

DEPARTMENT OF VETERANS AFFAIRS**38 CFR Ch. 1****Unified Agenda of Federal Regulatory and Deregulatory Actions**

AGENCY: Department of Veterans Affairs.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda announces the regulations that the Department of Veterans Affairs (VA) will have under development or review during the 12-month period beginning in the fall of 2015. The purpose in publishing the Department's regulatory agenda is to allow all interested persons the opportunity to participate in VA's regulatory planning.

ADDRESSES: Interested persons are invited to comment on the entries listed in the agenda by contacting the individual agency contact listed for each entry or by writing to: Director, Regulations Management (02REG), Department of Veterans Affairs, 810 Vermont Avenue, N.W., Washington, DC 20420.

FOR FURTHER INFORMATION CONTACT: William F. Russo or Iris Estep at (202) 461-4902.

SUPPLEMENTARY INFORMATION: This document is issued pursuant to Executive Order 12866 "Regulatory Planning and Review" (and implementing guidance) and the Regulatory Flexibility Act, which require that executive branch agencies semiannually publish in the Federal Register an agenda of regulations that they will have under development or review.

This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in both the online Unified Agenda and in part II of the Federal Register that includes the Unified Agenda. VA's Statement of Regulatory Priorities is included in the Plan.

NAME: William F. Russo,

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The 80 Regulatory Agendas

Department of Veterans Affairs - Proposed Rule

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Department of Veterans Affairs (VA)

RIN: 2900-AO63

Title: VA Veteran-Owned Small Business (VOSB) Verification Guidelines**Abstract:**

The Office of Small and Disadvantaged Business Utilization (OSDBU) intend to improve the regulations governing the Department of Veterans Affairs (VA) Veteran-Owned Small Business (VOSB) Verification Program by providing clarity, streamlining the program, and encouraging more VOSBs to apply for verification.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 74 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	05/13/2013	78 FR 27882
ANPRM Correction	06/19/2013	78 FR 36715
ANPRM Comment Period End	07/12/2013	
NPRM	11/06/2015	80 FR 68795
NPRM Comment Period End	01/05/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Tom Leney

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RIN: 2900-AP00

Title: Definition of Domiciliary Care**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend its rule defining domiciliary care to more accurately reflect the scope and breadth of services provided under this program. The Domiciliary Care Program in VA was initially established to provide shelter and a home-like environment to veterans who could not live independently but did not require admission to a nursing home. The program has evolved as the needs of our veteran population have changed. We propose to update our regulations so that they clearly authorize veterans to receive a temporary assignment of a 100 percent service-connected disability rating when admitted to domiciliary care as a result of a service-connected disability for a period in excess of 21 days. This is consistent with current VA practice.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.30(b); 38 CFR 4.29 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Jamie R. Ploppert

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Department of Veterans Affairs (VA)**RIN:** 2900-AP02**Title:** Civilian Health and Medical Program of the Department of Veterans Affairs**Abstract:**

The Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) is a health benefits program in which VA shares the cost of certain health care services and supplies with spouses, children, and survivors of veterans who meet the eligibility criteria and who are not eligible for TRICARE, a health care program administered by the Department of Defense that is also authorized to provide care to certain family members of veterans. CHAMPVA is authorized by 38 U.S.C. 1781. Under 38 U.S.C. 1781(b), CHAMPVA "shall provide medical care in the same or similar manner and subject to the same or similar limitations as medical care is furnished to certain dependents and survivors of active duty and retired members of the Armed Forces under chapter 55 of title 10 [United States Code] (CHAMPUS)." We therefore propose to update our regulations due to changes in the TRICARE standard program, as well as changes in legal authority. This proposed rule would amend part 17 of title 38, Code of Federal Regulations to update current regulations concerning CHAMPVA, 17.270-17.278.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.270 to 17.278 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1781**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Gordon Ohlsson Department of Veterans Affairs

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Department of Veterans Affairs (VA)**RIN:** 2900-AP06

Title: Ensuring a Safe Environment for Community Residential Care Residents

Abstract:

This document proposes to amend the Department of Veterans Affairs (VA) regulations governing the approval of a community residential care facility (CRC). We would prohibit a CRC from employing an individual who has been convicted in a court of law of certain listed crimes against a person or property, or has had a finding entered into an applicable state registry or with the applicable licensing authority concerning abuse, neglect, mistreatment of individuals or misappropriation of property. VA also proposes to require CRCs to develop and implement written policies and procedures that prohibit mistreatment, neglect, and abuse of residents and misappropriation of resident property. The proposed rule would also require CRCs to report and investigate any allegations of abuse or mistreatment. In addition, the proposed rule would apply to certain individuals who are not CRC residents, but have direct access to a veteran living in a CRC. The revisions would improve the safety and help prevent the neglect or abuse of veteran residents in CRCs. In addition, we propose to amend the rule regarding the maximum number of beds allowed in a resident's bedroom.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.63 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 1730

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP16

Title: Schedule for Rating Disabilities: The Genitourinary Diseases and Conditions

Abstract:

The Department of Veterans Affairs (VA) proposes to amend the portion of the Schedule for Rating Disabilities (VASRD) that addresses the genitourinary system. The purpose of this change is to update current medical terminology, incorporate medical advances that have occurred since the last review, and provide well-defined criteria in accordance with actual, standard medical clinical practice. The proposed rule reflects the most up-to-date medical knowledge and clinical practice of nephrology and urology specialties, as well as comments from subject matter experts and the public garnered during a public forum held January 27-28, 2011.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 4.115; 38 CFR 4.115a; 38 CFR 4.115b (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite

NPRM

03/00/2016

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Dr. Jerry Hersh

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Department of Veterans Affairs (VA)**RIN:** 2900-AP19**Title:** Active Service Pay**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations to permit VA to suspend disability compensation payments concurrent with receipt of notice from the veteran or the Department of Defense that the veteran has started to, or will receive active service pay. This amendment is necessary to prevent frequent overpayment actions, known as recoupment actions, that result from the current practice which prohibits VA from suspending payments until notice is received from the veteran or 60 days following notice to the veteran that VA has received information that the veteran has started to receive active service pay, whichever is earlier. To ensure a veteran's due process is preserved, this proposed amendment will only apply in situations where the veteran previously received notice that receipt of active service pay precludes concurrent receipt of VA benefits.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 3.103 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501; 38 U.S.C. 1115; 38 U.S.C. 1506; 38 U.S.C. 5104**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Stephanie Li

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Department of Veterans Affairs (VA)**RIN:** 2900-AP20**Title:** Third Party Billing for Medical Care Provided Under Special Authorities**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend its medical regulations to clarify that VA will not bill third party payers for hospital care, medical services, and nursing home care provided by VA under certain statutory provisions, which we refer to as "special authorities." These special authorities direct VA to provide care to veterans based upon discrete exposures or experiences that occurred during military service. VA is authorized but not required by law, with certain exceptions, only to seek to recover or collect reasonable charges for care provided to veterans for non-service-connected disabilities. This proposed rule would establish that VA would not attempt to collect or recover reasonable charges from third party payers for

care and services provided under the special authorities.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.101 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1710; 38 U.S.C. 1720D; 38 U.S.C. 1720E; 38 U.S.C. 1729

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP23

Title: Special Monthly Compensation for Veterans With Traumatic Brain Injury

Abstract:

The Department of Veterans Affairs proposes to amend its adjudication regulations to add an additional benefit for veterans with residuals of traumatic brain injury (TBI). This benefit was enacted by the Veterans' Benefits Act of 2010, which amended 38 U.S.C. 1114, and provides special monthly compensation (SMC) for veterans with TBI who are in need of aid and attendance and, in the absence of such aid and attendance, would require hospitalization, nursing home care, or other residential institutional care. Prior to the law's enactment, veterans with TBI were not eligible for this benefit unless they had a separate service-related disability that qualified under the law.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.350; 38 CFR 3.552 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP27

Title: Schedule for Rating Disabilities: Skin Conditions**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend the portion of the VA Schedule for Rating Disabilities (VASRD or Rating Schedule) that addresses skin conditions. The purpose of these changes is to incorporate medical advances that have occurred since the last review, update current medical terminology, and provide clear evaluation criteria. The proposed rule reflects advances in medical knowledge, recommendations from the Skin Disorders Work Group (Work Group), which is comprised of subject matter experts from both the Veterans Benefits Administration and the Veterans Health Administration, and comments from experts and the public gathered as part of a public forum. The public forum, focusing on revisions to the skin conditions section of the VASRD, was held in January 2012.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 4.118 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1155**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Dr. Gary Reynolds
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Department of Veterans Affairs (VA)

