

107TH CONGRESS
1ST SESSION

H. R. 2792

IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2001

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided 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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Disabled Veterans Service Dog and Health Care Im-
 6 provement Act of 2001”.

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

Sec. 1. Short title; table of contents.

TITLE I—VETERANS HEALTH CARE IMPROVEMENT

Sec. 101. Authorization for Secretary of Veterans Affairs to provide service dogs for disabled veterans.

Sec. 102. Maintenance of capacity for specialized treatment and rehabilitative needs of disabled veterans.

Sec. 103. Threshold for veterans health care eligibility means test to reflect locality cost-of-living variations.

Sec. 104. Assessment and report on special telephone services for veterans.

Sec. 105. Recodification of bereavement counseling authority and certain other health-related authorities.

Sec. 106. Extension of expiring collections authorities.

Sec. 107. Personal emergency response system for veterans with service-connected disabilities.

TITLE II—CHIROPRACTIC SERVICES PROGRAM

Sec. 201. Chiropractic Service established in the Veterans Health Administration.

Sec. 202. Availability of chiropractic care to veterans.

Sec. 203. Chiropractic providers.

Sec. 204. Scope of services; enrollment.

Sec. 205. Training and information.

Sec. 206. Advisory committee.

Sec. 207. Implementation report.

TITLE III—NATIONAL COMMISSION ON VA NURSING

Sec. 301. Establishment of Commission.

Sec. 302. Duties of Commission.

Sec. 303. Reports.

Sec. 304. Powers.

Sec. 305. Personnel matters.

Sec. 306. Termination of the Commission.

**TITLE I—VETERANS HEALTH
CARE IMPROVEMENT**

**SEC. 101. AUTHORIZATION FOR SECRETARY OF VETERANS
AFFAIRS TO PROVIDE SERVICE DOGS FOR
DISABLED VETERANS.**

(a) AUTHORITY.—Section 1714 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “seeing-eye or” the first place it appears;

(B) by striking “who are entitled to disability compensation” and inserting “who are enrolled under section 1705 of this title”;

(C) by striking “, and may pay” and all that follows through “such seeing-eye or guide dogs”; and

(D) by striking “handicap” and inserting “disability”; and

(2) by adding at the end the following new subsections:

“(c) The Secretary may, in accordance with the priority specified in section 1705 of this title, provide—

“(1) service dogs trained for the aid of the hearing impaired to veterans who are hearing im-

1 paired and are enrolled under section 1705 of this
2 title; and

3 “(2) service dogs trained for the aid of persons
4 with spinal cord injury or dysfunction or other
5 chronic impairment that substantially limits mobility
6 to veterans with such injury, dysfunction, or impair-
7 ment who are enrolled under section 1705 of this
8 title.

9 “(d) In the case of a veteran provided a dog under
10 subsection (b) or (c), the Secretary may pay travel and
11 incidental expenses for that veteran under the terms and
12 conditions set forth in section 111 of this title to and from
13 the veteran’s home for expenses incurred in becoming ad-
14 justed to the dog.”.

15 (b) CLERICAL AMENDMENTS.—

16 (1) The heading for such section is amended to
17 read as follows:

18 **“§ 1714. Fitting and training in use of prosthetic ap-
19 pliances; guide dogs; service dogs”.**

20 (2) The item relating to such section in the
21 table of sections at the beginning of chapter 17 of
22 such title is amended to read as follows:

“1714. Fitting and training in use of prosthetic appliances; guide dogs; service
dogs.”.

