

105TH CONGRESS
1ST SESSION

H. R. 1687

To amend title 38, United States Code, to provide that special pay paid to certain physicians and dentists of the Veterans Health Administration who retire before October 1, 1999, shall be considered to be basic pay for retirement purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1997

Mr. STUMP (for himself, Mr. EVANS, Mr. STEARNS, and Mr. GUTIERREZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide that special pay paid to certain physicians and dentists of the Veterans Health Administration who retire before October 1, 1999, shall be considered to be basic pay for retirement 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. TREATMENT FOR RETIREMENT PURPOSES OF**
2 **SPECIAL PAY PAID TO PHYSICIANS AND DEN-**
3 **TISTS OF THE VETERANS HEALTH ADMINIS-**
4 **TRATION.**

5 (a) CREDITING OF SPECIAL PAY FOR RETIREMENT
6 PURPOSES.—Section 7438 of title 38, United States Code,
7 is amended by adding at the end the following new sub-
8 section:

9 “(d)(1) Notwithstanding subsection (b), special pay
10 paid to a physician or dentist described in paragraph (2)
11 who retires from Federal service during the period begin-
12 ning on July 1, 1997, or the date of the enactment of
13 this subsection, whichever is later, and ending on Septem-
14 ber 30, 1999, shall be considered to be basic pay for the
15 purposes of chapter 83 or 84 of title 5, as appropriate.

16 “(2) Paragraph (1) applies in the case of a physician
17 or dentist employed by the Veterans Health Administra-
18 tion—

19 “(A) who is in receipt of special pay under
20 chapter 74 of title 38;

21 “(B) who is eligible to retire from Federal Gov-
22 ernment service; and

23 “(C) with respect to whom the director of the
24 Department health care facility at which the physi-
25 cian or dentist is employed has determined, and cer-
26 tified to the Under Secretary for Health, that—

1 “(i) the physician or dentist holds a posi-
2 tion which, because of changes in staffing pat-
3 terns or staffing levels at such facility, is no
4 longer required to be maintained at such facil-
5 ity; and

6 “(ii) there exists no available position at
7 such facility appropriate to the training and ex-
8 perience of the physician or dentist.

9 “(3) The Secretary shall, for each fiscal year during
10 which paragraph (1) is applicable, deposit in the appro-
11 priate Federal retirement system fund such amount as is
12 necessary to cover the present value of the unfunded liabil-
13 ity (as estimated by the Office of Personnel Management)
14 for costs payable from that fund by reason of increases
15 in retirement and survivor annuities due to paragraph (1)
16 that are attributable to retirements during that fiscal year.
17 A deposit under this paragraph for any fiscal year shall
18 be made from funds available to the Secretary for that
19 fiscal year from amounts appropriated or otherwise avail-
20 able for the Department of Veterans Affairs medical care
21 account.”.

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