RIN: 2900-AP32

Title: Loan Guaranty Vendee Loan Fees**Abstract:**

This document proposes to amend the Department of Veterans Affairs (VA) Loan Guaranty Service (LGY) regulations to establish reasonable fees that VA or its agent may charge in connection with the origination and servicing of vendee loans made by VA. All fees proposed in this rulemaking are consistent with those charged in the private mortgage industry, and such fees would help VA to assure the sustainability of this vendee loan program. The loans that would be subject to the fees are not Veterans' benefits.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 36.4528; 38 CFR 36.4529; 38 CFR 36.4530 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501; 38 U.S.C. 2041; 38 U.S.C. 3722; 38 U.S.C. 3733**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No

Small Entities Affected: No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov

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Department of Veterans Affairs (VA)**RIN:** 2900-AP35**Title:** Tiered Pharmacy Copayments**Abstract:**

A two-step rulemaking that will establish a tiered copayment structure for prescription medications. AP15 is freezing copayment rates through calendar year 2015, and a new tiered system will be in place by January 2016.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.110 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Veterans Affairs (VA)**RIN:** 2900-AP36**Title:** Loan Guaranty: Qualification for Designated Fee Appraisers**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend its regulations concerning appraiser appointments to the VA fee panel. This proposed rule would remove the five years of experience requirement for applicants and substitute the years of experience prescribed by a state for licensure or certification. The rule would also make appointments to the fee panel subject to renewable term limits. This action is necessary to enable VA to increase the number of qualified applicants who may apply to the fee panel and to establish an appointment term renewal process to better protect veteran and VA interests.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 38 CFR 36.4342 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 3731; 38 U.S.C. 3703

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP37

Title: Removing Net Worth Requirement From Health Care Enrollment

Abstract:

This rulemaking proposes to remove the regulation that allows the Department of Veterans Affairs (VA) to consider the net worth of a Veteran's assets as a factor in determining the Veteran's eligibility for lower-cost or no-cost VA health care. Prior to January 1, 2015, VA considered both the net worth of a Veteran's assets and the Veteran's annual income when determining a Veteran's eligibility. Because of that, certain Veterans who would have been eligible for lower-cost or no-cost VA health care based on their annual income alone were ineligible because the net value of their assets was too high. Reporting asset information imposed a significant paperwork burden on Veterans, and VA dedicated significant administrative resources to verifying reported information. VA changed its policy to improve access to health care to lower-income Veterans and remove the reporting burden from Veterans by discontinuing collection of asset information. This rulemaking would codify that policy in VA regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.47(d) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1705; 38 U.S.C. 1722(d)(1)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/20/2015	80 FR 63480
NPRM Comment Period End	12/21/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.Regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP39

Title: Automotive Adaptive Equipment Allowance**Abstract:**

The rule proposes changes to the rules governing VA's Automobile Adaptive Equipment (AAE) program. The AAE program provides adaptive equipment to assist servicemembers and veterans with entering, exiting, and operating their personal vehicles. This rule provides a methodology for payment based on independent market surveys completed by the National Mobility Equipment Dealers Association (NMEDA). Additionally, this rule defines who is eligible to receive payments and requires all modifications to follow standards as defined by the Department of Transportation's National Highway and Traffic Safety Administration.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.158b (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 3902**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** Undetermined**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Gabrielle Petersen

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RIN: 2900-AP40

Title: Loan Guaranty: Limited Denial of Participation**Abstract:**

The Department of Veterans Affairs (VA) is proposing to amend its regulations concerning limited denials of participation (LDPs). LDPs are VA-specific sanctions that the Loan Guaranty Service (LGY) may order to temporarily limit parties (other than veterans and lenders) from participating in VA's housing programs. The purpose of this rule would be to clarify and expand the conduct providing cause for an LDP and the parties who may be subject to an LDP, as well as to increase the potential period and scope of an LDP and add requirements for participation with VA programs following an LDP. The rule would also provide more efficient administrative processes for the ordering, provision of notice, and contesting of an LDP. This action is necessary to enable VA to more efficiently administer LDPs and ensure that they more effectively sanction the range of conduct and parties that currently cause harm or loss to veterans or programs administered by LGY.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 2 CFR 801.1100 to 1113 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501**Legal Deadline:** None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** John Bell III

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Department of Veterans Affairs (VA)**RIN:** 2900-AP41**Title:** Criteria for a Catastrophically Disabled Determination of Deafness for Purposes of Enrollment**Abstract:**

The Department of Veterans Affairs (VA) proposes to make technical amendments to its medical regulations by adding deafness as a disability that VA would consider a catastrophic disability for purposes of enrollment in VA health care. We would also rescind a medical regulation that deals with VA providing a veteran devices to assist in overcoming deafness because the regulation is outdated and no longer reflects current VA policy.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.152; 38 CFR 17.36(e) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1705**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jain Rajiv

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Department of Veterans Affairs (VA)**RIN:** 2900-AP44**Title:** Advanced Practice Registered Nurses**Abstract:**

The Department of Veterans Affairs (VA) is proposing to amend its medical regulations to permit the full practice authority of all VA advanced practice registered nurses (APRNs) when they are acting within the scope of their VA employment. This

rulemaking would increase veterans' access to VA health care by expanding the pool of qualified health care professionals who are fully authorized to provide comprehensive primary health care and other related health care services to veterans. This rule would permit VA to use its health care resources more effectively and in a manner that is consistent with the non-VA health care sector, while maintaining the patient-centered, safe, high quality health care that veterans receive from VA.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.410 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 7301; 38 U.S.C. 7304; 38 U.S.C. 7402; 38 U.S.C. 7403

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: Undetermined

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP46

Title: Prosthetic and Rehabilitative Items and Services

Abstract:

The Department of Veterans Affairs (VA) proposes to amend its regulations related to providing prosthetic and rehabilitative items as medical services to veterans. These amendments would reorganize and update the current regulations. Substantively, these amendments would primarily clarify eligibility criteria for prosthetic and other rehabilitative items and services, and would define the types of items and services available to eligible veterans.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.3200 to 17.3250 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1701(6)(F); 38 U.S.C. 1710; 38 U.S.C. 1714(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: Undetermined

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP48

Title: Extra-schedular Evaluations for Individual Disabilities

Abstract:

The Department of Veterans Affairs (VA) proposes to amend its adjudication regulation that pertains to referral of a disability evaluation for extra-schedular consideration. In a recent decision of the United States Court of Appeals for the Federal Circuit, the Court held that VA's regulation, as written, requires VA to consider the combined effect of two or more disabilities when determining whether to refer a disability evaluation for extra-schedular consideration. VA, however, has long interpreted its regulation to require consideration of the individual effect of each disability separately; referral for extra-schedular consideration applies to a single disability, not the combined effect of two or more disabilities. This proposed amendment will ensure that VA regional offices only refers extraordinary single disability, not extraordinary combined disabilities, for extra-schedular evaluation assessment.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.321 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501(a); 38 U.S.C. 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP49

Title: Veterans' Mortgage Life Insurance-Coverage Amendment

Abstract:

The Department of Veterans Affairs (VA) proposes to amend its regulations governing the Veterans' Mortgage Life Insurance (VMLI) program in order to provide eligible individuals with the opportunity to purchase less than the statutory maximum amount of insurance available under the program. The proposed rule would also amend current VA regulations to reflect that the statutory maximum amount of coverage available under the VMLI program has been increased to \$200,000, to define the term eligible individual, and to clarify that eligibility for VMLI coverage has been extended to include Service members as well as Veterans. These additional amendments are necessary to conform the existing regulations to statutory provisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 8a(1-4) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 2101 to 2106

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP50

Title: Revise and Streamline VA Acquisition Regulation to Adhere to Federal Acquisition Regulation Principles (VAAR Case 2014-V001)

Abstract:

This rulemaking proposes to amend the VA Acquisition Regulation (VAAR) as part of a project to revise and streamline the VAAR. Under this Initiative, all parts of the regulation are being reviewed and updated in phased increments to incorporate any new statutes, regulations, or policies and to remove any procedural guidance that is internal to the VA. This project aims to streamline the VAAR to implement and supplement the Federal Acquisition Regulation (FAR) only when required, and to eliminate internal agency guidance in keeping with the FAR principles concerning agency acquisition regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 801; 48 CFR 802; 48 CFR 803; 48 CFR 812; 48 CFR 814; 48 CFR 822; 48 CFR 852; 48 CFR 1.3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 40 USC 121(c)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP55

Title: Medical Care in the Philippines

Abstract:

The Department of Veterans Affairs (VA) is proposing to remove and amend certain medical regulations that govern medical care and services in the Republic of the Philippines. VA is proposing to clarify that medical care provided in the Philippines is

governed by the same statute that governs the foreign medical program. VA is removing regulations that pertain to care in the Veterans Memorial Medical Center because VA's authority for that care has expired. We are also clarifying the delegation of authority for regulations that govern payment or reimbursement of medical care not previously authorized in non-VA medical facilities.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 17.350 to 17.370 (To search for a specific CFR, visit the [Code of Federal Regulations.](#))

