

DEPARTMENT OF VETERANS AFFAIRS**38 CFR Ch. I****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 2008. 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 NW., Washington, DC 20420.

FOR FURTHER INFORMATION CONTACT: Millicent Dew at (202) 461-4938.

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 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: Robert C. McFetridge,
Director, Regulation Policy and Management (02REG).

The 80 Regulatory Agendas

Department of Veterans Affairs - Proposed Rule

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Department of Veterans Affairs (VA)

RIN: 2900-AL88

 [View Related Documents](#)

Title: Special Ratings

Abstract: The Department of Veterans Affairs (VA) proposed to amend its regulations relating to special ratings and ratings for health care eligibility only. We propose to reorganize these regulations in a more logical order, add new section and paragraph headings, rewrite certain sections, and divide certain sections into two or more separate new regulations. VA's principal goals in rewriting and reorganizing the current regulations are to provide readers with clearer language and more easily understood regulation requirements.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

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: 5 USC 2108; 38 USC 101(16); 38 USC 105; 38 USC 501(a); 38 USC 1110; 38 USC 1114; 38 USC 1115(i)(E); 38 USC 1702; 38 USC 1712; 38 USC 4331; 38 USC 5110(b); 38 USC 5503; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/17/2008	73 FR 62004
NPRM Comment Period End	12/16/2008	
Final Action	10/00/2009	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AM06

 [View Related Documents](#)

Title: Payments and Adjustments to Payments

Abstract: The Department of Veterans Affairs (VA) proposes to amend its regulations relating to payment of VA benefits and adjustments to payments. These revisions are proposed as part of VA's reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

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 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/31/2008	73 FR 65212
NPRM Comment Period End	12/30/2008	
Final Action	10/00/2009	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AM58

 [View Related Documents](#)

Title: Enrollment and Copayments

Abstract: This document proposes to amend VA's "Medical" regulations regarding determinations concerning eligibility for enrollment in the VA health care system and for purposes of determining when a veteran is required to make copayments for such health care. This is intended to more fully reflect statutory authority and to make the regulations more efficient.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

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

Legal Authority: 38 USC 1710; 38 USC 1722

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2009	

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

 Department of Veterans Affairs (VA)

RIN: 2900-AM82

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Title: Community Residential Care Program

Abstract: The Department of Veterans Affairs (VA) proposes to amend the regulations concerning Community Residential Care by making miscellaneous changes to update the regulations. The updates are limited to the adoption of the 2005 fire safety codes, the requirement that certain facilities have safe and functioning systems for cooling, the deletion of the requirements for VA to prepare a statement of needed care for veterans, the removal of provisions allowing facilities to be approved without meeting certain requirements, and the provision for facility approvals to be for 12-month periods or to be approved provisionally until appropriate improvements are made.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 17.62; 38 CFR 17.63; 38 CFR 17.64; 38 CFR 17.65 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 1721; 38 USC 1730

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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 Department of Veterans Affairs (VA)

RIN: 2900-AM84

 [View Related Documents](#)

Title: Vocational Rehabilitation and Employment Program—Periods of Eligibility

Abstract: This document proposes to amend regulations of the Department of Veterans Affairs concerning periods of eligibility applicable to VA's provision of Vocational Rehabilitation and Employment benefits and services. The proposed amendments are intended to reflect changes in law, to improve readability, and to make other changes that are nonsubstantive.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 21.41; 38 CFR 21.42; 38 CFR 21.44; 38 CFR 21.45; 38 CFR 21.46 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 3102; 38 USC 3103

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AM87

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Title: Loan Guaranty: Assistance to Certain Disabled Veterans in Acquiring Specially Adapted Housing

Abstract: This document proposes to amend the Department of Veterans Affairs' (VA's) loan guaranty regulations concerning assistance to certain disabled veterans in acquiring specially adapted housing. These proposed changes would improve the readability of the regulations, provide further detail about program policies, and incorporate recent legislation and the provisions of legal decisions of the VA Office of General Counsel. The intended effect of this revision is to improve clarity to the reader and to reflect the intent of the governing statute and the policies of the program.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 36.4400 to 36.4411 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 2101

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2009	

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-AM88

 [View Related Documents](#)

Title: Payment for Non-VA Physician and Other Health Care Professional Services Associated With Outpatient and Inpatient Care Provided at Non-VA Facilities

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its regulations concerning payment for non-VA physician and other health care professional services provided to eligible veterans at non-VA facilities. VA proposes to standardize payment methodologies used by VA for non-VA care. This rule revises the regulation to align VA payment methods for outpatient and inpatient professional services with those used throughout the health care industry. This revision will not change payment for services in Alaska as currently regulated.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.56 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1703

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

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-AM90

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Title: Fiduciary Activities

Abstract: The Department of Veterans Affairs (VA) proposes to amend its regulations regarding the fiduciary program to incorporate relevant provisions from the Veterans Benefits Improvement Act of 2004. The proposed revisions will implement the statutory requirements.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 5502; 38 USC 5506 to 5509; 38 USC 6106 to 6108

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AM94

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Title: Herbicide Exposure and Korean Conflict Veterans

Abstract: The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations to incorporate relevant provisions from the Veterans Benefits Act of 2003. Specifically, this document amends VA's adjudication regulations regarding herbicide exposure for certain Korean conflict veterans serving in or near the Demilitarized Zone and spina bifida in children of certain Korean conflict veterans serving in or near the Demilitarized Zone. The amendments are the result of changes in statute.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 3.27 to 3.31; 38 CFR 3.105; 38 CFR 3.114; 38 CFR 3.216; 38 CFR 3.261 to 3.263; 38 CFR 3.272 to 3.275; 38 CFR 3.307; 38 CFR 3.403; 38 CFR 3.503; 38 CFR 3.814 to 3.815 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 1116; 38 USC 1805; 38 USC 1815; 38 USC 1821 to 1824; 38 USC 1831 to 1834; 38 USC 5101; 38 USC 5110 to 5111; 38 USC 5312

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AM96

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Title: State Cemetery Grants

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its regulations governing grants to States to establish, expand, and improve State veterans cemeteries. We propose to implement through regulation new statutory authority to provide grants for the Operation and Maintenance of State veterans cemeteries, as implemented by the Dr. James Allen Veteran Vision Equity Act of 2007 (The Act) (Public Law 110-157), enacted on December 26, 2007. Section 202 of the Act expanded VA authority to provide grants to States for operating and maintaining State veterans cemeteries and limited to \$5 million the amount that VA could award for such grants in any year. The Act required within 180 days of enactment that VA publish regulations on implementing the new authority. VA proposes to amend its regulations to outline the process, the criteria, and the priorities for the award of these Operation and Maintenance grants. The rule also makes changes in arrangement and numbering of the regulation sections and removes specific forms from section 39.26 because all forms cited in this part are available at http://www.cem.va.gov/cem/scg_grants.asp.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 39 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 2408

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AM97

 [View Related Documents](#)

Title: Per Diem for Nursing Home Care of Veterans in State Homes

Abstract: The Department of Veterans Affairs (VA) proposes to amend VA's regulations which set forth a mechanism for paying per diem to State homes providing nursing home care to eligible veterans. We are proposing to update the basic per diem rate and to implement the provisions of the Veterans Benefits, Health Care, and Information Technology Act of 2006. We also are proposing to make several changes to better ensure that veterans receive quality care in State homes.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 51; 38 CFR 58 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 101; 38 USC 501; 38 USC 1710; 38 USC 1741 to 1743

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AM99

 [View Related Documents](#)

Title: Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA): Preauthorization of Durable Medical Equipment

Abstract: This document proposes to amend VA's medical regulations for the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) preauthorization section by increasing the dollar ceiling for purchase or rental of durable medical equipment (DME) from the current \$300 to \$2,000.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.273(e) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501, 1781