1 **SEC. 102. MAINTENANCE OF CAPACITY FOR SPECIALIZED**
2 **TREATMENT AND REHABILITATIVE NEEDS OF**
3 **DISABLED VETERANS.**

4 (a) MAINTENANCE OF CAPACITY ON A SERVICE-NET-
5 WORK BASIS.—Section 1706(b) of title 38, United States
6 Code, is amended—

7 (2) in paragraph (1)—

8 (A) in the first sentence, by inserting
9 “(and each geographic service area of the Vet-
10 erans Health Administration)” after “ensure
11 that the Department”; and

12 (B) in clause (B), by inserting “(and each
13 geographic service area of the Veterans Health
14 Administration)” after “overall capacity of the
15 Department”; and

16 (2) by redesignating paragraphs (2) and (3) as
17 paragraphs (4) and (5), respectively;

18 (3) by inserting after paragraph (1) the fol-
19 lowing new paragraphs (2) and (3):

20 “(2) For purposes of paragraph (1), the capacity of
21 the Department (and each geographic service area of the
22 Veterans Health Administration) to provide for the spe-
23 cialized treatment and rehabilitative needs of disabled vet-
24 erans (including veterans with spinal cord dysfunction,
25 traumatic brain injury, blindness, prosthetics and sensory
26 aids, and mental illness) within distinct programs or facili-

1 ties shall be measured for seriously mentally ill veterans
2 as follows (with all such data to be provided by geographic
3 service area and totaled nationally):

4 “(A) For mental health intensive community-
5 based care, the number of discrete intensive care
6 teams constituted to provide such intensive services
7 to seriously mentally ill veterans and the number of
8 veterans provided such care.

9 “(B) For opioid substitution programs and for
10 traumatic brain injury, the number of patients treat-
11 ed annually and the amounts expended.

12 “(C) For dual-diagnosis patients, the number
13 treated annually and the amounts expended.

14 “(D) For substance abuse programs—

15 “(i) the number of substance-use disorder
16 beds (whether hospital, nursing home, or other
17 designated beds) employed and the average bed
18 occupancy of such beds;

19 “(ii) the percentage of unique patients ad-
20 mitted directly to substance abuse outpatient
21 care during the fiscal year who had two or more
22 additional visits to specialized substance abuse
23 outpatient care within 30 days of their first
24 visit, with a comparison from 1996 until the
25 date of the report;

1 “(iii) the percentage of unique inpatients
2 with substance abuse diagnoses treated during
3 the fiscal year who had one or more specialized
4 substance abuse clinic visits within three days
5 of their index discharge, with a comparison
6 from 1996 until the date of the report; and

7 “(iv) the percentage of unique outpatients
8 seen in a facility or service network during the
9 fiscal year who had one or more specialized sub-
10 stance abuse clinic visits, with a comparison
11 from 1996 until the date of the report.

12 “(E) For mental health programs, the number
13 and type of staff that are available at each facility
14 to provide specialized mental health treatment, in-
15 cluding satellite clinics, outpatient programs, and
16 community-based outpatient clinics, with a trend line
17 comparison from 1996 to the date of the report.

18 “(F) The number of such clinics providing men-
19 tal health care, the number and type of mental
20 health staff at each such clinic, and the type of men-
21 tal health programs at each such clinic.

22 “(3) For purposes of paragraph (1), the capacity of
23 the Department (and each geographic service area of the
24 Veterans Health Administration) to provide for the spe-
25 cialized treatment and rehabilitative needs of disabled vet-

1 erans within distinct programs or facilities shall be meas-
2 ured for veterans with spinal cord dysfunction, traumatic
3 brain injury, blindness, or prosthetics and sensory aids as
4 follows (with all such data to be provided by geographic
5 service area and totaled nationally):

6 “(A) For spinal cord injury/dysfunction special-
7 ized centers and for blind rehabilitation specialized
8 centers, the number of staffed beds and the number
9 of full-time equivalent employees assigned to provide
10 care at such centers.

11 “(B) For prosthetics and sensory aids, the an-
12 nual amount expended.”.

13 (b) EXTENSION OF ANNUAL REPORT REQUIRE-
14 MENT.—Paragraph (3) of such section, as so redesignated,
15 is amended—

16 (1) by striking “April 1, 1999, April 1, 2000,
17 and April 1, 2001” and inserting “April 1 of each
18 year through 2004”; and

19 (2) by adding at the end the following new sen-
20 tence: “The accuracy of each such report shall be
21 certified by, or otherwise commented upon by, the
22 Inspector General of the Department.”.