Legal Authority: 38 U.S.C. 1724

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP56

Title: Board of Veterans' Appeals: Remand for Issuance of a Statement of the Case

Abstract:

The Department of Veterans Affairs (VA) proposes to amend the Appeals Regulations of the Board of Veterans' Appeals (Board) to make discretionary, as opposed to mandatory, Board remand of a claim for the limited purpose of issuance of a Statement of the Case (SOC). The purpose of the amendment is to avoid unnecessary remands in the current environment of paperless VA claims and appeals processing.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 19.9(c) (To search for a specific CFR, visit the [Code of Federal Regulations.](#))

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 7102; 38 U.S.C. 7104; 38 U.S.C. 7105

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)**RIN:** 2900-AP58**Title:** Revise and Streamline VA Acquisition Regulation to Adhere to Federal Acquisition Regulation Principles (VAAR Case 2014-V005)**Abstract:**

This rulemaking proposes to amend the VA Acquisition Regulation (VAAR) as part of a project to revise and streamline the VAAR. Under this initiative all parts of the regulation are being reviewed and updated in phased increments to incorporate any new statutes, regulations, or policies and to remove any procedural guidance that is internal to the VA. This project aims to streamline the VAAR to implement and supplement the Federal Acquisition Regulation (FAR) only when required, and to eliminate internal agency guidance in keeping with the FAR principles concerning agency acquisition regulations.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 48 CFR 1.3; 48 CFR 812; 48 CFR 813; 48 CFR 852 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 40 U.S.C. 121(c)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Waleska M. Pierantoni-Monge

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Department of Veterans Affairs (VA)**RIN:** 2900-AN40**Title:** Servicemembers' Group Life Insurance and Veterans' Group Life Insurance--Beneficiary Slayer's Rule Exclusion**Abstract:**

The Department of Veterans Affairs (VA) has amended its regulations governing Servicemembers' Group Life Insurance (SGLI) and Veterans' Group Life Insurance (VGLI) to prohibit payment of insurance proceeds payable because of the death of a person whose life was insured under SGLI or VGLI (decedent) or payment of a SGLI Traumatic Injury Protection (TSGLI) benefit to a person (slayer) who is convicted of intentionally and wrongfully killing the decedent or determined in a civil proceeding to have intentionally and wrongfully killed the decedent and to any family member of the slayer. These provisions apply also to any person who assisted the slayer in causing the death of the decedent. Additionally, this amendment included an interim final rule that removed the term "domestic partner" from the definition of "member of the family" that was part of the proposed rule published in the Federal Register on October 3, 2012, because there was no legal authority nor procedural directives established by VA that recognize domestic partners for VA Insurance benefit purposes. This document will respond to public comments received on the interim final rule.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 9.1; 38 CFR 9.5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501; 38 U.S.C. 1965 to 1980A**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite

NPRM	12/13/2011	76 FR 77455
NPRM Comment Period End	02/13/2012	
Final Action	10/03/2012	77 FR 60304
Final Action Effective	11/02/2012	
Final Action Comment Period End	12/03/2012	
Final Rule	07/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO15

Title: Use of Medicare Procedures to Enter Into Provider Agreements for Extended Care Services

Abstract:

This document amends Department of Veterans Affairs (VA) regulations concerning VA's payments to third-party providers of extended care services to certain veterans. This rule establishes VA's use of Medicare procedures to enter into provider agreements for extended care services. VA furnishes extended care services for eligible veterans and often utilizes non-VA providers in order to meet the specific needs of each veteran.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.38; 38 CFR 17.75; 38 CFR 17.108 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 1717

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/13/2013	78 FR 10117
NPRM Comment Period End	03/15/2013	
Final Action	02/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO19

Title: Schedule for Rating Disabilities: The Hematologic and Lymphatic Systems

Abstract:

The Department of Veterans Affairs (VA) proposes to amend the portion of the VA Schedule for Rating Disabilities (Rating Schedule) that addresses the hematologic and lymphatic systems. The intended effect of this change is to incorporate medical advances that have occurred since the last review, update medical terminology, add medical conditions not currently in the Rating Schedule, and refine criteria for further clarity and ease of rater application.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 4.117 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/06/2015	80 FR 46888
NPRM Comment Period End	10/05/2015	
Final Rule	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO44

Title: Schedule for Rating Disabilities: The Endocrine System

Abstract:

The Department of Veterans Affairs (VA) proposes to revise the portion of the VA Schedule for Rating Disabilities (Rating Schedule) that addresses the endocrine system. The intended effect of this change is to update medical terminology, add medical conditions not currently in the Rating Schedule, revise the criteria to reflect medical advances since the last revision in 1996, and clarify the criteria.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 4.119 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/08/2015	80 FR 39011
NPRM Comment Period End	09/08/2015	
Final Rule	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)**RIN:** 2900-AO53**Title:** Fiduciary Activities**Abstract:**

The Department of Veterans Affairs (VA) is amending its fiduciary program regulations, which govern the oversight of beneficiaries who, because of injury, disease, the infirmities of advanced age, or minority, are unable to manage their VA benefits, and the appointment and oversight of fiduciaries for these vulnerable beneficiaries. The amendments will update and reorganize regulations consistent with current law, VA policies and procedures, and VA's reorganization of its fiduciary activities. They will also clarify the rights of beneficiaries in the program and the roles of VA and fiduciaries in ensuring that VA benefits are managed in the best interest of beneficiaries and their dependents.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 13.1 to 13.111; 38 CFR 3.850 to 3.857 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 55; 38 U.S.C. 61**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/03/2014	79 FR 430
NPRM Comment Period End	03/04/2014	
Final Action	02/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Cynthia Lewis

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Department of Veterans Affairs (VA)**RIN:** 2900-AO57**Title:** Contracts and Provider Agreements for State Home Nursing Home Care**Abstract:**

The Department of Veterans Affairs (VA) is amending its regulations to allow VA to enter into contracts or provider agreements with State homes for the nursing home care of certain disabled veterans. This rulemaking is required to implement a change in law that revises how VA will pay for care provided to these veterans, and authorizes VA to use provider agreements to pay for such care. The change made by this law applies to all care provided to these veterans in State homes on and after February 2, 2013.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 51.41 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1710; 38 U.S.C. 1720; 38 U.S.C. 1741 to 1745; 42 U.S.C. 1395cc**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/06/2012	77 FR 72738

Interim Final Rule Effective	02/02/2013	
Interim Final Rule Comment Period End	02/04/2013	
Final Action	02/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Joseph Duran

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Department of Veterans Affairs (VA)**RIN:** 2900-AO65**Title:** Loan Guaranty: Ability-to-Repay Standards and Qualified Mortgage Definition Under the Truth in Lending Act**Abstract:**

The Department of Veterans Affairs (VA) is amending its Loan Guaranty regulations to implement provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act, requiring that VA define the types of VA loans that are "qualified mortgages" for the purposes of the new Ability-to-Repay provisions of the Truth in Lending Act. This rule establishes which VA-guaranteed loans are to be considered "qualified mortgages" and have either safe harbor protections or the presumption that the borrower is able to repay a loan, in accordance with regard to the new Ability-to-Repay provisions. The rule does not change VA's regulations or policies with respect to how lenders are to originate mortgages, except to the extent lenders want to make qualified mortgages.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 38 CFR 36.4340 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 38 U.S.C. 501; Pub. L. 111-203**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/09/2014	79 FR 26620
Interim Final Rule Effective	05/09/2014	
Interim Final Rule Comment Period End	06/09/2014	
Final Rule	11/00/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** John Bell III

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Department of Veterans Affairs (VA)**RIN:** 2900-AO70**Title:** Loan Guaranty: Specially Adapted Housing Assistive Technology Grant Program**Abstract:**

The Department of Veterans Affairs (VA) is proposing to amend its regulation to implement the Veterans' Benefits Act of 2010 (the Act), enacted October 13, 2010, that authorizes VA to provide grants of up to \$200,000 per fiscal year to entities to encourage the development of specially adapted housing (SAH) new assistive technologies. VA proposes to amend its

regulation to outline the process, the criteria, and the priorities relating to the award of these development and research grants.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 36.4412 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 2108

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/08/2014	79 FR 53146
NPRM Comment Period End	11/07/2014	
Final Rule	11/00/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO73

Title: Net Worth, Asset Transfers, and Income Exclusions for Needs-Based Benefits

Abstract:

The Department of Veterans Affairs (VA) proposes to amend its regulations governing entitlement to VA pension to maintain the integrity of the pension program and to implement recent statutory changes. The proposed regulations would establish new requirements pertaining to the evaluation of net worth and asset transfers for pension purposes and would add regulations identifying those medical expenses that may be deducted from countable income for VA's needs-based benefit programs. The intended effect of these changes is to respond to recent recommendations made by the Government Accountability Office (GAO), maintain the integrity of VA's needs-based benefits, and clarify and address issues necessary for the consistent adjudication of pension and parents' dependency and indemnity compensation claims. We also propose to implement statutory changes pertaining to certain pension beneficiaries who receive Medicaid-covered nursing home care, as well as a statutory income exclusion for certain disabled veterans and a non-statutory income exclusion pertaining to annuities.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 38 CFR 3.261; 38 CFR 3.262; 38 CFR 3.263; 38 CFR 3.270; 38 CFR 3.271; 38 CFR 3.272; 38 CFR 3.274; 38 CFR 3.275; 38 CFR 3.276; 38 CFR 3.277; 38 CFR 3.278; 38 CFR 3.279; 38 CFR 3.503; 38 CFR 3.551; 38 CFR 3.660 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 1503; 38 U.S.C. 1522; 38 U.S.C. 1543; 38 U.S.C. 1832; 38 U.S.C. 5110; 38 U.S.C. 5112; 38 U.S.C. 5503; 42 U.S.C. 300c-22 (note); 38 U.S.C. 1315(f)(3); 42 U.S.C. 1437 (note); 42 U.S.C. 2210 (note); 42 U.S.C. 7385e; 50 U.S.C. 1989c-5; 38 U.S.C. 1506(1)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/23/2015	80 FR 3839
NPRM Comment Period End	03/24/2015	
Final Rule	02/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO79

Title: Payment or Reimbursement for Certain Medical Expenses for Camp Lejeune Family Members**Abstract:**

The Department of Veterans Affairs (VA) is promulgating regulations to implement statutory authority to provide payment or reimbursement for hospital care and medical services provided to certain veterans' family members who resided at Camp Lejeune, North Carolina, for at least 30 days during the period beginning on January 1, 1957, and ending on December 31, 1987. Under this rule, VA will reimburse family members, or pay providers, for medical expenses incurred as a result of certain illnesses and conditions specified in the law. Payment or reimbursement will be made within the limitations set forth in statute and consistent with the manner in which we provide hospital care and medical services to Camp Lejeune veterans.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.410 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1787**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/24/2014	79 FR 57415
Interim Final Rule Effective	10/24/2014	
Interim Final Rule Comment Period End	11/24/2014	
Final Action	01/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Related RINs:** Related to 2900-AO78

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Department of Veterans Affairs (VA)

RIN: 2900-AO88

Title: Per Diem Paid to States for Care of Eligible Veterans in State Homes**Abstract:**

The Department of Veterans Affairs (VA) proposes to reorganize, update (based on revisions to statutory authority), and clarify its regulations that govern paying per diem to State homes providing nursing home and adult day health care to eligible veterans. The reorganization will improve consistency and clarity throughout these State home programs. We propose to revise the regulations applicable to adult day health care programs of care so that States may establish diverse programs that better meet participants' needs for socialization and maximize their independence. Currently, we require States to operate these programs exclusively using a medical supervision model. We expect that these liberalizing changes will result in an increase in

the number of States that have adult day health care programs. We also propose to establish new regulations governing the payment of per diem to State homes providing domiciliary care to eligible veterans because the current regulations are inadequate. Moreover, we propose to eliminate the regulations governing per diem for State home hospitals because there are no longer any State home hospitals. In general, this rulemaking is consistent with current regulations and policies, and we do not expect that these proposed rules would have a negative impact on State homes; rather, we believe that these proposed regulations will clarify current law and policy, which should improve and simplify the payment of per diem to State homes, and encourage participation in these programs.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 51 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 101, 501 and 1710; 38 U.S.C. 1741 to 1743; 38 U.S.C. 1745; 38 U.S.C. 7104 and 7105; 42 U.S.C. 1395cc

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/17/2015	80 FR 34793
NPRM Comment Period End	08/17/2015	
Final Action	07/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO92

Title: Veterans Transportation Service

Abstract:

The proposed rule will create regulations governing the Veterans Transportation Service (VTS). VTS was initiated in 2010 as part of the Secretary's Transformation initiative, but VA's Office of General Counsel determined in 2012 that VA lacked authority to operate the program. Congress provided one year of authority for the program on January 10, 2013. The proposed rule defines who is eligible to receive benefits, describes the types of transportation available, and describes the application process for eligible persons. It also rearranges part 70 to include this program, in addition to the current regulations on beneficiary travel and special mode transportation. VA's budget assumes this program will continue operating into the foreseeable future.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 70 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 111(A)

Legal Deadline:

Action	Source	Description	Date
Other	Statutory	Congress authorizes VA to carry out program for one year	01/10/2013
Other	Statutory	Current statute only authorizes program until January 10, 2014.	01/10/2014

Timetable:

Action	Date	FR Cite
NPRM	05/27/2015	80 FR 30190
NPRM Comment Period End	07/27/2015	
Final Action	09/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)**RIN:** 2900-AO95**Title:** Applicants for VA Memorialization Benefits**Abstract:**

The Department of Veterans Affairs (VA) amends its regulations defining who may apply for a headstone or marker. The intended effect of this final rule would be to expand the types of individuals who may request headstones and markers on behalf of decedents. This amendment would address concerns that the existing applicant definition is too restrictive and results in identified veteran grave sites going unmarked.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 38.600; 38 CFR 38.632 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 2306**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/01/2014	79 FR 59176
NPRM Comment Period End	12/01/2014	
Final Action	03/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Eric Powell

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E-Mail: patricia.watts@va.gov**Department of Veterans Affairs (VA)****RIN:** 2900-AO97**Title:** Enrollment and Disenrollment Procedures in the Veterans' Health Care Program, CHAMPVA, and the Spina Bifida Health Care Benefits Program**Abstract:**

The Department of Veterans Affairs (VA) amends its regulations to clarify and establish enrollment and disenrollment procedures for three VA programs that provide comprehensive health care to veteran and non-veteran VA beneficiaries. These amendments are necessary so that VA is compliant with reporting requirements issued by the Internal Revenue Service to implement portions of the Patient Protection and Affordable Care Act. These amendments do not affect the provision of VA health care benefits to VA beneficiaries.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.38; 38 CFR 17.270; 38 CFR 17.901 (To search for a specific CFR, visit the [Code of Federal](#)

[Regulations](#).)**Legal Authority:** 38 U.S.C. 501; Pub. L. 111-148; Pub. L. 111-152; IRC 6055**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Kristin Cunningham

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Department of Veterans Affairs (VA)**RIN:** 2900-AP03**Title:** Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards**Abstract:**

OMB has promulgated the release of 2 CFR part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, which will be added as 38 CFR part 49. This final guidance supersedes and streamlines requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in OMB guidance's); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up. The final guidance consolidates the guidance previously contained in the aforementioned citations into a streamlined format that aims to improve both clarity and accessibility. The release of 2 CFR part 200 was published at 78 FR 78608 (December 26, 2013).

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 41; 38 CFR 43; 38 CFR 49 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 31 U.S.C. 503**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/19/2014	79 FR 75867
Interim Final Rule Effective	12/26/2014	
Interim Final Rule Comment Period End	02/17/2015	
Final Action	11/00/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** Governmental Jurisdictions; Organizations**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Agency Contact:** Thomas Graves Department of Veterans Affairs

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Department of Veterans Affairs (VA)

RIN: 2900-AP05

Title: Updates to Regulations Based on Executive Order 13559**Abstract:**

The implementation of Executive Order 13559 (Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations) created the Interagency Working Group on Faith-Based and Other Neighborhood Partnerships (Working Group) to review and evaluate existing regulations, guidance documents, and policies. Following receipt of the Working Group's report, OMB issued such guidance instructing specified agency heads, including VA, to adopt regulations and guidance that will fulfill the requirements of the Executive Order, and to amend regulations and guidance to ensure that they are consistent with Executive Order 13559.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR (new part); 38 CFR 61; 38 CFR 62 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** E.O. 13559**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/06/2015	80 FR 47339
NPRM Comment Period End	10/05/2015	
Final Action	04/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Agency Contact:** Rev E. Terri Lavelle Department of Veterans Affairs

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RIN: 2900-AP08

Title: Schedule for Rating Disabilities; Dental and Oral Conditions**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend the portion of the VA Schedule for Rating Disabilities (VASRD or rating schedule) that addresses dental and oral conditions. The purpose of these changes is to incorporate medical advances that have occurred since the last review, update current medical terminology, and provide clear evaluation criteria for application of this portion of the rating schedule. The proposed rule reflects advances in medical knowledge, recommendations from the Dental and Oral Conditions Work Group ("Work Group"), which is comprised of subject matter experts from both the Veterans Benefits Administration (VBA) and the Veterans Health Administration (VHA), and comments from experts and the public gathered as part of a public forum. The public forum, focusing on revisions to the dental and oral conditions section of the VASRD, was held on January 25-26, 2011.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 4.150 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1155**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/28/2015	80 FR 44913
NPRM Comment Period End	09/28/2015	
Final Action	07/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No