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/28/2008	73 FR 63914
NPRM Comment Period End	12/29/2008	
Final Action	10/00/2009	

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-AN00

 [View Related Documents](#)

Title: Servicemembers' Group Life Insurance Traumatic Injury Protection Program

Abstract: The Department of Veterans Affairs (VA) proposes to amend the Servicemembers' Group Life Insurance traumatic injury protection program (TSGLI) regulations (38 CFR 9.20 et al) in order to include additional losses that will be covered under the program. The amendment revises the text of the Schedule of Losses to reflect the new losses added by this rule. The amendment proposes clarifying language for already existing program provisions. It also adds, reorganizes and revises several definitions governing the program to make them easier to identify and understand, for both the medical community and the general public.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 1965 to 1980A

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AN01

 [View Related Documents](#)

Title: Presumptive Service Connection for Disease Associated With Exposure to Certain Herbicide Agents: AL Amyloidosis

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its adjudication regulations concerning presumptive service connection for a certain disease based on the most recent National Academy of Sciences (NAS) Institute of Medicine committee report, "Veterans and Agent Orange: Update 2006 (Update 2006)." This proposed amendment is necessary to implement a decision of the Secretary of Veterans Affairs that evidence warrants a presumption of service connection based on exposure to herbicides used in the Republic of Vietnam during the Vietnam era and the subsequent development of AL amyloidosis.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/03/2008	73 FR 65280
NPRM Comment Period End	01/02/2009	
Final Action	10/00/2009	

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-AN06

 [View Related Documents](#)

Title: Fisher Houses and Temporary Lodging Program

Abstract: This document would amend VA's regulations on Fisher Houses and Other Temporary Lodging. The proposed rule would clarify the distinction between Fisher Houses and temporary lodging programs, set forth requirements regarding the use of Fisher Houses and temporary lodging facilities, and ensure each type of resource is utilized as intended by VA regulation.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 60 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 1708

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

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-AN08

 [View Related Documents](#)

Title: Payment and Reimbursement of the Expenses of Medical Services Not Previously Authorized

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its regulations concerning emergent hospital care and medical services provided to certain eligible veterans at non-VA facilities that were not preauthorized. Title 38 of the United States Code (U.S.C.) section 1728 authorizes the Secretary to reimburse or make payment for the reasonable value of non-VA emergency treatment that was not preauthorized to veterans who have legal eligibility as stated in 38 U.S.C. section 1728(a). Title 38 Code of Federal Regulations (CFR) further codifies the statute in section 17.120 by defining a medical emergency as an emergency of such nature that delay would have been hazardous to life or health, and in section 17.121 by limiting reimbursement or payment to the period of the initial medical emergency evaluation and treatment. This proposal would amend the regulations to adopt the "prudent layperson" standard for evaluating the need for emergency medical services. This proposal also permits VA to reimburse or pay for hospital care not previously authorized that is furnished beyond the point the medical emergency ended if the veteran requires continued hospital care and requests transfer to VA care but the transfer of the veteran cannot be effected due either to the lack of an available hospital bed at a VA facility or other Federal facility or the inability of VA or other Federal facility to accept transfer of the veteran.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 38 CFR 17.120; 38 CFR 17.121 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1728

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

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-AN10

 [View Related Documents](#)

Title: Post-9/11 GI Bill

Abstract: VA proposes to establish regulations for a newly created benefit authorized by title V (Post-9/11 Veterans Educational Assistance Act of 2008) of the Supplemental Appropriations Act, 2008 for individuals who served on active duty after September 10, 2001.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 38 CFR 21.9500 to 21.9800 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 110-252; 38 USC 3301 to 3324

Legal Deadline:

Action	Source	Description	Date
NPRM	Statutory	Title V of the Supplemental Appropriations Act, 2008	08/01/2009

Timetable:

Action	Date	FR Cite

NPRM

11/00/2008

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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RIN: 2900-AN11

 [View Related Documents](#)

Title: Work Study and Miscellaneous Statutory Changes in Education Provisions

Abstract: This document proposes to amend the educational assistance regulations, vocational rehabilitation regulations, and general provisions regulations of the Department of Veterans Affairs (VA). It proposes changes to reflect provisions of the Veterans Programs Enhancement Act of 1998; the Veterans Education and Benefits Expansion Act of 2001; the Veterans Benefits Act of 2002; the Ronald W. Regan National Defense Authorization Act for Fiscal Year 2005; the Veterans Benefits, Health Care, and Information Technology Act of 2006; and the Dr. James Allen Veteran Vision Equity Act of 2007 that affect education programs and the work-study program VA administrators.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

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-AN12

 [View Related Documents](#)

Title: Schedule for Rating Disabilities; The Digestive System

Abstract: The Department of Veterans Affairs (VA) is proposing to amend that portion of its Schedule for Rating Disabilities that addresses the Digestive System in to update it to ensure that it uses current medical terminology and unambiguous criteria,

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Department of Veterans Affairs (VA)

RIN: 2900-AL68

 [View Related Documents](#)

Title: Medication Prescribed by Non-VA Physicians

Abstract: The Department of Veterans Affairs is amending its medical regulations that govern the provision of medication to veterans when the medication is prescribed by non-VA physicians. The rule provides that, in limited circumstances, VA may provide medication prescribed by a non-VA physician to veterans enrolled in VA's health-care system prior to July 25, 2003, if the veterans have requested an initial appointment for primary care in a VA health care facility before July 25, 2003, and were unable to obtain an initial appointment for primary care within 30 days. The rule establishes specific requirements that veterans must meet to receive such medication, and it establishes limits on the types and quantities of medication VA may provide. VA's intent is to assist enrolled veterans who have requested primary care appointments but who have not been able to obtain one within 30 days.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

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

Legal Authority: 38 USC 1706; 38 USC 1710; 38 USC 1712(d); 38 USC 1721

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	07/25/2003	68 FR 43927
Interim Final Rule	07/25/2003	68 FR 43927
Interim Final Rule Comment Period End	08/25/2003	68 FR 43927
Final Action	11/00/2008	

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-AM16

 [View Related Documents](#)

Title: VA Benefit Claims

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language its regulations involving VA benefits claims. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these regulations involving VA benefits claims.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 5.1; 38 CFR 5.50; 38 CFR 5.51; 38 CFR 5.52; 38 CFR 5.53; 38 CFR 5.54; 38 CFR 5.55; 38 CFR 5.56; 38 CFR 5.57 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 5101; 38 USC 5102; 38 USC 5103A; 38 USC 5108; 38 USC 5110; 38 USC 5100; 38 USC 1151

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/14/2008	
NPRM Comment Period End	06/13/2008	
Final Action	04/00/2009	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AM26

 [View Related Documents](#)

Title: Grants for the Hiring and Retention of Nurses in the State Home Program

Abstract: This document establishes a new part to set forth the mechanism for a State to obtain payments from VA to assist a State home in the hiring and retention of nurses for the purpose of reducing nursing shortages at that home. This implements provisions of the Veterans Health Programs Improvement Act of 2004.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 53 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 101; 38 USC 501; 38 USC 1744

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/11/2008	73 FR 19785
NPRM Comment Period End	06/10/2008	
Final Action	04/00/2009	

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-AM53

 [View Related Documents](#)

Title: Headstone and Marker Application Process

Abstract: The Department of Veterans Affairs (VA) is amending its regulations concerning headstones and markers furnished by the Government through the National Cemetery Administration (NCA) headstone and marker program. The amendments are necessary to update ordering procedures for headstones and markers and to provide instructions for requesting the addition of a new emblem of belief to VA's list of emblems of belief available for inscription on Government-furnished headstones and markers. The amendments would also establish criteria to guide VA's decisions on requests to add new emblems of belief to the list.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 38.632 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 2404

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/19/2007	72 FR 2480
NPRM Comment Period End	03/20/2007	72 FR 2480
Final Action	11/00/2008	

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-AM67

 [View Related Documents](#)

Title: Increase in Rates Payable Under the Survivors and Dependents Educational Assistance Program and Other Miscellaneous Issues

Abstract: This document amends Department of Veterans Affairs (VA) regulations to show an increase in the monthly rates payable under the Survivors' and Dependents' Educational Assistance (DEA) program in accordance with statutory requirements and a change in the formula used to calculate entitlement charge for individuals pursuing apprenticeship or other on-job training in accordance with the Veterans Benefits Improvement Act of 2004.

