

118TH CONGRESS
1ST SESSION

H. R. 5416

To amend title 38, United States Code, to provide for the automatic enrollment of eligible veterans in patient enrollment system of Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2023

Mr. TAKANO introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for the automatic enrollment of eligible veterans in patient enrollment system of 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 “Ensuring Veterans’
5 Smooth Transition Act” or the “EVEST Act”.

1 **SEC. 2. AUTOMATIC ENROLLMENT OF ELIGIBLE VETERANS**
2 **IN PATIENT ENROLLMENT SYSTEM OF DE-**
3 **PARTMENT OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Section 1705 of title 38, United
5 States Code, is amended by adding at the end the fol-
6 lowing new subsection:

7 “(d)(1) The Secretary shall enroll each veteran de-
8 scribed in subsection (a) in the patient enrollment system
9 under this section by not later than 60 days after receiving
10 the information described in paragraph (3) with respect
11 to the veteran.

12 “(2)(A) Not later than 60 days after enrolling a vet-
13 eran under paragraph (1), the Secretary shall provide to
14 the veteran—

15 “(i) notice of the veteran’s enrollment;

16 “(ii) instructions for how the veteran may opt
17 out of such enrollment, at the election of the vet-
18 eran; and

19 “(iii) instructions for how the veteran may elect
20 to enroll at a later date.

21 “(B) In carrying out subparagraph (A), the Secretary
22 shall consider using, to the extent practical, mass texting
23 capabilities through mobile telephones.

24 “(C) Any notice or instructions required to be pro-
25 vided under this paragraph shall be provided in the form
26 of a physical copy delivered by mail and, to the extent

1 practical, in the form of an electronic copy delivered by
2 electronic mail.

3 “(3) The information described in this paragraph is
4 the appropriate information concerning eligibility for en-
5 rollment in the patient enrollment system under this sec-
6 tion, as provided by the Defense Manpower Data Center
7 of the Department of Defense, or such successor entity
8 of the Department.”.

9 (b) APPLICABILITY.—Subsection (d) of section 1705
10 of title 38, United States Code, as added by subsection
11 (a), shall apply to a veteran who is discharged or sepa-
12 rated from the Armed Forces on or after the date that
13 is 90 days before the date of the enactment of this Act
14 and with respect to whom the Secretary receives the infor-
15 mation described in paragraph (3) of such subsection on
16 or after the date of the enactment of this Act.

17 (c) ELECTRONIC CERTIFICATES OF ELIGIBILITY FOR
18 DEPARTMENT OF VETERANS AFFAIRS PATIENT ENROLL-
19 MENT SYSTEM.—Not later than August 1, 2024, the Sec-
20 retary of Veterans Affairs shall ensure that any veteran
21 who is eligible for automatic enrollment in the patient en-
22 rollment system under subsection (d) of section 1705 of
23 title 38, United States Code, as added by subsection (a),
24 is able to access—

1 (1) an electronic version of the certificate of eli-
2 gibility showing the veteran’s eligibility for such en-
3 rollment; and

4 (2) an electronic mechanism by which the vet-
5 eran may opt out of such enrollment.

6 (d) PROVISION OF NOTICE AND INFORMATION.—The
7 notice and instructions required to be provided under sub-
8 section (d)(2) of section 1705 of title 38, United States
9 Code, as added by subsection (a), shall be provided in ac-
10 cordance with the established procedures of the Depart-
11 ment of Veterans Affairs with respect to the provision of
12 similar types of notices and instructions.

13 (e) REPORT ON AUTOMATIC ENROLLMENT.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the first veteran is enrolled in the patient enrollment
16 system of the Department of Veterans Affairs under
17 subsection (d) of section 1705 of title 38, United
18 States Code, as added by subsection (a), the Sec-
19 retary shall submit to Congress a report on the en-
20 rollment process under such subsection. Such report
21 shall include each of the following:

22 (A) A discussion of any anticipated chal-
23 lenges that occurred in implementing such sub-
24 section, the strategies used to address such

1 challenges, and the effectiveness of such strate-
2 gies.

3 (B) A discussion of any unanticipated chal-
4 lenges that occurred in implementing such sub-
5 section, the strategies used to address such
6 challenges, and the effectiveness of such strate-
7 gies.

8 (C) Any additional information the Sec-
9 retary determines appropriate, including infor-
10 mation that may be useful to other Federal de-
11 partments and agencies considering the imple-
12 mentation of similar automatic enrollment pro-
13 grams.

14 (2) FORM OF REPORT.—The report required
15 under paragraph (1) shall be submitted in unclassi-
16 fied form, but may include a classified annex.

17 **SEC. 3. GAO REPORT ON NOTICE OF AUTOMATIC ENROLL-**
18 **MENT IN PATIENT ENROLLMENT SYSTEM OF**
19 **DEPARTMENT OF VETERANS AFFAIRS.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Comptroller General of the United
22 States shall submit to Congress a report containing the
23 results of a study to determine the best methods for the
24 Secretary of Veterans Affairs to provide notice under
25 paragraph (2) of subsection (d) of section 1705 of title

1 38, United States Code, as added by section 2. In making
2 such determination, the Comptroller General shall con-
3 sider needs of veterans based on—

- 4 (1) age;
- 5 (2) residence in urban areas; and
- 6 (3) residence in rural areas.

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