1 **SEC. 103. THRESHOLD FOR VETERANS HEALTH CARE ELI-**
2 **GIBILITY MEANS TEST TO REFLECT LOCAL-**
3 **ITY COST-OF-LIVING VARIATIONS.**

4 (a) REVISED THRESHOLD.—Subsection (b) of section
5 1722 of title 38, United States Code, is amended to read
6 as follows:

7 “(b)(1) For purposes of subsection (a)(3), the income
8 threshold applicable to a veteran is the amount determined
9 under paragraph (2).

10 “(2) The amount determined under this paragraph
11 for a veteran is the greater of the following:

12 “(A) For any calendar year after 2000—

13 “(i) in the case of a veteran with no de-
14 pendents, \$23,688, as adjusted under sub-
15 section (c); or

16 “(ii) in the case of a veteran with one or
17 more dependents, \$28,429, as so adjusted, plus
18 \$1,586, as so adjusted, for each dependent in
19 excess of one.

20 “(B) The amount in effect under the HUD Low
21 Income Index that is applicable in the area in which
22 the veteran resides.

23 “(3) For purposes of paragraph (2)(B), the term
24 ‘HUD Low Income Index’ means the family income ceiling
25 amounts determined by the Secretary of Housing and
26 Urban Development under section 3(b)(2) of the United

1 States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)) for
2 purposes of the determination of ‘low-income families’
3 under that section.”.

4 (c) CONFORMING AMENDMENT.—(1) Subsection
5 (a)(3) of such section is amended by striking “amount set
6 forth in” and inserting “income threshold determined
7 under”.

8 (2) Subsection (c) of such section is amended by
9 striking “subsection (b)” and inserting “subsection
10 (b)(2)(A)”.

11 (d) LIMITATION ON RESOURCE REALLOCATIONS.—
12 Within the amount appropriated to the Department of
13 Veterans Affairs for medical care for each of fiscal years
14 2002 through 2006, the amount that would otherwise be
15 allocated by the Secretary to any geographic service region
16 of the Veterans Health Administration in accordance with
17 the established resource allocation procedures of the De-
18 partment may not be increased or decreased by more than
19 5 percent by reason of the implementation of this section.

20 (e) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on April 1, 2002.

22 **SEC. 104. ASSESSMENT AND REPORT ON SPECIAL TELE-**
23 **PHONE SERVICES FOR VETERANS.**

24 (a) ASSESSMENT OF CURRENT SERVICES.—The Sec-
25 retary of Veterans Affairs shall carry out an assessment

1 of all special telephone services for veterans (such as
2 helplines and hotlines) provided by the Department of Vet-
3 erans Affairs. The assessment shall include the geo-
4 graphical coverage, availability, utilization, effectiveness,
5 management, coordination, staffing, and cost of those
6 services. As part of such assessment, the Secretary shall
7 conduct a survey of veterans to measure their satisfaction
8 with current special telephone services and the demand for
9 additional services.

10 (b) REPORT.—Not later than one year after the date
11 of the enactment of this Act, the Secretary shall submit
12 to Congress a report on the assessment carried out under
13 subsection (a). The Secretary shall include in the report
14 recommendations regarding any needed improvement to
15 such services and recommendations regarding contracting
16 for the performance of such services.

17 **SEC. 105. RECODIFICATION OF BEREAVEMENT COUN-**
18 **SELING AUTHORITY AND CERTAIN OTHER**
19 **HEALTH-RELATED AUTHORITIES.**

20 (a) STATUTORY REORGANIZATION.—Subchapter I of
21 chapter 17 of title 38, United States Code, is amended—

22 (1) in section 1701(6)—

23 (A) by striking subparagraph (B) and the
24 sentence following that subparagraph;

1 (B) by striking “services—” in the matter
2 preceding subparagraph (A) and inserting
3 “services, the following.”; and

4 (C) by striking subparagraph (A) and in-
5 serting the following:

6 “(A) Surgical services.

7 “(B) Dental services and appliances as de-
8 scribed in sections 1710 and 1712 of this title.

9 “(C) Optometric and podiatric services.

10 “(D) Preventive health services.

