Public Law 97-337
97th Congress

An Act

To amend title 10, United States Code, to provide additional standards for determining the amount of space to be programed for military retirees and their dependents in medical facilities of the uniformed services, and for other purposes.

Oct. 15, 1982
[H.R. 3278]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1087 of title 10, United States Code, relating to the programing of space for care of retired members and their dependents, is amended—

Military retirees and dependents. Medical facilities.

(1) by inserting "(a)" before "Space for"; and

(2) by striking out the second sentence and inserting in lieu thereof the following: "The maximum amount of space that may be so programed for a facility is the greater of—

"(1) the amount of space that would be so programed for the facility in order to meet the requirements to be placed on the facility for support of the teaching and training of health-care professionals; and

"(2) the amount of space that would be so programed for the facility based upon the most cost-effective provision of inpatient and outpatient care to persons covered by sections 1074(b) and 1076(b) of this title.

10 USC 1074, 1076.

"(b)(1) In making determinations for the purposes of clauses (1) and (2) of subsection (a), the Secretary concerned shall take into consideration—

"(A) the amount of space that would be so programed for the facility based upon projected inpatient and outpatient workloads at the facility for persons covered by sections 1074(b) and 1076(b) of this title; and

"(B) the anticipated capability of the medical and dental staff of the facility, determined in accordance with regulations prescribed by the Secretary of Defense and based upon realistic projections of the number of physicians and other health-care providers that it can reasonably be expected will be assigned to or will otherwise be available to the facility.

"(2) In addition, a determination made for the purpose of clause (2) of subsection (a) shall be made in accordance with an economic analysis (including a life-cycle cost analysis) of the facility and consideration of all reasonable and available medical care treatment

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

10 USC 1086.
42 USC 1395c.

alternatives (including treatment provided under a contract under section 1086 of this title or under part A of title XVIII of the Social Security Act).".

Effective date.
10 USC 1087 note.

SEC. 2. The amendment made by paragraph (2) of the first section of this Act shall apply only with respect to a facility for which funds for construction (or a major alteration) are first appropriated for a fiscal year after fiscal year 1983.

Approved October 15, 1982.

LEGISLATIVE HISTORY—H.R. 3278:

HOUSE REPORT No. 97-857 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 128 (1982):
Sept. 28, considered and passed House.
Oct. 1, considered and passed Senate.