States” means the  
19          Republic of Palau, the Republic of the Marshall Islands,  
20          and the Federated States of Micronesia, which have each  
21          entered into a Compact of Free Association with the  
22          United States.

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