11 “(E) In the case of a person otherwise receiving
12 care or services under this chapter—

13 “(i) wheelchairs, artificial limbs, trusses,
14 and similar appliances;

15 “(ii) special clothing made necessary by
16 the wearing of prosthetic appliances; and

17 “(iii) such other supplies or services as the
18 Secretary determines to be reasonable and nec-
19 essary.

20 “(F) Travel and incidental expenses pursuant
21 to section 111 of this title.”; and

22 (2) in section 1707—

23 (A) by inserting “(a)” at the beginning of
24 the text of the section; and

25 (B) by adding at the end the following:

1 “(b) The Secretary may furnish sensori-neural aids
 2 only in accordance with guidelines prescribed by the Sec-
 3 retary.”.

4 (b) CONSOLIDATION OF PROVISIONS RELATING TO
 5 PERSONS OTHER THAN VETERANS.—Such chapter is fur-
 6 ther amended by adding at the end the following new sub-
 7 chapter:

8 “SUBCHAPTER VIII—HEALTH CARE OF
 9 PERSONS OTHER THAN VETERANS
 10 **“§ 1782. Counseling, training, and mental health serv-**
 11 **ices for immediate family members**

12 “(a) COUNSELING FOR FAMILY MEMBERS OF VET-
 13 ERANS RECEIVING SERVICE-CONNECTED TREATMENT.—
 14 In the case of a veteran who is receiving treatment for
 15 a service-connected disability pursuant to paragraph (1)
 16 or (2) of section 1710(a) of this title, the Secretary shall
 17 provide to individuals described in subsection (c) such con-
 18 sultation, professional counseling, training, and mental
 19 health services as are necessary in connection with that
 20 treatment.

21 “(b) COUNSELING FOR FAMILY MEMBERS OF VET-
 22 ERANS RECEIVING NON-SERVICE-CONNECTED TREAT-
 23 MENT.—In the case of a veteran who is eligible to receive
 24 treatment for a non-service-connected disability under the
 25 conditions described in paragraph (1), (2), or (3) of sec-

1 tion 1710(a) of this title, the Secretary may, in the discre-
2 tion of the Secretary, provide to individuals described in
3 subsection (c) such consultation, professional counseling,
4 training, and mental health services as are necessary in
5 connection with that treatment if—

6 “(1) those services were initiated during the
7 veteran’s hospitalization; and

8 “(2) the continued provision of those services
9 on an outpatient basis is essential to permit the dis-
10 charge of the veteran from the hospital.

11 “(c) ELIGIBLE INDIVIDUALS.—Individuals who may
12 be provided services under this subsection are—

13 “(1) the members of the immediate family or
14 the legal guardian of a veteran; or

15 “(2) the individual in whose household such vet-
16 eran certifies an intention to live.

17 “(d) TRAVEL AND TRANSPORTATION AUTHOR-
18 IZED.—Services provided under subsections (a) and (b)
19 may include, under the terms and conditions set forth in
20 section 111 of this title, travel and incidental expenses of
21 individuals described in subsection (c) in the case of—

22 “(1) a veteran who is receiving care for a serv-
23 ice-connected disability; and

1 “(2) a dependent or survivor receiving care
2 under the last sentence of section 1783(b) of this
3 title.

4 **“§ 1783. Bereavement counseling**

5 “(a) DEATHS OF VETERANS.—In the case of an indi-
6 vidual who was a recipient of services under section 1782
7 of this title at the time of the death of the veteran, the
8 Secretary may provide bereavement counseling to that in-
9 dividual in the case of a death—

10 “(1) that was unexpected; or

11 “(2) that occurred while the veteran was par-
12 ticipating in a hospice program (or a similar pro-
13 gram) conducted by the Secretary.

14 “(b) DEATHS IN ACTIVE SERVICE.—The Secretary
15 may provide bereavement counseling to an individual who
16 is a member of the immediate family of a member of the
17 Armed Forces who dies in the active military, naval, or
18 air service in the line of duty and under circumstances
19 not due to the person’s own misconduct.

