

105TH CONGRESS
1ST SESSION

H. R. 2338

To amend title 38, United States Code, to require that health-care professionals of the Department of Veterans Affairs be assigned to facilities of the Department only in States in which they are licensed to practice, and to require that the Secretary of Veterans Affairs follow State requirements concerning the filing of death certificates.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Mr. HINCHEY (for himself, Mr. GILMAN, and Mrs. KELLY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to require that health-care professionals of the Department of Veterans Affairs be assigned to facilities of the Department only in States in which they are licensed to practice, and to require that the Secretary of Veterans Affairs follow State requirements concerning the filing of death certificates.

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. LICENSURE OF DEPARTMENT OF VETERANS**
2 **AFFAIRS HEALTH CARE PROFESSIONALS.**

3 (a) REQUIREMENT FOR LICENSURE BY STATE IN
4 WHICH A HEALTH-CARE PROFESSIONAL WORKS.—(1)
5 Subchapter I of chapter 74 of title 38, United States
6 Code, is amended by adding at the end the following new
7 section:

8 **“§ 7412. Licensure of health care professionals**

9 “(a) The Secretary may assign a health-care profes-
10 sional to duties at a facility of the Department in a capac-
11 ity involving the professional functions of that health-care
12 professional only at a facility located in a State in which
13 that health-care professional is licensed to practice.

14 “(b) For purposes of this section, the term ‘health-
15 care professional’ means an employee of the Veterans
16 Health Administration described in section 7401(1) of this
17 title.”.

18 (2) The table of sections at the beginning of such
19 chapter is amended by inserting after the item relating
20 to section 7411 the following new item:

“7412. Licensure of health care professionals.”.

21 (b) EFFECTIVE DATE.—Section 7412 of title 38,
22 United States Code, as added by subsection (a), shall take
23 effect at the end of the six-month period beginning on the
24 date of the enactment of this Act.

1 **SEC. 2. COMPLIANCE WITH STATE REQUIREMENTS CON-**
2 **CERNING FILING OF DEATH CERTIFICATES.**

3 (a) IN GENERAL.—Subchapter II of chapter 73 of
4 title 38, United States Code, is amended by adding at the
5 end the following new section:

6 **“§ 7322. Compliance with State requirements con-**
7 **cerning filing of death certificates**

8 “When an individual dies in a facility of the Depart-
9 ment, the Secretary shall follow requirements of the State
10 in which the death occurred concerning the filing of a
11 death certificate in the same manner as if the death oc-
12 curred in a non-Government facility.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such chapter is amended by adding
15 at the end the following new item:

“7322. Compliance with State requirements concerning filing of death certifi-
cates.”.