Priority: Substantive, Nonsignificant
 Major: No
 CFR Citation: 38 CFR 21.3045; 38 CFR 21.3046; 38 CFR 21.3131; 38 CFR 21.3300; 38 CFR 21.3333; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: 38 USC 3512(b); 38 USC 3564; 38 USC 3687; PL 108-454
 Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/00/2008	

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

 Department of Veterans Affairs (VA)

RIN: 2900-AM70

 [View Related Documents](#)

Title: Grants to States for Construction and Acquisition of State Home Facilities--Update of State Authorized Beds
 Abstract: To amend VA regulations regarding Grants to States for Construction or Acquisition of State Homes to update the maximum number of beds for each State, the District of Columbia, Puerto Rico, and the Virgin Islands. The law requires that, not less often than every 4 years, VA must review and, as necessary, revise the maximum number of State home beds permitted for each State. 38 U.S.C. 8134(a)(4). It has been almost 6 years since VA originally established the maximum number of State home beds for each State. The feasibility of VA's participation in all bed-producing projects in FY 2008 needs to be considered using the maximum numbers for each State that have been reviewed and, if necessary, revised. This interim final rule thus must be published by August 15, 2007, in order to apply to bed-producing applications on the FY 2008 priority list. 38 U.S.C. 8135(a)(4).

Priority: Other Significant
 Major: No
 CFR Citation: 38 CFR 59.40 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: 38 USC 101; 38 USC 501(a); 38 USC 1710; 38 USC 1742; 38 USC 8105; 38 USC 8131 to 8138
 Legal Deadline: None

Agenda Stage of Rulemaking: Final Rule
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/2008	

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

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 Department of Veterans Affairs (VA)

RIN: 2900-AM74

 [View Related Documents](#)

Title: Definition of Service in the Republic of Vietnam

Abstract: The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations regarding the definition of service in the Republic of Vietnam. We propose to state that service in the Republic of Vietnam for the purposes of applying the presumption of exposure to herbicide agents includes service on land and on inland waterways in Vietnam. The amendments will clarify existing regulatory provisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.307(a)(6)(iii); 38 CFR 3.313; 38 CFR 3.814(c)(1); 38 CFR 3.815(c)(1) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/16/2008	73 FR 20566
NPRM Comment Period End	06/16/2008	
Final Action	12/00/2008	

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-AM78

 [View Related Documents](#)

Title: VA Veteran-Owned Small Business Verification Guidelines

Abstract: This interim final rule implements portions of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Pub. L. 109-461), section 8127(f). This law requires the Department of Veterans Affairs (VA) to verify ownership and control of veteran-owned small businesses, including service-disabled, veteran-owned small businesses. According to this interim final rule, a contracting officer in the Department of Veterans Affairs may restrict competition for a requirement to a

service-disabled, veteran-owned small business (SDVOSB) or to a veteran-owned small business (VOSB) when such companies are listed as "verified" in the VetBiz.gov Vendor Information Pages (VIP) database. The interim final rule defines the eligibility requirements for businesses to obtain "verified" status, explains examination procedures, and establishes records retention and review processes.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 1.996; 48 CFR ch 8; 13 CFR 107; 13 CFR 121 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501a; 44 USC 3501 to 3521; 2 USC 1532; 5 USC 553(d)(3); 15 USC 644(g); ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	05/19/2008	73 FR 29024
Interim Final Rule	05/19/2008	73 FR 29024
Interim Final Rule Comment Period End	07/18/2008	73 FR 29024
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Public Comment URL: www.Regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AM79

 [View Related Documents](#)

Title: Dependents Education: Incorporation of Miscellaneous Statutory Provisions

Abstract: This document amends regulations governing aspects of the Survivors' and Dependents' Educational Assistance (DEA) program administered by the Department of Veterans Affairs (VA). These amendments reflect provisions of the Veterans Benefits Act of 2003, the Veterans Benefits Improvement Act of 2004, and Veterans Benefits, Health Care, and Information Technology Act of 2006. The Veterans Benefits Act of 2003 exempted surviving spouses who remarry after age 57 from having their DEA eligibility terminated. The Veterans Benefits Improvement Act of 2004 increased the DEA eligibility period from 10 years to 20 years for a surviving spouse of a serviceperson who died of a service connected disability while on active duty. The Veterans Benefits, Health Care, and Information Technology Act of 2006 expanded eligibility for DEA to the spouse or child of a serviceperson who is hospitalized or receiving outpatient medical care, services, or treatment and is determined by VA to have a total disability permanent in nature incurred or aggravated in the line of duty and who is likely to be discharged or released from active duty for such disability.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 21.3021; 38 CFR 21.3041; 38 CFR 21.3046; 38 CFR 3135; 38 CFR 21.3300(b); 38 CFR 21.4131 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 103; 38 USC 3501; 38 USC 3512

Legal Deadline: None

Timetable:

Action	Date	FR Cite

Final Action

02/00/2009

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-AM83

 [View Related Documents](#)

Title: Education: Incorporation of Miscellaneous Statutory Provisions to the Montgomery GI Bill Selected Reserve Program

Abstract: This document amends regulations governing aspects of educational assistance programs administered by the Department of Veterans Affairs (VA). These amendments reflect provisions of the National Defense Authorization Act for Fiscal Year 1995, the Veteran' Benefits Improvements Act of 1996, the Veterans Benefits Act of 2003, the Veterans Benefits Improvement Act of 2004, and the National Defense Authorization Act for Fiscal Year 2006. The National Defense Authorization Act for Fiscal Year 1995 renumbered the sections pertaining to the Montgomery GI Bill--Selected Reserve (MGIB-SR) in title 10 U.S.C. The Veterans' Benefits Improvements Act of 1996 allowed reservists to receive full-time educational assistance for pursuit of cooperative training under MGIB-SR. The Veterans Benefits Act of 2003 authorized payment of educational assistance for certain self-employment training programs and certain entrepreneurship courses for Selected Reservists. The Veterans Benefits Improvement Act of 2004 made technical and conforming amendments regarding the definition of a training establishment. The National Defense Authorization Act for Fiscal Year 2006 allowed Selected Reservists to use benefits received under the MGIB-SR for payments for licensing or certification tests.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 38 USC 3002(2); 38 USC 3452; 38 USC 3672; 38 USC 3677; 38 USC 3687; 38 USC 3689; 10 USC 16131; 10 USC 16136

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	03/00/2009	

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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RIN: 2900-AM85

 [View Related Documents](#)

Title: Education: Incorporation of Miscellaneous Statutory Provisions

Abstract: This document amends regulations governing aspects of educational assistance programs administered by the Department of Veterans Affairs (VA). These amendments reflect provisions of the Veterans Programs Enhancement Act of 1998, the Veterans Benefits Act of 2003, and the Veterans Benefits Improvement Act of 2004. The Veterans Programs Enhancement Act of 1998 waived the periodic wage increase requirement for other on-job training programs offered by Federal, State, or local governments. The Veterans Benefits Act of 2003 authorized payment of veterans' educational assistance benefits for certain self-employment training programs and certain entrepreneurship courses. The Veterans Benefits Act of 2003 also terminated the Education Loan Program. The Veterans Benefits Improvement Act of 2004 effected a 10 percent rate increase in the VA monthly educational assistance allowance payable to individuals pursuing an apprenticeship or on-job training program for veterans receiving benefits under the Post-Vietnam Era Veterans' Educational Assistance Program. It also authorized VA to pay educational assistance benefits to veterans for competency-based apprenticeships. Finally, the Veterans Benefits Improvement Act of 2004 made technical and conforming amendments regarding the definition of a training establishment, in addition to recordkeeping requirements for qualified providers of entrepreneurship courses.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 38 USC 3233(a); 38 USC 3452; 38 USC 3672; 38 USC 3675; 38 USC 3677; 38 USC 3684

