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REPORT
119–264

HEALTH PROFESSIONALS SCHOLARSHIP PROGRAM IMPROVEMENT ACT OF 2025

SEPTEMBER 10, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BOST, from the Committee on Veterans' Affairs, submitted the following

R E P O R T

[To accompany H.R. 3767]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 3767) to amend title 38, United States Code, to provide for a time frame for the employment in the Department of Veterans Affairs of participants in the Health Professionals Scholarship Program, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
Amendment	2
Purpose and Summary	2
Background and Need for Legislation	3
Hearings	4
Subcommittee Consideration	5
Committee Consideration	5
Committee Votes	5
Committee Oversight Findings	6
Statement of General Performance Goals and Objectives	6
Earmarks and Tax and Tariff Benefits	6
Committee Cost Estimate	6
Budget Authority and Congressional Budget Office Cost Estimate	6
Federal Mandates Statement	7
Advisory Committee Statement	7
Applicability to Legislative Branch	7
Statement on Duplication of Federal Programs	7
Section-by-Section Analysis of the Legislation	7
Changes in Existing Law Made by the Bill, as Reported	8

59–006

The amendment is as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Health Professionals Scholarship Program Improvement Act of 2025" or the "HPSP Improvement Act of 2025".

SEC. 2. TIME FRAME FOR EMPLOYMENT OF PARTICIPANTS IN DEPARTMENT OF VETERANS AFFAIRS HEALTH PROFESSIONALS SCHOLARSHIP PROGRAM.

(a) IN GENERAL.—Section 7616 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) The Secretary shall ensure that a participant in the Scholarship Program receives a contract for employment in the full-time clinical practice of such participant's profession at a Department facility with the highest need, as determined by the Secretary, by not later than 90 days after the later of the following dates:

"(A) The date on which the participant completes the course in the Scholarship Program.

"(B) The date on which participant obtains all required licensure, certification, or credentialing necessary to practice independently in their field.

"(2) A contract referred to in paragraph (1) shall include a competitive salary and benefits package consistent with the employment standards of the Department.".

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the termination date specified in paragraph (2), the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the implementation of subsection (d) of section 7616 of title 38, United States Code, as added by subsection (a).

(2) TERMINATION DATE.—The termination date specified in this paragraph is September 30, 2027.

SEC. 3. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—Section 1715 of title 38, United States Code, is amended to read as follows:

"§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

"(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

"(b) DEFINITIONS.—In this section:

"(1) The term 'smoke' includes—

"(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

"(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.

"(2) The term 'facility of the Veterans Health Administration' means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

"(A) under the jurisdiction of the Department of Veterans Affairs;

"(B) under the control of the Veterans Health Administration; and

"(C) not under the control of the General Services Administration.".

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following:

"1715. Prohibition on smoking in facilities of the Veterans Health Administration.".

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102–585; 38 U.S.C. 1715 note) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents of such Act is amended by striking the item relating to such section.

PURPOSE AND SUMMARY

H.R. 3767, the "Health Professionals Scholarship Program Improvement Act of 2025," was introduced by Representative Abra-

ham J. Hamadeh of Arizona on June 5, 2025. H.R. 3767, as amended, would provide for a time frame for the employment in the Department of Veterans Affairs (VA) of participants in the Health Professionals Scholarship Program (HPSP). H.R. 3767, as amended, incorporates the text of H.R. 3855, introduced by Representative Neal P. Dunn of Florida, which was introduced on June 10, 2025. H.R. 3855 would prohibit smoking on the premises of any facility of the Veterans Health Administration (VHA).

BACKGROUND AND NEED FOR LEGISLATION

Section 1: Short Title

This Act may be cited as the "Health Professionals Scholarship Program Improvement Act of 2025," or the "HPSP Improvement Act of 2025."

Section 2. Time Frame for Employment of Participants in Department of Veterans Affairs Health Professionals Scholarship Program

For years, VA has faced difficulties in recruiting and retaining qualified healthcare professionals, especially in rural areas and in high-demand specialties. This created concerns about access to timely and quality healthcare for veterans. The HPSP was established to address chronic workforce shortages, particularly in critical healthcare occupations such as nursing, physician assistants, and mental health professionals. Under current law,[1] scholarship participants must agree to a period of obligated service in the Veterans Health Administration (VHA) in return for payment of educational assistance. For physicians who attended school full-time, the period of obligation is 18 months for every school year. For other health professionals who attended school full-time, it is 12 months for every school year for not less than 2 years. For any professional who attended school part-time, it is not less than 1 year.