Small Entities Affected: No**Federalism:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Dr. Ioulia Vvedenskaya
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Phone: 202 461-9700**Department of Veterans Affairs (VA)****RIN:** 2900-AP09**Title:** Health Care for Certain Children of Vietnam and Certain Korea Veterans-Covered Birth Defects and Spina Bifida**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend its regulations concerning provision of necessary health care to birth children of Vietnam and certain Korea veterans diagnosed with spina bifida, except for spina bifida occulta, and other covered birth defects. The proposed changes would more clearly define the types of health care benefits VA is authorized to reimburse, including day health care as well as health-related services that supply homemaker or home health aide services furnished in the individual's residence, to the extent that those services provide assistance with Activities of Daily Living or Instrumental Activities of Daily Living. We would also further define those health care services that would require preauthorization.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 17 CFR 17.900; 17 CFR 17.902(a); 17 CFR 17.903(a); 17 CFR 17.904 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501; 38 U.S.C. 18**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/15/2015	80 FR 27878
NPRM Comment Period End	07/14/2015	
Final Action	09/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Karyn Barrett
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Phone: 202 461-7633
E-Mail: karyn.barrett@va.gov**Department of Veterans Affairs (VA)****RIN:** 2900-AP13**Title:** Schedule for Rating Disabilities: Gynecological Conditions and Disorders of the Breast**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend the portion of the VA Schedule for Rating Disabilities (VASRD or rating schedule) that addresses gynecological conditions and disorders of the breast. The purpose of these changes is to incorporate medical advances that have occurred since the last review, update current medical terminology, and provide clear evaluation criteria. The proposed rule reflects advances in medical knowledge, recommendations from the Gynecological Conditions and Disorders of the Breast Work Group ("Work Group"), which is comprised of subject matter experts from both the Veterans Benefits Administration (VBA) and the Veterans Health Administration (VHA), and comments from experts and the public gathered as part of a public forum. The public forum, focusing on revisions to the gynecological conditions and disorders of the breast section of the VASRD, was held on January 24, 2012.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 4.116 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501(a); 38 U.S.C. 1155**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/27/2015	80 FR 10637
NPRM Comment Period End	04/28/2015	
Final Action	07/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Dr. Ioulia Vvedenskaya

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Department of Veterans Affairs (VA)**RIN:** 2900-AP14**Title:** Schedule for Rating Disabilities: The Organs of Special Sense and Schedule of Ratings--Eye**Abstract:**

The Department of Veterans Affairs (VA) proposes to amend the portion of the VA Schedule for Rating Disabilities (VASRD or rating schedule) that addresses the organs of special sense and schedule of ratings - eye. The purpose of these changes is to incorporate medical advances that have occurred since the last review, update current medical terminology, and provide clear evaluation criteria. The proposed rule reflects advances in medical knowledge, recommendations from the National Academy of Sciences (NAS), and comments from subject matter experts and the public garnered as part of a public forum. The public forum, focusing on revisions to the organs of special sense and schedule of ratings for eye disabilities, was held on January 19-20, 2012.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 4.77; 38 CFR 4.78; 38 CFR 4.79 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501(a); 38 U.S.C. 1155**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/09/2015	80 FR 32513
NPRM Comment Period End	08/10/2015	
Final Rule	07/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Dr. Nick Olmos-Lau

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Department of Veterans Affairs (VA)

RIN: 2900-AP15

Title: Copayments for Medications in 2015**Abstract:**

The Department of Veterans Affairs (VA) amended its medical regulations concerning the copayment required for certain medications. But for this rulemaking, beginning on January 1, 2015, the copayment amount would increase based on a formula set forth in regulation. The maximum annual copayment amount payable by veterans would also increase. This rulemaking freezes copayments for 2015 at the current rate for veterans in priority categories 2 through 8, and thereafter resumes increasing copayments in accordance with the regulatory formula.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.110 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501(a)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/27/2014	79 FR 63819
Interim Final Rule Effective	10/27/2014	
Interim Final Rule Comment Period End	12/26/2014	
Final Action	11/00/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kristin Cunningham

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Department of Veterans Affairs (VA)

RIN: 2900-AP21

Title: Eligibility for Care in Vet Centers**Abstract:**

The Department of Veterans Affairs (VA) is amending its medical regulation that governs Vet Center services. The National Defense Authorization Act of Fiscal Year 2013 (the 2013 Act) requires Vet Centers to provide readjustment counseling services to a broader group of veterans, servicemembers, and family members of veterans and servicemembers. This final rule codifies into regulation the expansion of readjustment counseling services mandated by the 2013 Act. In addition, the 2013 Act defined "Vet Centers," and this final rule amends VA's regulation to be in accord with that definition. These amendments are required by the 2013 Act, and will increase the number of individuals that can be assisted by Vet Centers.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.2000 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 112-239, sec 727**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/04/2015	80 FR 46197
Interim Final Rule Effective	08/04/2015	
Interim Final Rule Comment Period End	10/05/2015	
Final Action	06/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No

Small Entities Affected: No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Agency Contact:** Michael W. Fisher

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Department of Veterans Affairs (VA)**RIN:** 2900-AP26**Title:** Automobile or Other Conveyance Certificate of Eligibility for Veterans or Members of the Armed Forces With Amyotrophic Lateral Sclerosis Due to Military Service**Abstract:**

The Department of Veterans Affairs (VA) amend its adjudication regulation 3.808, Automobiles or other conveyances and adaptive equipment; certification, regarding certificates of eligibility for financial assistance in the purchase of an automobile or other conveyance and adaptive equipment. The amendment authorizes automatic issuance of a certificate of eligibility for financial assistance in the purchase of an automobile or other conveyance and adaptive equipment to all veterans and members of the Armed Forces on active duty with service-connected amyotrophic lateral sclerosis (ALS) rated totally disabling under the VA Schedule for Rating Disabilities.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 3.808 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501(a); 38 U.S.C. 1151(c)(2); 38 U.S.C. 3901; 38 U.S.C. 3902**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/25/2015	80 FR 10001
Interim Final Rule Effective	02/25/2015	
Interim Final Rule Comment Period End	04/27/2015	
Final Action	02/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Stephanie Li

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Department of Veterans Affairs (VA)**RIN:** 2900-AP28**Title:** Removal of Requirement to File Direct-Pay Fee Agreements with the Office of the General Counsel**Abstract:**

The Department of Veterans Affairs (VA) is amending its regulations concerning the payment of fees for representation by agents and attorneys in proceedings before VA. Specifically, this rule removes the requirement that an agent or attorney file a direct-pay fee agreement with both the VA Office of the General Counsel and the agency of original jurisdiction. The intended effect of this final rule is to require that direct-pay fee agreements be submitted only to the agency of original jurisdiction, thereby eliminating duplicate filings by agents and attorneys.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 14; 38 CFR 14.636 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Pub. L. 109-461

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	02/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP29

Title: Higher Education; Implementing Public Law 113-146

Abstract:

Implement Section 702: VA will amend its education regulations to state that the Secretary will disapprove courses of education provided by public institutions of higher learning that charge tuition and fees at more than the in-state resident rate for Veterans within three years from discharge from a period of at least 90 days service in the military, irrespective of the Veteran's current State of residence, if the Veteran is living in the State in which the institution is located while pursuing that course of education.

Also, the rulemaking would permit a public educational institution to require a covered individual to demonstrate an intent, by means other than satisfying a physical presence requirement, to eventually establish residency in that State or to meet requirements unrelated to residency in order to be eligible for the in-state tuition rate. This section would also provide VA discretion to waive the established requirements in a circumstance where it is deemed appropriate in regards to approval of a specific course of education.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Pub. L. 113-146, sec 702

Legal Deadline: The statute requires that VA apply it for all college sessions beginning after July 1, 2015.

Action	Source	Description	Date
Other	Statutory	To be applied to all college sessions beginning after July 1, 2015.	07/01/2014

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP30

Title: Expedited Senior Executive Removal Authority**Abstract:**

VA will amend its regulations to provide that the Secretary may immediately remove or demote any individual from the Senior Executive Service (SES), and title 38 SES equivalents, if the Secretary determines the performance of the individual warrants such removal. The senior executive would be allowed an opportunity for an expedited review by the MSPB, be conducted by an Administrative Judge at the MSPB, and if the MSPB Administrative Judge does not conclude their review within 21 days then the removal or demotion is final. (MSPB is conducting a rulemaking to establish and implement a process to conduct expedited reviews.)

VA regulations would also state that if the senior executive is removed, and then appeals VA's decision, the senior executive is not entitled to any type of pay, bonus, or benefit while appealing the decision of removal. Also, VA regulations would state that if a senior executive is demoted, and then appeals VA's decision, the employee may only receive any type of pay, bonus, or benefit at the rate appropriate for the position they were demoted to, and only if the individual shows up for duty, while appealing the decision of demotion.