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	04/00/2009	

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-AM91

 [View Related Documents](#)

Title: Vocational Rehabilitation and Employment Program—Duty To Assist

Abstract: This document proposes to amend the vocational rehabilitation and employment regulations of the Department of Veterans Affairs (VA) concerning VA's responsibility to provide notification regarding information or evidence needed for an individual to substantiate a claim for vocational rehabilitation benefits and services, and regarding applicable time periods. VA's duty to assist claimants in substantiating their claims for benefits is expanded by The Veterans Claims Assistance Act of 2000, and is incorporated in this rulemaking. Specifically, upon receipt of a substantially complete application for benefits, VA will make reasonable efforts to help the claimant obtain the evidence necessary to substantiate the claim. In addition, VA proposes to make changes to improve readability and other clarifying changes that are nonsubstantive.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 21.32; 38 CFR 21.33; 38 CFR 21.8015 (To search for a specific CFR, visit the [Code of Federal](#)

[Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 5102; 38 USC 5103; 38 USC 5103A; 38 USC 101; 38 USC 512; 38 USC 1151 note; 38 USC 5112

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/01/2008	73 FR 37402
NPRM Comment Period End	09/02/2008	
Final Action	03/00/2009	

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-AM92

 [View Related Documents](#)

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

Abstract: This document proposes to implement portions of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Pub. L. 109-461) and Executive Order 13360, Providing Opportunities for Service-Disabled Veteran Businesses To Increase Their Federal Contracting and Subcontracting. These actions provide special methods for VA to contract with service-disabled, veteran-owned small business (SDVOSB) and veteran-owned small business (VOSB). According to this proposed rule, a contracting officer in the Department of Veterans Affairs may restrict competition for a requirement to SDVOSBs or VOSBs under certain conditions. Likewise, sole source contracts to SDVOSB or VOSB are permitted under certain conditions. The proposed rule implements these special acquisition methods as a change to the Department of Veterans Affairs Acquisition Regulation (VAAR).

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

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

Legal Authority: 15 USC 644(g); 38 USC 8127 to 8128; PL 109-461; EO 13360

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/20/2008	73 FR 49141
NPRM Comment Period End	10/20/2008	73 FR 49141
Final Action	04/00/2009	

Regulatory Flexibility Analysis
Required: Undetermined

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Public Comment URL: www.regulations.gov

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 Department of Veterans Affairs (VA)

RIN: 2900-AM98

 [View Related Documents](#)

Title: Reimbursement for Interment Costs

Abstract: This document amends the Department of Veterans Affairs (VA) adjudication regulations to incorporate relevant provisions from the Dr. James Allen Veteran Vision Equity Act of 2007 regarding reimbursement of interment costs. Specifically, this document amends VA's adjudication regulations regarding a time limitation for filing claims for reimbursement of interment costs pertaining to unclaimed remains of deceased veterans. This amendment is necessary to conform the regulations to enacted legislation.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 2302 to 2308

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/00/2008	

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-AN03

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Title: The Dr. James Allen Veteran Vision Equity Act of 2007

Abstract: This document amends the Department of Veterans Affairs (VA) adjudication regulations regarding special monthly compensation and benefits for paired organs to incorporate relevant statutory provisions from the Dr. James Allen Veteran Vision Equity Act of 2007.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 USC 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2008	

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-AN04

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Title: Posttraumatic Stress Disorder

Abstract: The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations regarding posttraumatic stress disorder (PTSD). We propose to provide additional criteria when PTSD is diagnosed in-service. The amendments are to clarify existing regulatory provisions.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.304 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/29/2008	73 FR 64208
Interim Final Rule Comment Period End	11/28/2008	
Final Action	10/00/2009	

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-AN05

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Title: Presumption of Service Connection for Amyotrophic Lateral Sclerosis

Abstract: The Department of Veterans Affairs (VA) amends its adjudication regulations to establish a presumption of service connection for amyotrophic lateral sclerosis (ALS) for any veteran who develops the disease at any time after separation from service. This amendment is necessary to implement a decision by the Secretary to establish such a presumption based primarily on a November 2006 report by the National Academy of Sciences Institute of Medicine (IOM) on the association between active service and ALS.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.318 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/23/2008	73 FR 54691
Interim Final Rule Comment Period End	11/24/2008	
Final Action	10/00/2009	

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-AN07



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Title: Foreign Medical Program (FMP) of the Department of Veterans Affairs--Hospital Care and Medical Services in Foreign Countries

Abstract: This document amends the Department of Veterans Affairs' (VA) medical regulations for the Foreign Medical Program, Hospital Care and Medical Services in Foreign Countries, by making several non-substantive changes. Specifically, an authority citation is corrected, obsolete material is removed, and section numbers are redesignated. These changes are made for accuracy and clarity.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.35; 38 CFR 17.125; 38 CFR 17.141 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1724

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/00/2008	

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

 Department of Veterans Affairs (VA)

RIN: 2900-AN09

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

Abstract: This document amends the Department of Veterans Affairs (VA) regulations delegating authority to the Assistant to the Secretary for Regulation and Policy Management. The amendments transfer delegated rulemaking authority to the General Counsel to reflect the Secretary's decisions to designate the General Counsel as the Department's Regulatory Policy Officer and to transfer the Office of Regulation and Policy Management to the Office of the General Counsel. These amendments are intended to provide VA with a single point of contact who can respond to all of the Secretary's rulemaking concerns.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 38 CFR 2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 302; 5 USC 552a; 38 USC 501; 38 USC 512; 38 USC 515; 38 USC 1729; 38 USC 1729A; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/00/2008	

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

 Department of Veterans Affairs (VA)

RIN: 2900-AL51

 [View Related Documents](#)

Title: Enrollment--Provision of Hospital and Outpatient Care to Veterans--Subpriorities of Priority Categories 7 and 8 and Enrollment Level Decision

Abstract: The Department of Veterans Affairs (VA) published in the Federal Register on January 17, 2003, an interim final rule amending VA's medical regulations at 38 CFR part 17 to establish additional subpriorities within enrollment priority categories 7 and 8 and to provide that, beginning January 17, 2003, VA will continue to treat all veterans currently enrolled in

any category and will treat new enrollees in categories 1 through 7. However, the interim final rule provided that VA will suspend the enrollment of additional veterans who are in the lowest statutory enrollment category (priority category 8). Based on the rationale set forth in the interim final rule, VA is adopting the provisions of the interim final rule as a final rule without change.

Priority: Economically Significant
 Major: Yes
 CFR Citation: 38 CFR 17.36 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: PL 104-262
 Legal Deadline: None

Agenda Stage of Rulemaking: Long-term Action
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
Interim Final Rule Effective	01/17/2003	68 FR 2670
Interim Final Rule	01/17/2003	68 FR 2670
Interim Final Rule Comment Period End	03/18/2003	68 FR 2670

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

 Department of Veterans Affairs (VA)

RIN: 2900-AL67

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Title: Service Requirements for Veterans

Abstract: The Department of Veterans Affairs is amending its Compensation and Pension regulations relating to service requirements for veterans, currently found in part 3 of title 38, Code of Federal Regulations, and to relocate them in new part 5. We have reorganized these regulations in a more logical order, add new section and paragraph headings, rewrite some sections, and divide some sections into one or more separate new sections. VA's principle goal in rewriting and reorganizing the current regulations is to provide readers with clearer language and more easily understood regulatory requirements.

