

106TH CONGRESS  
1ST SESSION

# H. R. 24

To amend title 38, United States Code, to provide for certain improvements in the way in which health-care resources are allocated by the Department of Veterans Affairs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

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

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## A BILL

To amend title 38, United States Code, to provide for certain improvements in the way in which health-care resources are allocated by the Department of Veterans Affairs, 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,*

3       **SECTION 1. CRITERIA FOR REQUIRED COPAYMENT FOR**  
4                       **MEDICAL CARE PROVIDED BY THE DEPART-**  
5                       **MENT OF VETERANS AFFAIRS.**

6       (a) EXCEPTION BASED ON PRIOR CATASTROPHIC  
7       HEALTH CARE EXPENSES.—Subsection (a) of section  
8       1722 of title 38, United States Code, is amended—

1           (1) by striking “or” at the end of paragraph  
2           (2);

3           (2) by striking the period at the end of para-  
4           graph (3) and inserting “; or”; and

5           (3) by adding at the end the following new  
6           paragraph:

7           “(4) the veteran’s expenses for medical care (as  
8           defined in section 213 of the Internal Revenue Code  
9           of 1986) for the previous year are in excess of 7½  
10          percent of the veteran’s adjusted gross income for  
11          the previous year (as determined for purposes of the  
12          personal income tax under the Internal Revenue  
13          Code of 1986).”.

14          (b) ADJUSTMENT IN INCOME THRESHOLDS FOR  
15          VETERANS RESIDING IN SMSAS.—Subsection (b) of such  
16          section is amended by adding at the end the following new  
17          paragraph:

18          “(3) The amounts in effect for purposes of this sub-  
19          section for any calendar year shall be increased by 20 per-  
20          cent for any veteran who resides in a Standard Metropoli-  
21          tan Statistical Area (SMSA), as defined by the Bureau  
22          of the Census.”.

23          (c) AMENDMENTS WITHIN EXISTING RESOURCES.—  
24          The Secretary of Veterans Affairs shall carry out the  
25          amendments made by this section for fiscal years 2000

1 and 2001 within the amount of funds otherwise available  
2 (or programmed to be available) for medical care for the  
3 Department of Veterans Affairs for those fiscal years.

4 (d) EFFECTIVE DATE.—The amendments made by  
5 this section shall take effect on January 1, 2000.

6 **SEC. 2. SERVICES FOR MENTALLY ILL VETERANS.**

7 (a) MEMBERSHIP OF COMMITTEE ON CARE OF SE-  
8 VERELY CHRONICALLY MENTALLY ILL VETERANS.—Sec-  
9 tion 7321 of title 38, United States Code, is amended—

10 (1) in subsection (a), by inserting “and mem-  
11 bers of the general public with expertise in the care  
12 of the chronically mentally ill” in the second sen-  
13 tence after “chronically mentally ill”; and

14 (2) by adding at the end the following new sub-  
15 section:

16 “(e) The Secretary shall determine the terms of serv-  
17 ice and (for members appointed from the general public)  
18 the pay and allowances of the members of the committee,  
19 except that a term of service may not exceed five years.  
20 The Secretary may reappoint any member for additional  
21 terms of service.”.

22 (b) CENTERS FOR MENTAL ILLNESS RESEARCH,  
23 EDUCATION, AND CLINICAL ACTIVITIES.—Paragraph (3)  
24 of section 7320(b) of such title is amended to read as fol-  
25 lows:

1 “(3) The Secretary shall designate at least one center  
 2 under this section in each service network region of the  
 3 Veterans Health Administration.”.

4 **SEC. 3. ALLOCATION OF MEDICAL CARE RESOURCES FOR**  
 5 **THE DEPARTMENT.**

6 (a) IN GENERAL.—(1) Chapter 81 of title 38, United  
 7 States Code, is amended by inserting after section 8116  
 8 the following new section:

9 **“§ 8117. Allocation of medical care resources**

10 “In applying the plan for the allocation of health care  
 11 resources (including personnel and funds) known as the  
 12 Veterans Equitable Resource Allocation system, developed  
 13 by the Secretary pursuant to the requirements of section  
 14 429 of Public Law 104–204 (110 Stat. 2929) and submit-  
 15 ted to Congress in March 1997, the Secretary shall ex-  
 16 clude from consideration in the determination of the allo-  
 17 cation of such resources the following (resources for which  
 18 shall be allocated in such manner as the Secretary deter-  
 19 mines to be appropriate):

20 “(1) Programs to provide readjustment counsel-  
 21 ing and treatment.

22 “(2) Programs to provide counseling and treat-  
 23 ment (including psychiatric care) for the mentally ill.

24 “(3) Programs relating to drug and alcohol  
 25 abuse and dependence.

1           “(4) Programs for the homeless.

2           “(5) Programs relating to post-traumatic stress  
3       disorder.

4           “(6) Programs relating to spinal cord dysfunc-  
5       tion.

6           “(7) Programs relating to AIDS.

7           “(8) Programs relating to geriatric and ex-  
8       tended care.”.

9       (2) The table of sections at the beginning of such  
10 chapter is amended by inserting after the item relating  
11 to section 8116 the following new item:

“8117. Allocation of medical care resources.”.

12       (b) EFFECTIVE DATE.—Section 8117 of title 38,  
13 United States Code, as added by subsection (a), shall  
14 apply with respect to the allocation of resources for each  
15 fiscal year after fiscal year 1999.

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