

110TH CONGRESS  
1ST SESSION

# H. R. 1749

To establish an Ombudsman in the Department of Defense to assist members of the Armed Forces seeking medical care at military medical treatment facilities.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2007

Mr. WELCH of Vermont introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To establish an Ombudsman in the Department of Defense to assist members of the Armed Forces seeking medical care at military medical treatment facilities.

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’ Care Advo-  
5 cate Act”.

6 **SEC. 2. OMBUDSMEN FOR RECOVERING SERVICEMEMBERS.**

7 (a) OMBUDSMEN FOR RECOVERING  
8 SERVICEMEMBERS.—

1           (1) IN GENERAL.—The Secretary of Defense  
2 shall establish within each military medical treat-  
3 ment facility of the Department of Defense the posi-  
4 tion of Ombudsman for Recovering Servicemembers  
5 (in this subsection referred to as the “Ombudsman”  
6 or “Ombudsmen”).

7           (2) ASSIGNMENT.—The Secretary shall assign  
8 to each position established under paragraph (1) a  
9 member of the Armed Forces or civilian employee of  
10 the Department of Defense who is qualified to dis-  
11 charge the duties of the position.

12           (3) DUTIES.—Each Ombudsman shall act as a  
13 liaison for recovering servicemembers and their fam-  
14 ily members with respect to the evaluation and care  
15 of recovering servicemembers under the physical dis-  
16 ability evaluation systems. The duties of the Om-  
17 budsmen shall include, at a minimum, the following:

18                   (A) Helping servicemembers and their  
19 family members complete paperwork.

20                   (B) Helping servicemembers and their  
21 family members understand administrative  
22 guidelines.

23                   (C) Providing information to  
24 servicemembers and their family members about  
25 available benefits.

1           (D) Making recommendations to  
2           servicemembers and their family members.

3           (E) Providing such other advice and help  
4           to servicemembers and their family members as  
5           the Ombudsman considers appropriate.

6           (4) OUTREACH.—The Secretary shall make  
7           available to each recovering servicemember, and to  
8           the family members of all recovering  
9           servicemembers, information on contacting and uti-  
10          lizing the services of the Ombudsmen.

11          (b) DEFINITIONS.—In this section;

12           (1) RECOVERING SERVICEMEMBER.—The term  
13           “recovering servicemember” means a member of the  
14           Armed Forces, including a member of the National  
15           Guard or a Reserve, who is undergoing medical  
16           treatment, recuperation, or therapy, or is otherwise  
17           in medical hold or holdover status, for an injury, ill-  
18           ness, or disease incurred or aggravated while on ac-  
19           tive duty in the Armed Forces.

20           (2) FAMILY MEMBER.—The term “family mem-  
21           ber”, with respect to a recovering servicemember,  
22           has the meaning given that term in section 411h(b)  
23           of title 37, United States Code.

1           (3) PHYSICAL DISABILITY EVALUATION SYS-  
2           TEMS.—The term “physical disability evaluation sys-  
3           tems” means the following:

4                   (A) In the case of the Department of the  
5                   Army, the Physical Disability Evaluation Sys-  
6                   tem (PDES) of the Army.

7                   (B) In the case of any other military de-  
8                   partment, the physical disability evaluation sys-  
9                   tem or similar system or process of such mili-  
10                  tary departments that carries out functions  
11                  equivalent to the function carried out for the  
12                  Army by the Physical Disability Evaluation  
13                  System of the Army.

14 **SEC. 3. PROGRESS REPORTS ON IMPLEMENTATION OF OM-**  
15 **BUDSMEN PROGRAM.**

16           (a) ONGOING REPORT REQUIREMENT.—Not later  
17 than 6 months after the date of the enactment of this Act,  
18 and every 6 months thereafter, the Secretary of Defense  
19 shall submit to the committees listed in subsection (c) a  
20 report on progress in the implementation of section 2.

21           (b) MATTERS COVERED.—The report shall address  
22 the following matters;

23                   (1) A description of the number and location of  
24                   Ombudsman positions established.

1           (2) A description of the services being provided  
2           by the Ombudsmen.

3           (3) An analysis of the effectiveness of the serv-  
4           ices being provided, including the timeliness of the  
5           services.

6           (4) The adequacy of Federal resources to pro-  
7           vide the services and other actual or potential bar-  
8           riers to provision of the services.

9           (5) Any actual and potential conflicts of inter-  
10          est in the administration and operation of the Om-  
11          budsmen program.

12          (6) Any other matters the Secretary considers  
13          appropriate.

14          (c) COMMITTEES.—The committees listed in this sub-  
15          section are the following:

16               (1) The Committee on Homeland Security and  
17               Governmental Affairs of the Senate.

18               (2) The Committee on Oversight and Govern-  
19               ment Reform of the House of Representatives.

20               (3) The Committees on Armed Services of the  
21               Senate and the House of Representatives.

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