20 “(c) BEREAVEMENT COUNSELING DEFINED.—For
21 purposes of this section, the term ‘bereavement counseling’
22 means such counseling services, for a limited period, as
23 the Secretary determines to be reasonable and necessary
24 to assist an individual with the emotional and psycho-

1 logical stress accompanying the death of another indi-
2 vidual.

3 **“§ 1784. Humanitarian care**

4 “The Secretary may furnish hospital care or medical
5 services as a humanitarian service in emergency cases, but
6 the Secretary shall charge for such care and services at
7 rates prescribed by the Secretary.”.

8 (c) TRANSFER OF CHAMPVA SECTION.—Section
9 1713 of such title is—

10 (1) transferred to subchapter VIII of chapter
11 17 of such title, as added by subsection (b), and in-
12 serted after the subchapter heading;

13 (2) redesignated as section 1781; and

14 (3) amended by adding at the end of subsection
15 (b) the following new sentence: “A dependent or sur-
16 vivor receiving care under the preceding sentence
17 shall be eligible for the same medical services as a
18 veteran, including services under sections 1782 and
19 1783 of this title.”.

20 (d) REPEAL OF RECODIFIED AUTHORITY.—Section
21 1711 of such title is amended by striking subsection (b).

22 (e) CROSS REFERENCE AMENDMENTS.—Such title is
23 further amended as follows:

24 (1) Section 103(d)(5)(B) is amended by strik-
25 ing “1713” and inserting “1781”.

1 (2) Sections 1701(5) is amended by striking
2 “1713(b)” in subparagraphs (B) and (C)(i) and in-
3 serting “1781(b)”.

4 (3) Section 1712A(b) is amended—

5 (A) in the last sentence of paragraph (1),
6 by striking “section 1711(b)” and inserting
7 “section 1784”; and

8 (A) in paragraph (2), by striking “section
9 1701(6)(B)” and inserting “sections 1782 and
10 1783”.

11 (4) Section 1729(f) is amended by striking
12 “section 1711(b)” and inserting “section 1784”.

13 (5) Section 1729A(b) is amended—

14 (A) by redesignating paragraph (7) as
15 paragraph (8); and

16 (B) by inserting after paragraph (6) the
17 following new paragraph (7):

18 “(7) Section 1784 of this title.”.

19 (6) Section 8111(g) is amended—

20 (A) in paragraph (4), by inserting “serv-
21 ices under sections 1782 and 1783 of this title”
22 after “of this title,”; and

23 (B) in paragraph (5), by striking “section
24 1711(b) or 1713” and inserting “section 1782,
25 1783, or 1784”.

1 (7) Section 8111A(a)(2) is amended by insert-
 2 ing “, and the term ‘medical services’ includes serv-
 3 ices under sections 1782 and 1783 of this title” be-
 4 fore the period at the end.

5 (8) Section 8152(1) is amended by inserting
 6 “services under sections 1782 and 1783 of this
 7 title,” after “of this title),”.

8 (9) Sections 8502(b), 8520(a), and 8521 are
 9 amended by striking “the last sentence of section
 10 1713(b)” and inserting “the penultimate sentence of
 11 section 1781(b)”.

12 (f) CLERICAL AMENDMENTS.—

13 (1) The table of sections at the beginning of
 14 such chapter is amended—

15 (A) by striking the item relating to section
 16 1707 and inserting the following:

“1707. Limitations.”;

17 (B) by striking the item relating to section
 18 1713; and

19 (C) by adding at the end the following:

“SUBCHAPTER VIII—HEALTH CARE OF PERSONS OTHER THAN VETERANS

“1781. Medical care for survivors and dependents of certain veterans.

“1782. Counseling, training, and mental health services for immediate family
 members.

“1783. Bereavement counseling.

“1784. Humanitarian care.”.

20 (2) The heading for section 1707 is amended to
 21 read as follows:

1 **“§ 1707. Limitations”.**

2 **SEC. 106. EXTENSION OF EXPIRING COLLECTIONS AU-**
3 **THORITIES.**

4 (a) HEALTH CARE COPAYMENTS.—Section
5 1710(f)(2)(B) of title 38, United States Code, is amended
6 by striking “September 30, 2002” and inserting “Sep-
7 tember 30, 2007”.

