

106TH CONGRESS  
2D SESSION

# S. 2640

To amend title 38, United States Code, to permit Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MAY 25, 2000

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

---

## A BILL

To amend title 38, United States Code, to permit Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes.

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

1 **SECTION 1. AUTHORITY OF DEPARTMENT OF VETERANS**  
2 **AFFAIRS PHARMACIES TO DISPENSE MEDICA-**  
3 **TIONS TO VETERANS FOR PRESCRIPTIONS**  
4 **WRITTEN BY PRIVATE PRACTITIONERS.**

5 (a) **AUTHORITY.**—Subchapter II of chapter 17 of title  
6 38, United States Code, is amended by inserting after sec-  
7 tion 1722A the following new section:

8 **“§ 1722B. Medications: authority to dispense to vet-**  
9 **erans pursuant to prescriptions of pri-**  
10 **vate practitioners**

11 “(a) Subject to subsection (b), the Secretary shall au-  
12 thorize the pharmacies of the Department to dispense  
13 medications to veterans pursuant to valid prescriptions of  
14 veterans written by private practitioners.

15 “(b) A pharmacy may dispense a medication under  
16 subsection (a) only if the pharmacy carries the medication  
17 in the normal course of its service to veterans under this  
18 chapter.

19 “(c) A veteran dispensed a medication under this sec-  
20 tion shall pay the Secretary an amount for such medica-  
21 tion determined in accordance with the provisions of sub-  
22 section (a) of section 1722A of this title.

23 “(d)(1) In any case in which a veteran is dispensed  
24 a medication under this section, the United States has the  
25 right to recover or collect an amount for such medication  
26 from a third party to the extent that the veteran (or an-

1 other dispenser of such medication) would be eligible to  
2 receive payment for such medication from such third party  
3 if such medication had not been dispensed by the United  
4 States.

5 “(2) In this subsection, the terms ‘payment’ and  
6 ‘third party’ have the meanings given such terms in sec-  
7 tion 1729A(i) of this title.

8 “(e) Any amounts paid under subsection (c), or recov-  
9 ered or collected under subsection (d), shall be deposited  
10 in the Department of Veterans Affairs Medical-Care Cost  
11 Recovery Fund.”.

12 (b) CLERICAL AMENDMENT.—The table of sections  
13 at the beginning of chapter 17 of that title is amended  
14 by inserting after section 1722A the following new section:

“1722B. Medications: authority to dispense to veterans pursuant to prescrip-  
tions of private practitioners.”.

○