VA regulations would also include "misconduct" along with "poor performance" as a reason to remove or demote a senior executive.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-146 (Title VII, sec 707)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP34

Title: Payment of Emergency Medication by VA**Abstract:**

The Department of Veterans Affairs (VA) is proposing to amend its medical regulations that govern reimbursement of emergency treatment provided by non-VA medical care providers. VA proposes to clarify its regulations that deal with the reimbursement of medications prescribed or provided to the veteran while such veteran was receiving non-VA emergency treatment.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.120; 38 CFR 17.1002 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 1725; 38 U.S.C. 1728

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	07/27/2015	80 FR 44318
NPRM Comment Period End	09/25/2015	
Final Rule	03/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kristin Cunningham

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Department of Veterans Affairs (VA)**RIN:** 2900-AP43**Title:** Presumption of Herbicide Exposure and Presumption of Disability During Service For Reservists Presumed Exposed to Herbicide**Abstract:**

The Department of Veterans Affairs (VA) is amending its regulation governing individuals presumed to have been exposed to herbicides. Specifically, VA is expanding the regulation to include an additional group consisting of individuals who performed service in the Armed Forces under circumstances in which they had regular and repeated contact with C-123 aircraft known to have been used to spray an herbicide agent (Agent Orange) during the Vietnam era. In addition, the regulation will establish a presumption that members of this group who later develop an Agent Orange presumptive condition were disabled during the relevant period of service, thus establishing that this service constituted active, naval, military or air service. The effect of this action is to presume herbicide exposure for these individuals and to allow individuals who were exposed to herbicides during reserve service to establish veteran status for VA benefit purposes. The need for this action results from a recent decision by the Secretary of Veterans Affairs to acknowledge that individuals who had regular and repeated exposure to C-123 aircraft that the United States Air Force used to spray the herbicides in Vietnam during Operation Ranch Hand were exposed to Agent Orange.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 3.307 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/19/2015	80 FR 35246
Interim Final Rule Effective	06/19/2015	
Interim Final Rule Comment Period End	08/18/2015	
Final Rule	06/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Stephanie Li

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Department of Veterans Affairs (VA)

RIN: 2900-AP54

Title: VA Homeless Providers Grant and Per Diem Program**Abstract:**

The Department of Veterans Affairs (VA) is amending its regulations concerning the VA Homeless Providers Grant and Per Diem Program (GPD). These amendments will provide GPD with increased flexibility to (1) respond to the changing needs of homeless veterans; (2) repurpose existing and future funds more efficiently; and (3) allow grant providers the ability to add, modify, or eliminate components of funded programs. We are amending these regulations to better serve our homeless veteran population and the grantees who serve them.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 38 CFR 61.1; 38 CFR 61.5; 38 CFR 61.33; 38 CFR 61.61 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501; 38 U.S.C. 2001; 38 U.S.C. 2011; 38 U.S.C. 2012; 38 U.S.C. 2061; 38 U.S.C. 2064; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Guy A. Liedke

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E-Mail: guy.liedke@med.va.gov**Department of Veterans Affairs (VA)**

RIN: 2900-AP59

Title: Hospital Care and Medical Services for Camp Lejeune Veterans**Abstract:**

The Department of Veterans Affairs (VA) is adding to its medical regulations the program for the repayment of educational loans for certain psychiatrists. This program is intended to increase the much needed pool of qualified VA psychiatrists and increase veterans' access to mental health care. This rulemaking would implement the provisions of Public Law 114-2, the Clay Hunt Suicide Prevention for American Veterans Act.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.400 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 112-54; Pub. L. 113-25; 38 U.S.C. 1710**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule	06/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Karyn Barrett

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Department of Veterans Affairs (VA)

RIN: 2900-AP60

Title: Expanded Access to Non-VA Care Through the Veterans Choice Program**Abstract:**

The Department of Veterans Affairs (VA) amends its medical regulations concerning its authority for eligible veterans to receive care from non-VA entities and providers. The Veterans Access, Choice, and Accountability Act of 2014 (the Choice Act) directs VA to establish a program to furnish hospital care and medical services through non-VA care health care providers to veterans who either cannot be seen within the wait time goals of the Department or who qualify based on their residence. The Construction Authorization and Choice Improvement Act of 2014 amended the Choice Act to define additional criteria to determine that a veteran's travel to a VA medical facility is an unusual or excessive burden, and the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 amended the Choice Act to cover all veterans enrolled in the VA health care system under 17.36, repeal the 60-day limit on an episode of care, clarify wait-time eligibility requirements, modify the 40-mile distance eligibility criterion, and expand provider eligibility based on criteria as determined by VA. This interim final rule revises VA regulations consistent with these changes made to the Choice Act.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 38 CFR 17.1500 to 17.1540 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-146, sec 101; Pub. L. 114-19, sec. 3(a)(2); Pub. L. 114-41, sec. 4005; 38 U.S.C. 1701 (note)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Agency Contact:** Kristin Cunningham

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RIN: 2900-AO13

Title: VA Compensation and Pension Regulation Rewrite Project**Abstract:**

From 2004 to 2011, the Department of Veterans Affairs (VA) published 20 Notices of Proposed Rulemaking to reorganize and rewrite its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The proposed revisions would assist claimants, beneficiaries, and VA personnel in locating and understanding these regulations. Several veterans service organizations requested that VA republish all these regulations together to allow the public another opportunity to comment. This proposed rule was published in November 2013, with a 120-day comment period.

Priority: Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 3; 38 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501**Legal Deadline:** None**Timetable:**

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Action	Date	FR Cite
Final Rule		
NPRM	11/27/2013	78 FR 71042
NPRM Comment Period End	03/27/2014	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information

URL: www.va.gov/orpm/regulation_rewrite_project.asp

Public Comment URL: www.regulations.gov

Related RINs: Related to 2900-AL67; Related to 2900-AL70; Related to 2900-AL71; Related to 2900-AL72; Related to 2900-AL74; Related to 2900-AL76; Related to 2900-AL82; Related to 2900-AL83; Related to 2900-AL84; Related to 2900-AL87; Related to 2900-AL88; Related to 2900-AL89; Related to 2900-AL94; Related to 2900-AL95; Related to 2900-AM01; Related to 2900-AM04; Related to 2900-AM05; Related to 2900-AM06; Related to 2900-AM07; Related to 2900-AM16

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Department of Veterans Affairs (VA)

RIN: 2900-AP42

Title: Prescriptions in Alaska and U.S. Territories and Possessions

Abstract:

The Department of Veterans Affairs (VA) is proposing to remove its medical regulation that governs medications provided in Alaska and territories and possessions of the United States because this regulation is otherwise subsumed by another VA medical regulation related to provision of medications that are prescribed by non-VA providers.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 17.96; 38 CFR 17.97 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1712(d); 38 U.S.C. 1710

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP45

Title: Fisher Houses and Other Temporary Lodging**Abstract:**

The Department of Veterans Affairs (VA) is proposing to amend its medical regulations to permit the full practice authority of all VA advanced practice registered nurses (APRNs) when they are acting within the scope of their VA employment. This rulemaking would increase veterans' access to VA health care by expanding the pool of qualified health care professionals who are fully authorized to provide comprehensive primary health care and other related health care services to veterans. This rule would permit VA to use its health care resources more effectively and in a manner that is consistent with the non-VA health care sector, while maintaining the patient-centered, safe, high quality health care that veterans receive from VA.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 60.15(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 38 U.S.C. 1708**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2016	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Gabrielle Petersen

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RIN: 2900-AP51

Title: Recognition of Tribal Organizations for Representation of VA Claimants**Abstract:**

The Department of Veterans Affairs (VA) is proposing to amend its regulations concerning recognition of certain national, State, and regional or local organizations for purposes of VA claims representation. Specifically, this rule would allow the Secretary to recognize Tribal organizations and give them the same authority as State organizations in order to improve representation of Native American veterans.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 38 CFR 14.627; 38 CFR 14.628; 38 CFR 14.635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 38 U.S.C. 5901; 38 U.S.C. 5902; 38 U.S.C. 5903; 38 U.S.C. 5904; 38 U.S.C. 5905**Legal Deadline:** None**Timetable:**

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Action	Date	FR Cite
NPRM		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP52

Title: Recognition of Tribal Organizations for Representation of VA Claimants

Abstract:

The Department of Veterans Affairs (VA) is proposing to amend its regulations concerning recognition of certain national, State, and regional or local organizations for purposes of VA claims representation. Specifically, this rule would allow the Secretary to recognize Tribal organizations and give them the same authority as State organizations in order to improve representation of Native American veterans.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 14.627; 38 CFR 14.628; 38 CFR 14.635 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 5901; 38 U.S.C. 5902; 38 U.S.C. 5903; 38 U.S.C. 5904; 38 U.S.C. 5905

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Direct Final Rule		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP53