As soon as possible after the participant's completion of the training program, licensure, or certification—whichever is later—VA must offer the participant an opportunity for employment. The statute does not specify exactly when this employment opportunity must be offered to participants in the program.

This section would hold VA accountable by providing a deadline for VA to hire a participant. The Committee is aware of instances in which scholarship participants are unemployed for months before VA finally offers them a position. In some cases, participants are forced to break their service obligation and seek work elsewhere just to make ends meet. This represents not only the loss of a needed healthcare professional, but also the waste of a scholarship opportunity lasting up to four years. By requiring VA to provide a contract for employment to a scholarship participant within a specified period of time, the Committee believes that VA will lose fewer newly trained health professionals due to employment delays and increase veteran access to high quality healthcare.

[1] 38 U.S.C. § 7604; 38 C.F.R. § 17.607(c).

Section 3. Prohibition on Smoking in Facilities of the Veterans Health Administration

The Veterans Health Care Act of 1992 [P.L. 102–585] became law on November 4, 1992. Under section 526 of that law, each VA medical center, nursing home, or domiciliary care facility is required, consistent with medical requirements and limitations, to establish a smoking area and provide access to such area for patients or residents of the facility who are receiving care or services and who desire to smoke tobacco products.

Since that time, VHA has issued several nationwide policies for VA facilities to provide safer smoking environments. In March of 2019, VHA issued its most recent policy that required all VHA health care facilities to become smoke-free for patients, visitors, contractors, volunteers, and vendors effective October 1, 2019.[2] This policy eliminated all designated smoking areas on VHA campuses because VHA determined that it was unable to establish smoking areas that would be consistent with medical requirements and limitations. Although permitted under current law,[3] the policy also prohibited the sale of tobacco or other electronic nicotine delivery systems (ENDS) at VHA facilities.

This section, would prohibit the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco, as well as the use of any ENDS, including electronic or e-cigarettes, vape pens, and e-cigars. The prohibition would apply to any land or building that is under VA's jurisdiction, under the control of VHA, and not under the control of the General Services Administration (GSA). The bill, as amended, would also rescind the VA's authority to provide tobacco products to hospital, nursing home, and domiciliary patients.

The Committee believes veteran patients and employees have a right to be protected as a matter of policy from preventable physical harm caused by another person—in this case secondhand smoke exposure—when seeking healthcare or working at a VHA facility. Many private sector healthcare systems have already implemented smoke-free policies. This legislation would codify current VHA policy and repeal the outdated law that gave the Secretary the authority to provide tobacco products to veterans. Given the overwhelming evidence that smoking and exposure to secondhand smoke create significant medical risks, the Committee finds current law is incompatible with VHA's health mission and supports the repeal of section 526 of the Veterans Health Care Act [P.L. 102–85] and codification of VHA's existing smoke-free policy.

HEARINGS

On June 12, 2025, the Subcommittee on Health held a legislative hearing on H.R. 3767, H.R. 3855, and other bills pending before the subcommittee.

The following witnesses testified:

The Honorable Gregory F. Murphy, U.S. House of Representatives, 3rd Congressional District, North Carolina; The Honorable Morgan Luttrell, U.S. House of Representatives, 8th Con-

[2] VHA Directive 1085, *Smoke-Free Policy for Patients, Visitors, Contractors, Volunteers, and Vendors at VA Health Care Facilities* (Mar. 5, 2019), https://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=8242.

[3] 38 U.S.C. § 1715.

gressional District, Texas; The Honorable Jennifer A. Kiggans, U.S. House of Representatives, 2nd Congressional District, Virginia; The Honorable Abraham J. Hamadeh, U.S. House of Representatives, 8th Congressional District, Arizona; The Honorable Kimberlyn King-Hinds, U.S. House of Representatives, District At Large, Northern Mariana Islands; The Honorable John J. McGuire, U.S. House of Representatives, 5th Congressional District, Virginia; The Honorable Joseph D. Morelle, U.S. House of Representatives, 25th Congressional District, New York; The Honorable Nikki Budzinski, U.S. House of Representatives, 13th Congressional District, Illinois; Dr. Antoinette V. Shappell, Deputy Assistant Under Secretary for Health for Patient Care Services, Veterans Health Administration, U.S. Department of Veterans Affairs; Dr. Ilse Wiechers, Deputy Executive Director, Office of Mental Health, Veterans Health Administration, U.S. Department of Veterans Affairs; Randy Johnson, Constituent, District At Large, Northern Mariana Islands; Cole T. Lyle, Director, Veterans Affairs & Rehabilitation Division, The American Legion; David Coker, President, Fisher House Foundation; John Schmitt, Chief Executive Officer, iXpressGenes, Inc.; Caira Benson, Caregiver Fellow, Elizabeth Dole Foundation.

