

104TH CONGRESS
2D SESSION

H. R. 3321

To amend title 38, United States Code, to expand the authority of the Secretary of Veterans Affairs to enter into sharing agreements relating to use of health care resources.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 1996

Mr. WELLER introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand the authority of the Secretary of Veterans Affairs to enter into sharing agreements relating to use of health care resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHARING AGREEMENTS FOR HEALTH CARE RE-**
4 **SOURCES.**

5 (a) REPEAL OF SECTION 8151.—(1) Subchapter IV
6 of chapter 81 of title 38, United States Code, is amend-
7 ed—

8 (A) by striking out section 8151; and

1 (B) by redesignating sections 8152, 8153,
2 8154, 8155, 8156, 8157, and 8158 as sections 8151,
3 8152, 8153, 8154, 8155, 8156, and 8157, respec-
4 tively.

5 (2) The table of sections at the beginning of such
6 chapter is amended—

7 (A) by striking out the item relating to section
8 8151; and

9 (B) by revising the items relating to sections
10 8152, 8153, 8154, 8155, 8156, 8157, and 8158 to
11 reflect the redesignations made by paragraph (1)(B).

12 (b) REVISED AUTHORITY FOR SHARING AGREE-
13 MENTS.—Section 8152 of such title (as redesignated by
14 subsection (a)(1)(B)) is amended—

15 (1) in subsection (a)(1)(A)—

16 (A) by striking out “specialized medical re-
17 sources” and inserting in lieu thereof “health-
18 care resources”; and

19 (B) by striking out “other” and all that
20 follows through “medical schools” and inserting
21 in lieu thereof “any medical school, health-care
22 provider, health-care plan, insurer, or other en-
23 tity or individual”;

24 (2) in subsection (a)(2) by striking out “only”
25 and all that follows through “are not” and inserting

1 in lieu thereof “if such resources are not, or would
2 not be,”;

3 (3) in subsection (b), by striking out “reciprocal
4 reimbursement” in the first sentence and all that
5 follows through the period at the end of that sen-
6 tence and inserting in lieu thereof “payment to the
7 Department in accordance with procedures that pro-
8 vide appropriate flexibility to negotiate payment
9 which is in the best interest of the Government.”;

10 (4) in subsection (d), by striking out “preclude
11 such payment, in accordance with—” and all that
12 follows through “to such facility therefor” and in-
13 sserting in lieu thereof “preclude such payment to
14 such facility for such care or services”;

15 (5) by redesignating subsection (e) as sub-
16 section (f); and

17 (6) by inserting after subsection (d) the follow-
18 ing new subsection (e):

19 “(e) The Secretary may make an arrangement that
20 authorizes the furnishing of services by the Secretary
21 under this section to individuals who are not veterans only
22 if the Secretary determines—

23 “(1) that such an arrangement will not result
24 in the denial of, or a delay in providing access to,
25 care to any veteran at that facility; and

1 “(2) that such an arrangement—

2 “(A) is necessary to maintain an accept-
3 able level and quality of service to veterans at
4 that facility; or

5 “(B) will result in the improvement of
6 services to eligible veterans at that facility.”.

7 (c) CROSS-REFERENCE AMENDMENTS.—(1) Section
8 8110(c)(3)(A) of such title is amended by striking out
9 “8153” and inserting in lieu thereof “8152”.

10 (2) Subsection (b) of section 8154 of such title (as
11 redesignated by subsection (a)(1)(B)) is amended by strik-
12 ing out “section 8154” and inserting in lieu thereof “sec-
13 tion 8153”.

14 (3) Section 8156 of such title (as redesignated by
15 subsection (a)(1)(B)) is amended—

16 (A) in subsection (a), by striking out “section
17 8153(a)” and inserting in lieu thereof “section
18 8152(a)”; and

19 (B) in subsection (b)(3), by striking out “sec-
20 tion 8153” and inserting in lieu thereof “section
21 8152”.

22 (4) Subsection (a) of section 8157 of such title (as
23 redesignated by subsection (a)(1)(B)) is amended—

24 (A) in the matter preceding paragraph (1), by
25 striking out “section 8157” and “section 8153(a)”

1 and inserting in lieu thereof “section 8156” and
2 “section 8152(a)”, respectively; and

3 (B) in paragraph (1), by striking out “section
4 8157(b)(4)” and inserting in lieu thereof “section
5 8156(b)(4)”.

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