Priority: Other Significant
 Major: No
 CFR Citation: 38 CFR 3; 38 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: 38 USC 101(21), (22); 38 USC 106; 38 USC 501(a); 38 USC 1152; 38 USC 1301; 38 USC 1504; 38 USC 1832(b)(2); 38 USC 5101(i); 38 USC 5303(a), (b), (e); PL 95-126; PL 95-202; PL 102-40; ...
 Legal Deadline: None

Agenda Stage of Rulemaking: Long-term Action
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
NPRM	01/30/2004	69 FR 4820
NPRM Comment Period End	03/30/2004	69 FR 4820
Final Action	10/00/2010	

Regulatory Flexibility Analysis Required: No
 Small Entities Affected: No
 Energy Affected: No

Government Levels Affected: No
 Federalism: No

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Department of Veterans Affairs (VA)

RIN: 2900-AL70

 [View Related Documents](#)

Title: Presumptions of Service Connection for Certain Disabilities and Related Matters

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language its regulations on presumptions of service connection for certain disabilities, and related matters. These revisions are proposed as part of VA's rewrite and reorganization of all of its adjudication regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these general provisions.

Priority: Substantive, Nonsignificant

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 USC 501; 38 USC 1101; 38 USC 1111; 38 USC 1112; 38 USC 1116; 38 USC 1133; 38 USC 1137; PL 98-542

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/27/2004	69 FR 44614
NPRM Comment Period End	09/27/2004	69 FR 44614
Final Action	10/00/2010	

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-AL71

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Title: Accrued Benefits, Death Compensation, and Special Rules Applicable Upon Death of a Beneficiary

Abstract: The Department of Veterans Affairs (VA) proposes to amend its regulations relating to accrued benefits, death compensation, and certain special rules applicable upon the death of a VA beneficiary and to relocate them in a new part of the Code of Federal Regulations (CFR). We propose to reorganize these regulations in a more logical order, add new section and paragraph headings, rewrite certain sections, divide certain sections into two or more separate new regulations, and add

changes required by relevant court decisions and by the Veterans Benefits Act of 2003.

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 USC 501(a); 38 USC 1121 and 1122; 31 USC 3329 and 3330; 38 USC 5101; 38 USC 5121; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/01/2004	69 FR 59072
NPRM Comment Period End	11/30/2004	69 FR 59072
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL72

 [View Related Documents](#)

Title: Burial Benefits

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language provisions applicable to burial benefits. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants, beneficiaries, and VA personnel in locating and understanding these regulations regarding burial benefits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 5.630; 38 CFR 5.631; 38 CFR 5.632; 38 CFR 5.633; 38 CFR 5.634; 38 CFR 5.635; 38 CFR 5.636; 38 CFR 5.638; 38 CFR 5.639; 38 CFR 5.643; 38 CFR 5.644; 38 CFR 5.645; 38 CFR 5.649; 38 CFR 5.650; 38 CFR 5.651; 38 CFR 5.652; 38 CFR 5.653 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 101(2); 38 USC 501; 38 USC 2301 to 2305; 38 USC 2307 to 2308; 38 USC 6103 to 6105

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/08/2008	73 FR 19021
NPRM Comment Period End	06/09/2008	73 FR 19021
Final Action	10/00/2010	

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-AL67
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Department of Veterans Affairs (VA)

RIN: 2900-AL74

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Title: Apportionments to Dependents and Payments to Fiduciaries and Incarcerated Beneficiaries

Abstract: This document proposes to amend the Department of Veterans Affairs (VA) adjudication rules that concern the award and administration of VA benefits to incarcerated veterans, their dependents, and fugitive felons; the award and administration of compensation to certain incompetent veterans; and the apportionment of benefits to dependents. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format.

Priority: Substantive, Nonsignificant

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 USC 501; 38 USC 5101; 38 USC 5110; 38 USC 5112; 38 USC 5307; 38 USC 5313B

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2009	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL76

 [View Related Documents](#)

Title: Benefits for Certain Filipino Veterans and Survivors

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language provisions concerning benefits payable to certain Filipino veterans and their survivors. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these provisions. We also propose to further amend two previously proposed part 5 sections to make them consistent with other changes that

have occurred since they were initially proposed.

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 USC 107; 38 USC 501; 38 USC 3565; 38 USC 5112

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/30/2006	71 FR 37790
NPRM Comment Period End	08/29/2006	71 FR 37790
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL82

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Title: Duties of VA; Rights and Responsibilities of Claimants and Beneficiaries

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language its disability compensation and pension regulations relating to the duties of VA and the rights and responsibilities of claimants and beneficiaries. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants, beneficiaries, and VA personnel in locating and understanding these regulations.

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 USC 1154; 38 USC 1822; 38 USC 5101; 38 USC 5103(a); 38 USC 5104; 38 USC 5109; 38 USC 5112(a); 38 USC 5125; 38 USC 5304; 38 USC 5701(b); ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/10/2005	70 FR 24680
NPRM Comment Period End	07/11/2005	70 FR 24680
Final Action	10/00/2010	

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-AL83

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Title: Elections of Improved Pension; Old-Law and Section 306 Pension

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language its regulations relating to its "old-law" and "section 306" pension programs, as well as its regulations concerning elections of improved pension. These revisions are proposed as part of VA's reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist readers in locating and understanding these regulations.

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 USC 503; 38 USC 521(f); 38 USC 522; 38 USC 543; 38 USC 1312(b); 38 USC 1317(b); 38 USC 1521(i); 45 USC 228; PL 86-211; PL 86-212; PL 87-381; PL 95-588; PL 96-272

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/27/2004	69 FR 77588
NPRM Comment Period End	02/25/2005	
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL84

 [View Related Documents](#)

Title: Special and Ancillary Benefits for Veterans, Dependents, and Survivors

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language regulations concerning special and ancillary benefits for veterans, dependents, and survivors. These revisions are proposed as part of VA's

rewrite and reorganization of all of its compensation and pension rules in a logical, claimant focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these provisions.

Priority: Substantive, Nonsignificant

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 USC 501; 10 USC 1448; 10 USC 6160; 38 USC 501(a); 38 USC 1160; 38 USC 1312; 38 USC 1323; 38 USC 1805; 38 USC 1811 to 1816; 38 USC 1821 to 1824; 38 USC 2101; 38 USC 2104; 38 USC 3501; 38 USC 5101; 38 USC 5110 to 5112; 38 USC 5304; PL 425; PL 97-377; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/09/2007	72 FR 10860
NPRM Comment Period End	05/08/2007	72 FR 10860
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL87

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Title: General Provisions

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language general provisions applicable to its compensation and pension regulations, including definitions. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants, beneficiaries and VA personnel in locating and understanding these general provisions.

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 USC 101; 38 USC 501(a); 38 USC 4303(16); PL 107-116

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/31/2006	71 FR 16464
NPRM Comment Period End	05/30/2006	71 FR 16464
Final Action	10/00/2010	

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-AL67
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Department of Veterans Affairs (VA)

RIN: 2900-AL89

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Title: Dependency and Indemnity Compensation Benefits

Abstract: The Department of Veterans Affairs (VA) has published a series of Notices of Proposed Rulemaking (NPRMs) setting out new proposed regulations governing VA compensation, pension, burial, and related benefits that would be located in a new part of the Code of Federal Regulations. This amendment adds regulations concerning dependency and indemnity compensation (DIC) for a veteran's surviving spouse, children, and parents and general rules relating to proof of death and service-connected cause of death to that proposed new part. The intended effect of the revisions is to assist claimants and VA personnel in locating and understanding these provisions.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 101(14); 38 USC 103(b); 38 USC 501(a); 38 USC 1121; 38 USC 1122(b); 38 USC 1141; 38 USC 1304; 38 USC 1310; 38 USC 1311(c), (d); 38 USC 1313; 38 USC 1315; 38 USC 1318(e), (d); 38 USC 5110; 38 USC 5312; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/21/2005	70 FR 61326
NPRM Comment Period End	12/20/2005	70 FR 61326
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL94

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Title: Dependents and Survivors

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language general provisions applicable to its compensation and pension regulations, including those relating to dependents and survivors of veterans and other VA claimants and beneficiaries. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these provisions.