The following individuals and organizations submitted statements for the record:

K9s for Warriors, Quality of Life Foundation, National Association of State Veterans Homes, Military Officers Association of America, National Association of Veterans' Research and Education Foundations, iXpressGenes, Inc., Paralyzed Veterans of America, The Honorable Joseph D. Morelle, Concerned Veterans for America, USAA, Student Veterans of America, American Academy of Physician Associates, Veterans of Foreign Wars of the United States.

SUBCOMMITTEE CONSIDERATION

The Subcommittee on Health was discharged from further consideration of this legislation on July 23, 2025.

COMMITTEE CONSIDERATION

On July 23, 2025, the full Committee met in an open markup session to consider H.R. 3767.

An amendment in the nature of a substitute was offered by Representative Hamadeh. This amendment would add the text of H.R. 3855, to prohibit smoking on the premises of any facility of the VHA. This amendment was agreed to by voice vote.

A motion by Ranking Member Takano of California to report H.R. 3767, as amended, favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, no recorded votes were taken on amendments or in connection with ordering H.R. 3767, as amended, reported to the House.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives of H.R. 3767, as amended, would be to decrease critical staffing shortages and reduce loss of participants in the Health Professionals Scholarship Program by requiring an offer of employment within 90 days of completion of coursework or licensure to qualified program participants. The Committee's other performance goal for this bill would be to prohibit smoking on the premises of any facility of the Veterans Health Administration.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 3767, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 3767, as amended, prepared by the Director of the Congressional Budget.

BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 3767, as amended, provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

H.R. 3767, Health Professionals Scholarship Program Improvement Act of 2025

As ordered reported by the House Committee on Veterans' Affairs on July 23, 2025

By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	*

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases *on-budget deficits* in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and $500,000.

H.R. 3767 would require the Department of Veterans Affairs (VA) to issue employment contracts to participants in the Health Professionals Scholarship Program within 90 days of their completion of the program. The bill would also require VA to report to the Congress semiannually through 2027 on the implementation of that employment requirement. Because VA is already required to employ people who complete the scholarship program, CBO estimates that implementing the provision would not increase staffing levels. Satisfying the reporting requirement would cost less than $500,000 over the 2025–2030 period, CBO estimates. Any spending would be subject to the availability of appropriated funds.

The bill also would prohibit smoking on the premises of any Veterans Health Administration facility. According to VA, the department already maintains a smoke-free policy at all such facilities. Thus, CBO estimates that enacting this provision would not affect the federal budget.

The CBO staff contact for this estimate is Noah Callahan. The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

FEDERAL MANDATES STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandate Reform Act, P.L. 104–4), is inapplicable to H.R. 3767, as amended.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 3767, as amended.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 3767, as amended, does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 3767, as amended, establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1: Short title

This section would establish the short title as the "Health Professionals Scholarship Program Improvement Act of 2025," or the "HPSP Improvement Act of 2025."

Section 2: Time frame for employment of participants in Department of Veterans Affairs Health Professionals Scholarship Program

This section would amend 38 U.S.C. § 7616 by adding a new subsection (d). This new subsection would require VA to offer the scholarship participant a contract for employment within 90 days of either program completion or the date on which the participant obtains all required licensure, certification, or credentialing necessary to practice independently in their field. VA would determine which facility the participant would be offered a contract for full-time clinical employment based on the facility with the highest need for that occupation. The new subsection would also require that the contract offered to program participants includes a competitive salary and benefits package consistent with the employment standards of VA.

This section would also require the Secretary to submit a report on the implementation of the new subsection (d) within 180 days of enactment of the bill and every 180 days thereafter until September 30, 2027.