Title: Proposed Rule: Loan Guaranty: Amendments to Residual Income Guidelines

Abstract:

VA Loan Guaranty Service proposes to amend its governing regulations regarding the residual income guidelines used to underwrite VA to provide that, from time to time, as VA determines that it is necessary to amend these guidelines, VA will publish a Notice in the Federal Register updating the residual income guidelines lenders are required to use to determine the adequacy of the veteran's monthly residual income.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP57

Title: Repayment by VA of Educational Loans for Certain Psychiatrists

Abstract:

The Department of Veterans Affairs (VA) is adding to its medical regulations the program for the repayment of educational loans for certain psychiatrists. This program is intended to increase the much needed pool of qualified VA psychiatrists and increase veterans' access to mental health care. This rulemaking would implement the provisions of Public Law 114-2, the Clay Hunt Suicide Prevention for American Veterans Act.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	11/00/2016	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: No

Federalism: Undetermined

Energy Affected: Undetermined

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Department of Veterans Affairs (VA)

RIN: 2900-AM92

Title: VA Acquisition Regulation: Supporting Veteran-Owned and Service-Disabled Veteran-Owned Small Businesses

Abstract:

The Department of Veterans Affairs (VA) is amending its adjudication procedures for service-disabled Veteran-owned small businesses (SDVOSBs) and Veteran-owned small businesses (VOSBs) status protests, to provide that VA's Director, Center for Veterans Enterprise (CVE), shall initially adjudicate SDVOSB and VOSB status protests and to provide that protested businesses, if they are denied status, may appeal to VA's Executive Director, Office of Small and Disadvantaged Business Utilization (OSDBU). Additionally, VA amends the title of CVE from the Center for Veterans Enterprise to the Center for Verification and Evaluation to more appropriately represent the function of this office.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 48 CFR 8 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 15 U.S.C. 644(g); 38 U.S.C. 8127 to 8128; Pub. L. 109-461; E.O. 13360

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/20/2008	73 FR 49141
NPRM Comment Period End	10/20/2008	
Final Rule	12/08/2009	74 FR 64619
Final Rule Correction	12/15/2009	74 FR 66257
Final Rule Effective	01/07/2010	
Interim Final Rule	09/30/2013	78 FR 59861
Interim Final Rule Effective	09/30/2013	
Interim Final Rule Comment Period End	11/29/2013	
Final Rule	03/10/2015	80 FR 12564
Final Rule Effective	03/10/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO39

Title: Animals on VA Property

Abstract:

The Department of Veterans Affairs (VA) amends its regulation regarding the presence of animals on VA property. Current VA regulation authorizes the presence of seeing-eye dogs on VA property and other animals as authorized at the discretion of a VA facility head or designee. However, applicable Federal law authorizes the presence of both seeing-eye dogs and service animals when these animals accompany individuals with disabilities seeking admittance to buildings or property owned or operated by the Federal government. This final rule would expand the current VA regulation to be consistent with applicable Federal law, and would clarify the authority of the Secretary, VA or designee and the VA Under Secretary for Health or designee to allow nonservice animals to be present on VA property.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 1.218 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 901; 40 U.S.C. 3103

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/21/2014	79 FR 69379
NPRM Comment Period End	01/20/2015	
Final Rule	08/17/2015	80 FR 49157
Final Action Effective	09/16/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO71

Title: Health Care for Homeless Veterans Program

Abstract:

The Department of Veterans Affairs (VA) amends its medical regulations concerning eligibility for the Health Care for Homeless Veterans (HCHV) program. The HCHV program provides per diem payments to non-VA community-based facilities that provide housing, outreach services, case management services, and rehabilitative services, and may provide care and/or treatment to homeless veterans who are enrolled in or eligible for VA health care. The final rule would modify VA's HCHV regulations to conform to changes enacted in the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012. Specifically, the final rule would remove the requirement that homeless veterans be diagnosed with a serious mental illness to qualify for the HCHV program. This change would make the program available to all homeless veterans who are enrolled in or eligible for VA health care. The final rule would also update the definition of homeless to match in part the one used by the Department of Housing and Urban Development (HUD). The final rule would further clarify that the services provided by the HCHV program through non-VA community-based providers must include case management services, including non-clinical case management, as appropriate.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 63.2; 38 CFR 17.36 and 17.37; 24 CFR 576.2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 2031

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/15/2014	79 FR 27826
NPRM Comment Period End	07/14/2014	
Final Action	05/01/2015	80 FR 24819
Final Action Effective	06/01/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AO90

Title: Update to NFPA Standards, Incorporation by Reference

Abstract:

The Department of Veterans Affairs (VA) amends its regulations incorporating by reference the National Fire Protection Association (NFPA) codes and standards. These codes and standards are referenced in VA regulations concerning community residential care facilities, contract facilities for certain outpatient and residential services, Medical Foster Homes, and State

home facilities. To ensure the continued safety of veterans in these facilities, VA would continue to rely upon NFPA codes and standards for VA approval of such facilities. This final rulemaking would update our regulations to adhere to more recent NFPA codes and standards.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.1; 38 CFR 51.200; 38 CFR 52.200; 38 CFR 59.130; 38 CFR 17.74; 38 CFR 17.63; 38 CFR 17.81; 38 CFR 17.82 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/15/2014	79 FR 2014
NPRM Comment Period End	09/15/2014	
Final Rule	07/28/2015	80 FR 44859
Final Action Effective	08/27/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

Agency Contact: David Klein

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Department of Veterans Affairs (VA)

RIN: 2900-AO96

Title: Schedule for Rating Disabilities: Mental Disorders

Abstract:

This final rule will change the reference from DSM-IV to DSM-5 in 38 CFR 4.125(a). It amends VA's adjudication regulations to conform to the DSM-5, the most recent version of the Diagnostic and Statistical Manual of Mental Disorders. This change replaces the reference to previous editions of the manual with reference to the DSM-5. No changes to the evaluation criteria are made in this rule. This amendment will improve the quality and timeliness of the processing of Veterans' claims for benefits and appeals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 4.125(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501(a); 38 U.S.C. 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/04/2014	79 FR 45093
Interim Final Rule Comment Period End	10/03/2014	
Final Action	03/19/2015	80 FR 14308
Final Action Effective	03/19/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)**RIN:** 2900-AO98**Title:** Aid for Veterans Cemeteries, Part 39 Rewrite**Abstract:**

Revisions to the Code of Federal Regulations (CFR) are necessary to clarify terms and definitions specific to the National Cemetery Administration (NCA) Veterans Cemetery Grants Service (VCGS). Additionally, the proposed rule would clarify evaluative criteria related to the grant application and review process for the purpose of improving the timeliness, cost-effectiveness, and overall administration of VA's cemetery grants program.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 39 CFR 39 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 2408**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	07/20/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** www.regulations.gov**Agency Contact:** Patricia Lynch Watts

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E-Mail: patricia.watts@va.gov**Department of Veterans Affairs (VA)****RIN:** 2900-AO99**Title:** Reimbursement for Caskets and Urns for Unclaimed Veterans Without Sufficient Resources for Burial**Abstract:**

The Department of Veterans Affairs (VA) National Cemetery Administration (NCA) amends part 38 of title 38 of the Code of Federal Regulations (CFR) to implement a statutory amendment to section 2306 of title 38 of the United States Code, as authorized by Public Law 112-260, the Dignified Burial and Other Veteran Benefits Improvement Act of 2012. The final rule implements regulations governing the provision of a reimbursement for caskets and urns purchased for the remains of Veterans with no known next-of-kin and insufficient resources for burial.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 38 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 2306**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/02/2014	79 FR 37698
NPRM Comment Period End	08/01/2014	
Final Action	04/13/2015	80 FR 19534
Final Action Effective	05/13/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No

Energy Affected: No**Public Comment URL:** www.regulations.gov**Agency Contact:** Patricia Lynch Watts

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Department of Veterans Affairs (VA)**RIN:** 2900-AP07**Title:** Grants for Adaptive Sports Programs for Disabled Veterans and Members of the Armed Forces**Abstract:**

This final rule amends Department of Veterans Affairs (VA) regulations to establish a new program to provide grants to eligible entities to provide adaptive sports activities to disabled Veterans and disabled members of the Armed Forces. This rulemaking is necessary to implement a change in the law that authorizes VA to make grants to entities other than the United States Olympic Committee for adaptive sports programs. It establishes procedures for evaluating grant applications under this grant program and otherwise administering the grant program. This rule implements the VA Expiring Authorities Extension Act of 2013.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 77 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** Pub. L. 113-59; 38 U.S.C. 521A**Legal Deadline:** This rule implements section 5 of Public Law 113-59 (December 20, 2013), the VA Expiring Authorities Extension Act of 2013.