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 USC 101(3); 38 USC 101(31); 38 USC 103(c); 38 USC 5110(f); 38 USC 5112; PL 91-376; PL 93-527; PL 101-508; PL 102-86

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/20/2006	71 FR 55052
NPRM Comment Period End	11/20/2006	71 FR 55052
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AL95

 [View Related Documents](#)

Title: Payments to Beneficiaries Who Are Eligible for More Than One Benefit

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language provisions applicable to payments to beneficiaries who are eligible for more than one benefit. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants, beneficiaries, and VA personnel in locating and understanding these rules.

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: 10 USC 1174; 10 USC 12316; 38 USC 501(a); 38 USC 1501(a); 38 USC 5104; 38 USC 5110; 38 USC 5304; 42 USC 2210 note

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/02/2007	72 FR 56136
NPRM Comment Period End	12/03/2007	72 FR 56136

Final Action

10/00/2010

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AM01

 [View Related Documents](#)

Title: General Evidence Requirements, Effective Dates, Revision of Decisions, and Protection of Existing Ratings

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language general provisions applicable to its compensation and pension regulations, including general evidence requirements, general effective date for new awards, revision of decisions, and protection of existing ratings. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these general provisions.

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 USC 111; 38 USC 501(a); 38 USC 1110; 38 USC 1117; 38 CFR 1131; 38 CFR 1155; 38 CFR 1159; 38 CFR 5104; 38 CFR 5110; 38 CFR 5112; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/22/2007	72 FR 28770
NPRM Comment Period End	07/23/2007	72 FR 28770
Final Action	10/00/2010	

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-AM04

 [View Related Documents](#)

Title: Improved Pension

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language its improved Pension regulations. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension rules in a logical, claimant-focused and user-friendly format. The intended effect of the proposed revisions is to assist claimants, beneficiaries, and VA personnel in locating and understanding these improved pension regulations.

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 USC 501; 38 USC 1502 to 1503; 38 USC 1508; 38 USC 1521 to 1522; 38 USC 1541 to 1542; 38 USC 1718; 38 USC 5303A; 10 USC 1448; 42 USC 300c-22(note); 42 USC 7385; PL 100-456

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/26/2007	72 FR 54776
NPRM Comment Period End	11/26/2007	72 FR 54776
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AM05

 [View Related Documents](#)

Title: Matters Affecting the Receipt of Benefits

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite in plain language regulations relating to determinations involving bars to benefits, forfeiture of benefits, and renouncement of benefits. These revisions are proposed as part of VA's rewrite and reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these regulations.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3; 38 CFR 5; 38 CFR 6.22; 38 CFR 8.34 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 105; 38 USC 501; 38 USC 1110; 38 USC 1131; 38 USC 1521; 38 USC 1901 to 1929; 38 USC 5110; 38 USC 5112; 38 USC 6103; 38 USC 6104; 38 USC 6105; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite

NPRM	05/31/2006	71 FR 31056
NPRM Comment Period End	07/31/2006	71 FR 31056
Final Action	10/00/2010	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AM07

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Title: Service-Connected Disability Compensation

Abstract: The Department of Veterans Affairs (VA) proposes to reorganize and rewrite its regulations concerning VA's service-connected disability compensation program. These revisions are proposed as part of VA's reorganization of all of its compensation and pension regulations in a logical, claimant-focused, and user-friendly format. The intended effect of the proposed revisions is to assist claimants and VA personnel in locating and understanding these regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2009	

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-AL67

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Department of Veterans Affairs (VA)

RIN: 2900-AJ43

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Title: Grants to States for Construction and Acquisition of State Home Facilities

Abstract: This rule amends the Department of Veterans Affairs regulations concerning State homes. VA provides funds to States for projects for the construction, acquisition, or renovation of State veterans nursing homes and State veterans domiciliaries. This rulemaking requests comments regarding what regulations should be established with respect to the priorities for awarding State home grants for construction, acquisition, or renovation.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.216; 38 CFR 17.222 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 1721

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/26/2001	66 FR 33845
Interim Final Rule Comment Period End	08/27/2001	66 FR 33845
Final Action	10/08/2008	73 FR 58877

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Federalism: No

Energy Affected: No

Public Comment URL: www.Regulations.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AJ68

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Title: Work Study and Miscellaneous Statutory Changes in Education Provisions

Abstract: This proposed rule amendment will bring VA's educational assistance regulations into agreement with the Veterans Program Enhancement Act of 1998 and Veterans Education and Expansion Act of 2001. This amendment will include making advance payments to work-study students optional rather than mandatory. This rule is being amended to reflect additional work study opportunities provided under the Veterans Education and Benefits Expansion Act of 2001. It also reflects the clarified ending date of these opportunities enacted in the Veterans Benefits Act of 2002 and the extended sunset date enacted in Public Laws 108-375, 109-461, and 110-157.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 21.4145; 38 CFR 21.4200 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 16136; 38 USC 3034; 38 USC 3241; 38 USC 3485; 38 USC 3537; 38 USC 5101

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	07/17/2008	

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-AL44

 [View Related Documents](#)

Title: Survivors' and Dependents' Educational Assistance Program Period of Eligibility for Eligible Children and Other Miscellaneous Issues

Abstract: The Department of Veterans Affairs is amending its education regulations governing the Survivors' and Dependents' Education Assistance (DEA) program to implement statutory provisions in the Veterans Benefits and Health Care Improvement Act of 2000, the Veterans' Survivor Benefits Improvement Act of 2001, the Education and Benefits Expansion Act of 2001, the Veterans Benefits Act of 2002, and the Veterans Benefits Act of 2003. As a result of these statutory provisions certain eligible children may choose the beginning date of their period of eligibility and eligible children who served on active duty or in the National Guard may receive extensions to the ending date of their period of eligibility. These statutory provisions also allow VA to consider certain qualifying beneficiaries' original claims as having been filed retroactively to their eligibility dates. In addition, they allow certain eligible DEA beneficiaries to be paid for preparatory courses for tests required or used for admission to an institution of higher education or graduate school. Further, these provisions permit eligible children to receive benefits for such preparatory courses even if the courses are taken before their 18th birthday. This document implements these provisions of law by amending pertinent regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 21.3021; 38 CFR 21.3041; 38 CFR 21.4131 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 2141; 38 USC 101(4)(a); 38 USC 501(a); 38 USC 512; 38 USC 3002(3); 38 USC 3500 to 3566; 38 USC 5113; PL 106-419; PL 107-14; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action Effective	05/28/2008	73 FR 30486
Final Action	05/28/2008	73 FR 30486

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-AM02

 [View Related Documents](#)

Title: Beneficiary Travel

Abstract: The Department of Veterans Affairs proposes to revise its beneficiary travel regulations authorized under 38 U.S.C. 111. These regulations are intended to provide a mechanism for paying travel expenses to help veterans and other persons obtain services from the Veterans Health Administration.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.143; 38 CFR 17.144; 38 CFR 17.145; 38 CFR 70 (new) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 111