Section 3: Prohibition on smoking in facilities of the Veterans Health Administration

This section would amend 38 U.S.C. § 1715 to repeal the requirement that VA furnish an area where veterans receiving hospital or domiciliary care may smoke. The bill, as amended, would prohibit any veteran, patient, resident, visitor, employee, or contractor from smoking on the premises of any VHA facility. The section defines smoking to include the combustion or heating of tobacco and any electronic nicotine delivery system. It also defines facilities of the VHA to include any land or building under the jurisdiction of VA and the control of VHA, but excludes buildings controlled by the GSA.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

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PART II—GENERAL BENEFITS

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CHAPTER 17—HOSPITAL, NURSING HOME, DOMICILIARY, AND MEDICAL CARE

SUBCHAPTER I—GENERAL

Sec.
1701. Definitions.

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SUBCHAPTER II—HOSPITAL, NURSING HOME, OR DOMICILIARY CARE AND MEDICAL TREATMENT

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[1715. Tobacco for hospitalized veterans.]
1715. Prohibition on smoking in facilities of the Veterans Health Administration.

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SUBCHAPTER II—HOSPITAL, NURSING HOME, OR DOMICILIARY CARE AND MEDICAL TREATMENT

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[§ 1715. Tobacco for hospitalized veterans

[The Secretary may furnish tobacco to veterans receiving hospital or domiciliary care.]

§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

(b) DEFINITIONS.—In this section:

(1) The term "smoke" includes—

(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.

(2) The term "facility of the Veterans Health Administration" means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

(A) under the jurisdiction of the Department of Veterans Affairs;

(B) under the control of the Veterans Health Administration; and

(C) not under the control of the General Services Administration.

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PART V—BOARDS, ADMINISTRATIONS, AND SERVICES

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CHAPTER 76—HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM

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SUBCHAPTER II—SCHOLARSHIP PROGRAM

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§ 7616. Obligated service

(a) Each participant in the Scholarship Program shall provide service as a full-time employee of the Department for the period of obligated service provided in the agreement of the participant entered into under section 7603 of this title. Such service shall be provided in the full-time clinical practice of such participant's profession or in another health-care position in an assignment or location determined by the Secretary.

(b)(1) Not later than 60 days before the participant's service commencement date, the Secretary shall notify the participant of that service commencement date. That date is the date for the beginning of the participant's period of obligated service.

(2) As soon as possible after the participant's service commencement date, the Secretary shall—

(A) in the case of a participant who is not a full-time employee in the Veterans Health Administration, appoint such participant as such an employee; and

(B) in the case of a participant who is an employee in the Veterans Health Administration but is not serving in a position for which such participant's course of education or training prepared such participant, assign such participant to such a position.

(3)(A)(i) In the case of a participant receiving a degree from a school of medicine, osteopathy, dentistry, optometry, or podiatry, the participant's service commencement date is the date upon which the participant becomes licensed to practice medicine, osteopathy, dentistry, optometry, or podiatry, as the case may be, in a State. However, the Secretary may, at the request of such participant, defer such date until the end of the period of time required for the participant to complete an internship or residency or other advanced clinical training. If the participant requests such a deferral, the Secretary shall notify the participant that such deferral could lead to an additional period of obligated service in accordance with paragraph (4) of this subsection.

(ii) No such period of internship or residency or other advanced clinical training shall be counted toward satisfying a period of obligated service under this subchapter.

(B) In the case of a participant receiving a degree from a school of nursing, the participant's service commencement date is the later of (i) the participant's course completion date, or (ii) the date upon which the participant becomes licensed as a registered nurse in a State.

(C) In the case of a participant not covered by subparagraph (A) or (B) of this paragraph, the participant's service commencement date is the later of (i) the participant's course completion date, or (ii) the date the participant meets any applicable licensure or certification requirements.

(4) A participant whose period of obligated service is deferred under paragraph (3)(A) of this subsection shall be required to undertake internship or residency or other advanced clinical training in an accredited program in an educational institution which is an affiliated institution (as defined in section 7423(d)(1) of this title) and with respect to which the affiliation agreement provides that all or part of the internship or residency or other advanced clinical training will be undertaken in a Department health-care facility. Such a participant may, at the discretion of the Secretary and upon the recommendation of the Under Secretary for Health, incur an additional period of obligated service—

(A) at the rate of one-half of a calendar year for each year of internship or residency or other advanced clinical training (or a proportionate ratio thereof), if the internship, residency, or advanced clinical training is in a medical specialty necessary to meet the health-care requirements of the Department (as determined under regulations prescribed by the Secretary); or

(B) at the rate of three-quarters of a calendar year for each year of internship or residency or other advanced clinical training (or a proportionate ratio thereof), if the internship, residency, or advanced clinical training is not in a medical specialty necessary to meet the health-care requirements of the Department (as determined under regulations prescribed by the Secretary).

