

H.R. 5938, Veterans Exam Expansion Act of 2023

As ordered reported by the House Committee on Veterans' Affairs on December 5, 2023

By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	0	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	Yes
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Mandate Effects	
		Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 5938 would expand the Department of Veterans Affairs' (VA) authority to contract with health care providers for medical examinations of veterans in any location in the United States, regardless of whether the providers are licensed to practice in that jurisdiction. Under current law, the department contracts with health care providers to perform medical examinations to determine whether veterans are eligible for disability compensation and pension benefits from VA. Health care providers who have valid licenses to practice as physicians, physician assistants, nurse practitioners, audiologists, or psychologists may conduct those examinations under VA contracts in any U.S. jurisdiction regardless of whether they are licensed to practice there. The bill would permit health care providers of any profession deemed necessary by VA to conduct disability examinations in any jurisdiction if the exam is performed under a contract with VA. Expanding the list of eligible health care providers who may provide disability examinations in a jurisdiction could change which providers perform exams but would not affect the number of veterans eligible to receive VA benefits. As a result, CBO estimates that enacting the provision would not affect direct spending for disability compensation benefits.

The bill also would require VA to report to the Congress on the number and type of examinations provided by contracted health care providers during the 1-year period

See also

[CBO's Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)



following enactment. The report would be due within 15 months of enactment. Under current law, VA may use mandatory appropriations to pay for administrative expenses associated with contract medical exams, including reports. Based on the cost of similar reports, CBO estimates that providing the report would increase direct spending by less than \$500,000.

The bill would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) by expanding a preemption of state laws. Under current law, medical professionals performing exams on behalf of the department may do so in any state, commonwealth, territory, or the District of Columbia so long as they hold a valid medical license. The bill would expand the scope of the preemption to include more medical professions. As a result, states would be unable to collect fees for issuing medical licenses to those professionals contracted with the department and licensed by another jurisdiction. CBO estimates the loss in revenue would not exceed the threshold for intergovernmental mandates established in UMRA (\$99 million in 2023, adjusted annually for inflation).

The bill would not impose a private-sector mandate as defined in UMRA.

The CBO staff contacts for this estimate are Logan Smith (for VA) and Brandon Lever (for mandates). The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

A handwritten signature in black ink, appearing to read 'Phillip L. Swagel'.

Phillip L. Swagel
Director, Congressional Budget Office