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/23/2007	72 FR 40096
NPRM Comment Period End	09/21/2007	72 FR 40096
Final Action	06/30/2008	73 FR 36796
Final Action Effective	07/30/2008	73 FR 36796

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-AM17

 [View Related Documents](#)

Title: Notice and Assistance Requirements

Abstract: The Department of Veterans Affairs (VA) is amending its regulations governing VA's duty to provide a claimant with notice of the information and evidence necessary to substantiate a claim as required under 38 U.S.C. 5103(a). The purpose of these changes is to clarify when VA's duty to notify a claimant of how to substantiate a claim for benefits arises under 38 U.S.C. 5103(a), the responsibilities of claimants to substantiate a claim, and the effect of various actions of the parties relating to substantiating a claim.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.159 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 5103; 38 USC 5103A

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/31/2006	71 FR 63732
NPRM Comment Period End	01/02/2007	

Final Action	04/30/2008	73 FR 23353
Final Action Effective	05/30/2008	73 FR 23353

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-AM22

 [View Related Documents](#)

Title: Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA)--Expansion of Benefit Coverage for Enuretic Devices and Certain Prostheses and Delegations of Authority

Abstract: This document will expand beneficiary coverage for certain prostheses; e.g., noses, ears, and fingers, used in the medically necessary treatment of certain medical conditions and removes from exclusions, enuretic devices, as provided under the CHAMPVA Program. Additionally, this rule will provide clarification of the delegation of authority related to timely claim filing and the claim appeals/review process. Since Public Law 107-135 redesignates CHAMPVA authority in 38 U.S.C. 1713 to 38 U.S.C. 1781, this document will also revise the authority citations for the CHAMPVA regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

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: PL 105-85, sec 702; PL 105-17, sec 640; 38 USC 1781

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/19/2008	73 FR 9068
NPRM Comment Period End	04/21/2008	73 FR 9068
Final Action	11/04/2008	73 FR 65552

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-AM23

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Title: Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA): Preventive Services
 Abstract: This proposed rule would amend VA's medical regulations by removing the exclusion for preventive services. CHAMPVA is proposing these changes to permit coverage of preventive services that are considered medically necessary and appropriate within the medical community and reflect modern medical practice that is supported by current medical literature.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.272(a)(31); 38 CFR 17.272(a)(41) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1781

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	05/08/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Public Comment URL: VAregulations@va.gov

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Department of Veterans Affairs (VA)

RIN: 2900-AM40

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Title: Provision of Hospital Care and Medical Services During Certain Disasters or Emergencies

Abstract: This document proposes to amend the Department of Veterans Affairs (VA) medical regulations concerning medical services, domiciliary and nursing home care. On November 7, 2002, the President signed into law the Department of Veterans Affairs Emergency Preparedness Act of 2002. Section 1785 authorized the Secretary Department of Veteran's Affairs to provide hospital care and medical services to individuals impacted during and immediately following a disaster or emergency authorized under 38 U.S.C. 1785.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

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Department of Veterans Affairs (VA)

RIN: 2900-AM49

 [View Related Documents](#)

Title: Supplemental Statement of the Case

Abstract: The Department of Veterans Affairs (VA) amends its regulations regarding the time limit for filing a response to a Supplemental Statement of the Case. We will change the response period from 60 days to 30 days. The purpose of the change is to improve efficiency in the appeals process and reduce the time it takes to resolve an appeal, while still providing an appellant with a reasonable period of time to respond to a Supplemental Statement of the Case.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 19.38; 38 CFR 20.302; 38 CFR 20.303 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 7105(d)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/26/2007	72 FR 14056
NPRM Comment Period End	05/25/2007	
Final Action Effective	07/16/2008	73 FR 40745
Final Action	07/16/2008	73 FR 40745

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-AM55

 [View Related Documents](#)

Title: Schedule for Rating Disabilities; Evaluation of Multiple Scars

Abstract: The Department of Veterans Affairs (VA) is amending that portion of VA's Schedule for Rating Disabilities (38 CFR part 4) by revising section 4.118, that portion of the Schedule that addresses scars. It would clarify the method of evaluating burn scars, multiple superficial scars, and deep scars and provide directions that would promote consistent evaluations for all types of scars.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

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 USC 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/03/2008	73 FR 428
NPRM Comment Period End	02/04/2008	73 FR 428
Final Action	09/23/2008	73 FR 54708
Final Action Effective	10/23/2008	

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-AM59

 [View Related Documents](#)

Title: Elimination of Copayment for Weight Management Counseling

Abstract: This direct final rule amends the Department of Veterans Affairs (VA) medical regulations concerning copayment for inpatient hospital care and outpatient medical care. More specifically, this rule designates weight management counseling (individual and group sessions) as a service that is not subject to copayment requirements. The intended effect of this interim final rule is to increase participation in weight management counseling by removing the copayment barrier.

Priority: Other Significant

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 USC 501; 38 USC 1721

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/16/2008	73 FR 20530
Direct Final Rule Effective	06/16/2008	
Final Action	11/03/2008	73 FR 65260

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-AM81

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Department of Veterans Affairs (VA)

RIN: 2900-AM62

 [View Related Documents](#)

Title: Accreditation of Agents and Attorneys; Agent and Attorney Fees

Abstract: The Department of Veterans Affairs (VA) amends its regulations governing the representation of claimants for veterans benefits in order to implement provisions of the Veterans Benefits, Health Care, and Information Technology Act of 2006, and to reorganize and clarify existing regulations. The regulation will establish the procedures and rules necessary for VA to facilitate the paid representation of claimants by accredited agents and attorneys after a notice of disagreement has been filed with respect to a case. The intended effect of these regulations is to fulfill Congress' intent by expanding the scope of paid agent and attorney representation while ensuring that claimants for veterans benefits have responsible qualified representation in the preparation, presentation, and prosecution of claims for veterans benefits.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 1; 38 CFR 14.626; 38 CFR 14.627; 38 CFR 14.629; 38 CFR 14.630; 38 CFR 14.631; 38 CFR 14.632; 38 CFR 14.633; 38 CFR 14.636; 38 CFR 14.637; 38 CFR 19; 38 CFR 20 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 5902; 38 USC 5903; 38 USC 5904; PL 109-461

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/07/2007	72 FR 25930
NPRM Comment Period End	06/06/2007	72 FR 25930
Final Action	05/22/2008	73 FR 29852
Final Action Effective	06/23/2008	73 FR 29852

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-AM65

 [View Related Documents](#)

Title: Disclosure of Information to Procurement Organizations

Abstract: This document amends the Department of Veterans Affairs (VA) regulations to implement certain provisions of the Veterans Benefits, Health Care, and Information Technology Act of 2006. The regulatory changes will allow VA to honor veterans' wishes to be an organ donor by providing authority for VA to provide procurement organizations (organ procurement, eye banks, and tissue banks) with VA medical records of such veterans to determine their suitability for donation under a VA-approved agreement.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 1.460; 38 CFR 1.485a (new); 38 CFR 1.514b (new) (To search for a specific CFR, visit the [Code of](#)

[Federal Regulations](#).)