(5) The Secretary shall by regulation prescribe the service commencement date for participants who were part-time students. Such regulations shall prescribe terms as similar as practicable to the terms set forth in paragraph (3) of this subsection.

(c)(1) Except as provided in paragraph (2) of this subsection, a participant in the Scholarship Program shall be considered to have begun serving such participant's period of obligated service—

(A) on the date, after such participant's course completion date, on which such participant (in accordance with subsection (b) of this section) is appointed under this chapter as a full-time employee in the Veterans Health Administration; or

(B) if the participant is a full-time employee in the Veterans Health Administration on such course completion date, on the date thereafter on which such participant is assigned to a position for which such participant's course of training prepared such participant.

(2) A participant in the Scholarship Program who on such participant's course completion date is a full-time employee in the Veterans Health Administration serving in a capacity for which such participant's course of training prepared such participant shall be considered to have begun serving such participant's period of obligated service on such course completion date.

(3) For the purposes of this section, the term "course completion date" means the date on which a participant in the Scholarship

Program completes such participant's course of education or training under the program.

(d)(1) The Secretary shall ensure that a participant in the Scholarship Program receives a contract for employment in the full-time clinical practice of such participant's profession at a Department facility with the highest need, as determined by the Secretary, by not later than 90 days after the later of the following dates:

(A) The date on which the participant completes the course in the Scholarship Program.

(B) The date on which participant obtains all required licensure, certification, or credentialing necessary to practice independently in their field.

(2) A contract referred to in paragraph (1) shall include a competitive salary and benefits package consistent with the employment standards of the Department.

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VETERANS HEALTH CARE ACT OF 1992

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans Health Care Act of 1992".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

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TITLE V—GENERAL HEALTH CARE AND ADMINISTRATION

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Subtitle C--Health Care Administration and Personnel

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[Sec. 526. Use of Tobacco Products in Department Facilities.]

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TITLE V—GENERAL HEALTH CARE AND ADMINISTRATION

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Subchapter C—Health Care Administration and Personnel

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[SEC. 526. USE OF TOBACCO PRODUCTS IN DEPARTMENT FACILITIES

[(a) IN GENERAL.—The Secretary of Veterans Affairs shall take appropriate actions to ensure that, consistent with medical requirements and limitations, each facility of the Department described in subsection (b)—(1) establishes and maintains—

[(A) a suitable indoor area in which patients or residents may smoke and which is ventilated in a manner

that, to the maximum extent feasible, prevents smoke from entering other areas of the facility; or

[(B) an area in a building that—

[(i) is detached from the facility;

[(ii) is accessible to patients or residents of the facility; and

[(iii) has appropriate heating and air conditioning; and

[(2) provides access to an area established and maintained under paragraph (1), consistent with medical requirements and limitations, for patients or residents of the facility who are receiving care or services and who desire to smoke tobacco products.

[(b) COVERED FACILITIES.—A Department facility referred to in subsection (a) is any Department of Veterans Affairs medical center, nursing home, or domiciliary care facility.

[(c) REPORTS.—(1) Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the feasibility of the establishment and maintenance of areas for smoking in Department facilities under this section. The report shall include information on—

[(A) the cost of, and a proposed schedule for, the establishment of such an area at each Department facility covered by this section;

[(B) the extent to which the ventilating system of each facility is adequate to ensure that use of the area for smoking does not result in health problems for other patients or residents of the facility; and

[(C) the effect of the establishment and maintenance of an area for smoking in each facility on the accreditation score issued for the facility by the Joint Commission on the Accreditation of Health Organizations.

[(2) Not later than 120 days after the effective date of this section, the Secretary shall submit to the committees referred to in paragraph (1) a report on the implementation of this section. The report shall include a description of the actions taken at each covered facility to ensure compliance with this section.

[(d) EFFECTIVE DATE.—The requirement to establish and maintain areas for smoking under subsection (a) shall take effect 60 days after the date on which the Comptroller General submits to the committees referred to in subsection (c)(1) that report required under that subsection.]

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