

119TH CONGRESS
1ST SESSION

S. _____

To require the Secretary of Veterans Affairs to implement a pilot program to furnish hyperbaric oxygen therapy to certain veterans through community care providers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. TUBERVILLE introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Veterans Affairs to implement a pilot program to furnish hyperbaric oxygen therapy to certain veterans through community care providers, 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 “Veterans National
5 Traumatic Brain Injury Treatment Act”.

1 **SEC. 2. PILOT PROGRAM TO FURNISH HYPERBARIC OXY-**
2 **GEN THERAPY TO A VETERAN WITH TRAU-**
3 **MATIC BRAIN INJURY OR POST-TRAUMATIC**
4 **STRESS DISORDER.**

5 (a) ESTABLISHMENT.—The Secretary of Veterans
6 Affairs shall implement a pilot program to furnish HBOT
7 to a veteran who has a traumatic brain injury or post-
8 traumatic stress disorder through a health care provider
9 described in section 1703(c)(5) of title 38, United States
10 Code (in this section referred to as the “pilot program”).

11 (b) LOCATIONS.—The Secretary shall select two Vet-
12 erans Integrated Service Networks of the Department of
13 Veterans Affairs in which to operate the pilot program.

14 (c) ACCREDITATION REQUIRED.—The Secretary
15 shall ensure that any medical facility at which a veteran
16 receives HBOT under the pilot program is accredited by—

17 (1) the Joint Commission on Accreditation of
18 Hospital Organizations;

19 (2) the Undersea and Hyperbaric Medical Soci-
20 ety; or

21 (3) another appropriate organization that has
22 expertise and objectivity comparable to that of the
23 Joint Commission on Accreditation of Hospital Or-
24 ganizations or the Undersea and Hyperbaric Medical
25 Society.

26 (d) FUNDING.—

1 (1) IN GENERAL.—There is in the general fund
2 of the Treasury a fund to be known as the “VA
3 HBOT Fund” (in this section referred to as the
4 “Fund”).

5 (2) SOLE SOURCE OF FUNDS.—The sole source
6 of amounts deposited into the Fund shall be dona-
7 tions received by the Secretary for the express pur-
8 pose of providing HBOT under the pilot program.

9 (3) AVAILABILITY.—Amounts in the Fund shall
10 be available to the Secretary without fiscal year limi-
11 tation to pay for HBOT under the pilot program.

12 (e) TERMINATION.—The pilot program and the Fund
13 shall terminate on the day that is three years after the
14 date of the enactment of this Act.

15 (f) HBOT DEFINED.—In this section, the term
16 “HBOT” means hyperbaric oxygen therapy provided to a
17 patient with a medical device—

18 (1) approved by the Food and Drug Adminis-
19 tration; or

20 (2) issued an investigational device exemption
21 by the Food and Drug Administration.

1 **SEC. 3. COMPTROLLER GENERAL REPORT ON USE OF**
2 **HYPERBARIC OXYGEN THERAPY TO TREAT**
3 **TRAUMATIC BRAIN INJURY AND POST-TRAU-**
4 **MATIC STRESS DISORDER.**

5 (a) IN GENERAL.—Not later than one year after the
6 date of the enactment of this Act, the Comptroller General
7 of the United States shall submit to the Committee on
8 Veterans’ Affairs of the Senate and the Committee on Vet-
9 erans’ Affairs of the House of Representatives an update
10 to the report of the Comptroller General published on De-
11 cember 18, 2015, and titled “Research on Hyperbaric Ox-
12 ygen Therapy to Treat Traumatic Brain Injury and Post-
13 Traumatic Stress Disorder” (GAO–16–154).

14 (b) ELEMENTS.—The update required under sub-
15 section (a) shall include an assessment by the Comptroller
16 General of clinical trials conducted since the publication
17 of the report specified in such subsection—

18 (1) regarding the use of hyperbaric oxygen
19 therapy to treat traumatic brain injury and post-
20 traumatic stress disorder; and

21 (2) by—

22 (A) the Secretary of Veterans Affairs;

23 (B) the Secretary of Defense; and

24 (C) private entities.

1 **SEC. 4. EXTENSION OF CERTAIN LIMITS ON PAYMENTS OF**
2 **PENSION.**

3 Section 5503(d)(7) of title 38, United States Code,
4 is amended by striking “November 30, 2031” and insert-
5 ing “October 30, 2034”.