

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5428

To direct the Secretary of Veterans Affairs to educate certain staff of the Department of Veterans Affairs and to inform veterans about the Injured and Amputee Veterans Bill of Rights, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 27, 2010

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

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## A BILL

To direct the Secretary of Veterans Affairs to educate certain staff of the Department of Veterans Affairs and to inform veterans about the Injured and Amputee Veterans Bill of Rights, 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. INJURED AND AMPUTEE VETERANS BILL OF**  
4       **RIGHTS.**

5       (a) DISPLAY.—The Secretary of Veterans Affairs  
6 shall ensure that the Injured and Amputee Veterans Bill  
7 of Rights described in subsection (d) is printed on signage  
8 in accessible formats and displayed prominently and con-

1 spicuously in each prosthetics and orthotics clinic of the  
2 Department of Veterans Affairs.

3 (b) EDUCATION OF DEPARTMENT EMPLOYEES.—

4 The Secretary of Veterans Affairs shall ensure that em-  
5 ployees of the Department of Veterans Affairs who work  
6 at prosthetics and orthotics clinics and who work as pa-  
7 tient advocates with veterans who receive care at such clin-  
8 ics, including Federal recovery coordinators and case man-  
9 agers, receive training on the Injured and Amputee Vet-  
10 erans Bill of Rights described in subsection (d).

11 (c) OUTREACH TO VETERANS.—The Secretary of  
12 Veterans Affairs shall conduct outreach to inform veterans  
13 about the Injured and Amputee Veterans Bill of Rights  
14 described in subsection (d) by—

15 (1) ensuring that such Bill of Rights is avail-  
16 able on the Internet Web site of the Department of  
17 Veterans Affairs; and

18 (2) conducting other types of outreach targeted  
19 at specific groups of veterans, which may include  
20 outreach conducted on other Internet Web sites or  
21 through veterans service organizations.

22 (d) INJURED AND AMPUTEE VETERANS BILL OF  
23 RIGHTS.—The Injured and Amputee Veterans Bill of  
24 Rights described in this subsection is a statement that in-

1 jured and amputee veterans should have, at a minimum,  
2 the following rights:

3 (1) The right to access the highest quality pros-  
4 thetic and orthotic care, including the right to the  
5 most appropriate technology and best qualified prac-  
6 titioners.

7 (2) The right to continuity of care in the transi-  
8 tion from the Department of Defense health pro-  
9 gram to the Department of Veterans Affairs health  
10 care system, including comparable benefits relating  
11 to prosthetic and orthotic services.

12 (3) The right to select the practitioner that best  
13 meets their orthotic and prosthetic needs, whether or  
14 not that practitioner is an employee of the Depart-  
15 ment of Veterans Affairs, a private practitioner who  
16 has entered into a contract with the Secretary of  
17 Veterans Affairs to provide prosthetic and orthotic  
18 services, or a private practitioner with specialized ex-  
19 pertise.

20 (4) The right to consistent and portable health  
21 care, including the right to obtain comparable serv-  
22 ices and technology at any medical facility of the  
23 Department of Veterans Affairs across the country.

24 (5) The right to timely and efficient prosthetic  
25 and orthotic care, including a speedy authorization

1 process with expedited authorization available for  
2 veterans visiting from another area of the country.

3 (6) The right to play a meaningful role in reha-  
4 bilitation decisions, including the right to receive a  
5 second opinion regarding prosthetic and orthotic  
6 treatment options.

7 (7) The right to receive appropriate treatment,  
8 including the right to receive both a primary pros-  
9 thesis or orthosis and a functional spare.

10 (8) The right to be treated with respect and  
11 dignity and have an optimal quality of life both dur-  
12 ing and after rehabilitation.

13 (9) The right to transition and readjust to civil-  
14 ian life in an honorable manner, including by having  
15 ample access to vocational rehabilitation, employ-  
16 ment programs, and housing assistance.

17 (e) MONITORING AND RESOLUTION OF COM-  
18 PLAINTS.—

19 (1) IN GENERAL.—The Secretary of Veterans  
20 Affairs, acting through the veteran liaison at each  
21 medical center of the Department of Veterans Af-  
22 fairs, shall collect information relating to the alleged  
23 mistreatment of injured and amputee veterans.

24 (2) QUARTERLY REPORTS.—For each fiscal  
25 quarter, the veteran liaison at each medical center of

1 the Department shall submit to the Chief Consultant  
2 of Prosthetics and Sensory Aids of the Department  
3 a report on any information collected under para-  
4 graph (1) during that quarter.

5 (3) INVESTIGATION AND ADDRESSING OF COM-  
6 PLAINTS.—The Chief Consultant, in cooperation  
7 with appropriate employees of a medical center of  
8 the Department, shall investigate and address any  
9 information collected under paragraph (1) at that  
10 medical center.

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