Legal Authority: 38 USC 501; 42 USC 1138(a); PL 109-461

Legal Deadline:

Action	Source	Description	Date
Other	Statutory	Implementation 180-days from 12/22/2006 when law enacted.	06/20/2007

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/23/2007	72 FR 48329
Interim Final Rule Comment Period End	10/22/2007	72 FR 48329
Final Action	11/03/2008	73 FR 65258

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-AM71

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Title: Payment or Reimbursement for Emergency Services for Nonservice-Connected Conditions in Non-VA Facilities

Abstract: The Department of Veterans Affairs (VA) is proposing to amend its regulations concerning emergency hospital care and medical services provided to eligible veterans for nonservice-connected conditions at non-VA facilities. Public Law 106-117 requires VA to pay for the cost of non-VA emergency care for veterans who have no medical insurance and no other means of payment for the care. This is in keeping with Congress' intent, as reflected in House Report No. 106-237, that this reimbursement and payment authority not cover care that is furnished after the patient's condition has been stabilized. This proposal would amend certain regulations to permit VA to pay or reimburse for the costs of continued, non-emergent hospital care furnished to the veteran beyond the point of stabilization if the veteran requires continued hospital care and requests transfer to VA care but the safe transfer of the veteran cannot be effected due either to the lack of an available hospital bed at a VA facility or other Federal facility or the inability of VA or other Federal facility to accept transfer of the veteran.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.1002; 38 CFR 17.1005; 38 CFR 17.1008 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1725

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	09/25/2008	

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-AM75

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Title: Schedule for Rating Disabilities; Evaluation of Residuals of Traumatic Brain Injury (TBI)

Abstract: This document amends the Department of Veterans Affairs (VA) Schedule for Rating Disabilities (38 CFR part 4) by revising that portion of the Schedule that addresses Neurological Conditions and Convulsive Disorders (sec. 4.124a) in order to provide detailed and updated criteria for evaluating Residuals of Traumatic Brain Injury (TBI) under diagnostic code 8045.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 4.124a (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1155

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/03/2008	73 FR 432
NPRM Comment Period End	02/04/2008	73 FR 432
Final Action	09/23/2008	73 FR 54693
Final Action Effective	10/23/2008	

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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RIN: 2900-AM76

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Title: Release of Information From Department of Veterans Affairs Records

Abstract: This document amends Department of Veterans Affairs (VA) regulations governing the confidentiality and release of VA records subject to the Privacy Act, 5 U.S.C. 552a, the Freedom of Information Act (FOIA) (including the Electronic Freedom of Information Act Amendments of 1996, Pub. L. No. 104-231), 5 U.S.C. 552, and the veterans' records confidentiality statute (section 5701), 38 U.S.C. 5701. This final rule sets forth a mechanism for the public to obtain information from the VA. This final rule is intended to maximize public availability of VA records to the extent permitted by law and considerations such as personal privacy or law enforcement. Essentially these provisions consist of restatements of statute, interpretations of statute, interpretations of case law, interpretations of Executive Orders, and clarification. The final rule amendments also implement the Electronic Freedom of Information Act Amendments of 1996, Public Law No. 104-231 (October 2, 1996), court decisions, and

executive branch guidance issued since the regulations were originally published. Further, this document delegates authority to the Assistant General Counsel for Professional Staff Group IV for making final departmental decisions on appeals under the Freedom of Information Act, the Privacy Act, and 38 U.S.C. 5701 and 5705. This simplifies decisionmaking by allowing the highest level individual with direct responsibility for decisionmaking to issue decisions.

Priority: Info./Admin./Other
 Major: No
 CFR Citation: 38 CFR 1.550 to 1.559 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: 38 USC 501(a)
 Legal Deadline: None

Agenda Stage of Rulemaking: Completed Action
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
Withdrawn	11/06/2008	

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

Public Comment URL: www.Regulations.gov

Department of Veterans Affairs (VA)

RIN: 2900-AM77

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Title: Board of Veterans' Appeals: Expedited Claims Adjudication Initiative--Pilot Program

Abstract: The Department of Veterans Affairs proposes to launch an initiative for accelerated claims and appeals processing at select VA facilities, based on volunteer participation by eligible claimants. The purposes of this proposed initiative are to provide a model to streamline the claims adjudication and appeals process system-wide and to obtain resolution of individual claims and appeals at the earliest time possible in order to provide final decisions to veterans and their families with regard to their claims for benefits. If this initiative is successful at the local trial sites, the data obtained from this initiative may provide a basis for expanding some, or all, of the program nationwide, and ultimately help restore the timely processing of all claims and appeals.

Priority: Other Significant
 Major: No
 CFR Citation: 38 CFR 20, subpart P (new) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)
 Legal Authority: 38 USC 501(a)
 Legal Deadline: None

Agenda Stage of Rulemaking: Completed Action
 Unfunded Mandates: No

Timetable:

Action	Date	FR Cite
NPRM	04/16/2008	73 FR 20571
NPRM Comment Period End	06/16/2008	73 FR 20571
Final Action	11/05/2008	73 FR 65726
Final Action Effective	12/05/2008	

Regulatory Flexibility Analysis Required: No
 Small Entities Affected: No

Government Levels Affected: No
 Federalism: No

Energy Affected: No
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 Department of Veterans Affairs (VA)

RIN: 2900-AM81

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Title: Elimination of Copayment for Weight Management Counseling

Abstract: This rule amends the Department of Veterans Affairs (VA) medical regulations concerning co-payments for inpatient hospital care and outpatient medical care. More specifically, this rule designates weight management counseling (individual and group sessions) as a service that is not subject to co-payment requirements. The intended effect of this rule is to increase participation in weight management counseling by removing the co-payment barrier. This rule also amends the medical regulations by making nonsubstantive changes to correct references to statutory provisions.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.108; 38 CFR 17.47(e)(2) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501; 38 USC 1721

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/16/2008	73 FR 20579
NPRM Comment Period End	05/16/2008	
Withdrawal of Proposed Rule	11/03/2008	73 FR 65282

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-AM59

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 Department of Veterans Affairs (VA)

RIN: 2900-AM86

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Title: Prohibition of Interment or Memorialization in National Cemeteries and Certain State Cemeteries Due to Commission of Capital Crimes

Abstract: This final rule amends the Department of Veterans Affairs (VA) regulations to implement section 662 of the

National Defense Authorization Act of 2006 (Pub. L. 109-163). Section 662 of the Act prohibits interment and memorialization in a national or State veterans cemetery of certain persons who have been convicted of a Federal or State capital crime and whose conviction is final, unless such a person's sentence was commuted by the President or the Governor of a State. The final rule implements statutory provisions to ensure that the remains of certain persons who have committed Federal or State capital crimes are not interred or memorialized in a national or State veterans cemetery.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 38; 38 CFR 39 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 2411; 38 USC 2408

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action Effective	06/23/2008	73 FR 35351
Final Action	06/23/2008	73 FR 35351

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-AM89

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Title: Eligibility Reporting Requirements

Abstract: This document amends the Department of Veterans Affairs (VA) adjudication regulations regarding eligibility verification reports for certain parents receiving dependency and indemnity compensation. This amendment is necessary to conform the regulation to statutory provisions.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 3.256 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 501(a); 38 USC 1315

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action Effective	07/15/2008	73 FR 40465
Final Action	07/15/2008	73 FR 40465

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-AM93

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Title: Graves Marked With a Private Headstone or Marker

Abstract: The Department of Veterans Affairs (VA) is amending existing regulations regarding the authority to provide a Government-furnished headstone or marker for placement on already marked graves of eligible veterans in private cemeteries. Pursuant to section 203 of the Dr. James Allen Veteran Vision Equity Act of 2007, Congress has authorized VA to make this provision permanent and retroactive to November 1, 1990. This final rule is necessary to incorporate a statutory amendment into VA regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 38.631 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 2306

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action Effective	05/13/2008	73 FR 27462
Final Action	05/13/2008	73 FR 27462

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-AM95

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Title: Dental Care--Provision of One-Time Outpatient Dental Care for Certain Veterans

Abstract: The Department of Veterans Affairs (VA) is amending its regulations regarding the authority to provide one-time outpatient dental treatment to eligible veterans following discharge from active duty. Pursuant to section 1709 of the National Defense Authorization Act of 2008, Congress amended the requirements for the provision of outpatient dental treatment on a one-time basis. This rule is necessary to incorporate a statutory amendment into VA regulations.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 38 CFR 17.161(b) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 38 USC 1712; PL 110-108

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	10/08/2008	73 FR 58875

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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