Action	Source	Description	Date
Other	Statutory	Public Law 113-59	12/20/2014

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/01/2014	79 FR 37211
Interim Final Rule Effective	07/01/2014	
Interim Final Rule Comment Period End	09/02/2014	
Final Action	05/04/2015	80 FR 25233
Final Action Effective	05/04/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regulations.gov**Agency Contact:** Michael F Welch

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Department of Veterans Affairs (VA)**RIN:** 2900-AP10

Title: Exempting Mental Health Peer Support Services From Copayments

Abstract:

The Department of Veterans Affairs (VA) is proposing to amend its regulation that governs VA services that are not subject to copayment requirements for inpatient hospital care or outpatient medical care. Specifically, the regulation would be amended to exempt mental health peer support services from having any required copayment. This would remove a barrier that may have previously discouraged veterans from choosing to use mental health peer support services as a viable care option. VA believes that mental health peer support services are a valuable resource for veterans with mental health conditions and wants to ensure that veterans take full advantage of all resources available to them.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.108 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 1710; 38 U.S.C. 1730A

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/28/2014	79 FR 70941
NPRM Comment Period End	01/27/2015	
Withdrawal of NPRM	11/05/2015	80 FR 68479

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

Related RINs: Related to 2900-AP11

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Department of Veterans Affairs (VA)

RIN: 2900-AP17

Title: Updating Certain Delegations of Authority in VA Medical Regulations

Abstract:

The Department of Veterans Affairs (VA) is making technical amendments to its medical regulations by updating certain delegations of authority, which have been amended due to statutory change. VA is, through this final rule, specifying delegations of authority to the Chief Financial Officer of the Consolidated Patient Account Centers (CPAC).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 1.956(a)(2)(iv); 38 CFR 17.103(a); 38 CFR 17.104(a); 38 CFR 17.105(c) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 1729B

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	04/27/2015	80 FR 23239
Final Action Effective	04/27/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Gabrielle Petersen
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Department of Veterans Affairs (VA)**RIN:** 2900-AP18**Title:** Additional Compensation on Account of Children Adopted Out of Veteran's Family**Abstract:**

The Department of Veterans Affairs (VA) is amending its adjudication regulations to clarify that a veteran will not receive the dependent rate of disability compensation for a child who is adopted out of the veteran's family. This action is necessary because applicable VA adjudication regulations are currently construed as permitting a veteran, whose former child was adopted out of the veteran's family, to receive the dependent rate of disability compensation for the adopted-out child, which constitutes an unwarranted award of benefits not supported by the applicable statute and legislative history.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 3.57; 38 CFR 3.58; 38 CFR 3.458 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 101(4); 38 U.S.C. 501; 38 U.S.C. 1115**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/02/2014	79 FR 71366
NPRM Comment Period End	02/02/2015	
Final Action	08/13/2015	80 FR 48450
Final Action Effective	09/14/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Agency Contact:** Stephanie Li

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Department of Veterans Affairs (VA)**RIN:** 2900-AP22**Title:** Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Updating References**Abstract:**

The Department of Veterans Affairs (VA) is amending its regulations with updated Office of Management and Budget (OMB) citations and references for Federal grant programs. VA has adopted OMB's guidance in 2 CFR 200, which supersedes previous OMB references. This amendment replaces obsolete OMB references in VA's regulations.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 2 CFR 200 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	07/22/2015	80 FR 43320
Final Action Effective	07/22/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 2900-AP03

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Department of Veterans Affairs (VA)**RIN:** 2900-AP24**Title:** Expanded Access to Non-VA Care through the Veterans Choice Program**Abstract:**

This document adopts changes to two interim final rules amending the Department of Veterans Affairs (VA) medical regulations implementing section 101 of the Veterans Access, Choice, and Accountability Act of 2014, which directed VA to establish a program to furnish hospital care and medical services through eligible non-VA health care providers to eligible veterans who either cannot be seen within the wait-time goals of the Veterans Health Administration or who qualify based on their place of residence (hereafter referred to as the Veterans Choice Program", or the Program"). VA published an interim final rule implementing the Veterans Choice Program on November 5, 2014, and published a subsequent interim final rule making further amendments on April 24, 2015. This final rule responds to public comments received from both interim final rules and amends the regulations to modify payment rates under the Program.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** Yes**Unfunded Mandates:** No

CFR Citation: 38 CFR 17.108; 38 CFR 17.110; 38 CFR 17.111; 38 CFR 17.1500; 38 CFR 17.1505; 38 CFR 17.1510; 38 CFR 17.1515; 38 CFR 17.1520; 38 CFR 17.1525; 38 CFR 17.1530; 38 CFR 17.1535; 38 CFR 17.1540 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Sec 101, Pub. L. 113-146; 128 Stat 1754; 38 U.S.C. 501; 38 U.S.C. 1710; 38 U.S.C. 1710B; 38 U.S.C. 1720B; 38 U.S.C. 1720D; 38 U.S.C. 1722A; 38 U.S.C. 1730A

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/05/2014	79 FR 65571
Interim Final Rule Effective	11/05/2014	
Interim Final Rule Comment Period End	03/05/2015	
2nd Interim Final Rule	04/24/2015	80 FR 22906
2nd Interim Final Rule Effective	04/24/2015	
2nd Interim Final Rule Comment Period End	05/26/2015	
Final Rule	10/29/2015	80 FR 66419
Final Action Effective	10/29/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** www.regulations.gov**Public Comment URL:** www.regualtions.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP25

Title: Loan Guaranty: Adjustable Rate Mortgage Notification Requirements and Look-Back Period

Abstract:

This document amends the Department of Veterans Affairs (VA) Loan Guaranty Service regulations that govern adjustable rate mortgages made in conjunction with the Home Loan Guaranty program. These revisions would align VA's disclosure and interest rate adjustment requirements with the implementing regulations of the Truth in Lending Act, as recently revised by the Consumer Financial Protection Bureau. Specifically, the rule would amend the timing, content, and format requirements for the disclosures provided to borrowers prior to an interest-rate adjustment. This regulation would also require that an interest-rate adjustment correspond with the interest rate index available 45 days prior to the adjustment. This final rulemaking would ensure VA's consistency with other applicable consumer finance and housing regulations governing adjustable rate mortgages.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 36.4312 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501; 38 U.S.C. 3707A

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/29/2015	80 FR 4812
NPRM Comment Period End	03/30/2015	
Final Action	08/12/2015	80 FR 48254
Final Action Effective	09/11/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP31

Title: Applications for Health Benefits

Abstract:

The Department of Veterans Affairs (VA) is amending its regulations to require VA to provide notice to veterans who submit incomplete applications for health care benefits and inform them of how to submit supporting information, establish a time limit of one year for providing information in support of an incomplete application for health care benefits, and establish that VA will consider an application abandoned if the claimant fails to submit requested information within such year. Once an application is abandoned, the veteran will be required to submit a new application in order to be enrolled to receive health care benefits. These amendments will improve administrative efficiency, maximize VA resources, and ensure that veterans are aware of and

understand what is necessary to complete an application for health care benefits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.36; 38 CFR 17.47 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 101, 501, 1521, 1701, 1705, 1710, 1722 and 5102

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	09/21/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AP33

Title: Technical Corrections to 38 CFR Part 3

Abstract:

The Department of Veterans Affairs (VA) amends part 3 to correct a number of typographical and referential errors. VA has determined that three references cited in these regulations were erroneous, or have been changed, replaced, or otherwise redesignated. This rulemaking corrects those technical errors.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.10(e)(3); 38 CFR 3.655(c)(4); 38 CFR 3.1000; 38 CFR 3.1003 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 U.S.C. 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	04/03/2015	80 FR 18116
Final Rule Effective	04/03/2015	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Veterans Affairs (VA)

RIN: 2900-AP38

Title: Agency Interpretation of Prosthetic Replacement of a Joint**Abstract:**

The Department of Veterans Affairs is publishing interpretive guidance for diagnostic codes (DCs) 5051 through 5056, which establish rating criteria for prosthetic implant replacements of joints of the musculoskeletal system. The Schedule for Rating Disabilities under these DCs allows for a one-year, 100 percent disability evaluation upon prosthetic replacement of a joint. This final rule clarifies that VA's longstanding interpretation of DCs 5051 through 5056 is that a 100 percent evaluation will be in place for a period of one year when the total joint, rather than the partial joint, has been replaced by a prosthetic implant.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 4.71a, Diagnostic Codes 5051 to 5056 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501; 38 U.S.C. 1155**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	07/16/2015	80 FR 42040
Final Action Effective	07/16/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Veterans Affairs (VA)

RIN: 2900-AP47

Title: Delegations of Authority: Office of Regulation Policy and Management (ORPM)**Abstract:**

The Department of Veterans Affairs is amending its regulations delegating rulemaking authority within the Office of the General Counsel.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 38 CFR 2.6(e)(1) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 38 U.S.C. 501**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule	06/18/2015	80 FR 34834
Final Rule Effective	06/18/2015	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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