8 (b) MEDICAL CARE COST RECOVERY.—Section
9 1729(a)(2)(E) of such title is amended by striking “Octo-
10 ber 1, 2002” and inserting “October 1, 2007”.

11 **SEC. 107. PERSONAL EMERGENCY RESPONSE SYSTEM FOR**
12 **VETERANS WITH SERVICE-CONNECTED DIS-**
13 **ABILITIES.**

14 (a) EVALUATION AND STUDY.—The Secretary of
15 Veterans Affairs shall carry out an evaluation and study
16 of the feasibility and desirability of providing a personal
17 emergency response system to veterans who have service-
18 connected disabilities. The evaluation and study shall be
19 commenced not later than 60 days after the date of the
20 enactment of this Act.

21 (b) REPORT.—Not later than 180 days after the date
22 of the enactment of this Act, the Secretary shall submit
23 to the Committees on Veterans’ Affairs of the Senate and
24 House of Representatives a report on the evaluation and
25 study under subsection (a). The Secretary shall include
26 in the report the Secretary’s findings resulting from the

1 evaluation and study and the Secretary's conclusion as to
2 whether the Department of Veterans Affairs should pro-
3 vide a personal emergency response system to veterans
4 with service-connected disabilities.

5 (c) AUTHORITY TO PROVIDE SYSTEM.—If the Sec-
6 retary concludes in the report under subsection (b) that
7 a personal emergency response system should be provided
8 by the Department of Veterans Affairs to veterans with
9 service-connected disabilities—

10 (1) the Secretary may provide such a system,
11 without charge, to any veteran with a service-con-
12 nected disability who is enrolled under section 1705
13 of title 38, United States Code, and who submits an
14 application for such a system under subsection (d);
15 and

16 (2) the Secretary may contract with one or
17 more vendors to furnish such a system.

18 (d) APPLICATION.—A personal emergency response
19 system may be provided to a veteran under subsection
20 (c)(1) only upon the submission by the veteran of an appli-
21 cation for the system. Any such application shall be in
22 such form and manner as the Secretary may require.

23 (e) DEFINITION.—For purposes of this section, the
24 term “personal emergency response system” means a
25 device—

1 (1) that can be activated by an individual who
2 is experiencing a medical emergency to notify appro-
3 priate emergency medical personnel that the indi-
4 vidual is experiencing a medical emergency; and

5 (2) that provides the individual's location
6 through a Global Positioning System indicator.

7 **TITLE II—CHIROPRACTIC**
8 **SERVICES**

9 **SEC. 201. CHIROPRACTIC SERVICE ESTABLISHED IN THE**
10 **VETERANS HEALTH ADMINISTRATION.**

11 (a) NEW SERVICE IN VETERANS HEALTH ADMINIS-
12 TRATION.—Section 7305 of title 38, United States Code,
13 is amended—

14 (1) by redesignating paragraph (7) as para-
15 graph (8); and

16 (2) by inserting after paragraph (6) the fol-
17 lowing new paragraph (7):

18 “(7) A Chiropractic Service.”.

19 (b) DIRECTOR.—Section 7306(a) of such title—

20 (1) by redesignating paragraphs (7) through
21 (10) as paragraphs (8) through (11), respectively;
22 and

23 (2) by inserting after paragraph (6) the fol-
24 lowing new paragraph (7):

1 “(7) A Director of Chiropractic Service, who
2 shall be a qualified doctor of chiropractic and who
3 shall be responsible to the Secretary for the oper-
4 ation of the Chiropractic Service.”.

5 **SEC. 202. AVAILABILITY OF CHIROPRACTIC CARE TO VET-**
6 **ERANS.**

7 (a) ESTABLISHMENT.—The Secretary of Veterans
8 Affairs shall establish a program to provide chiropractic
9 care to veterans through all Department of Veterans Af-
10 fairs medical centers.

11 (b) IMPLEMENTATION.—The program under this sec-
12 tion shall be implemented at Department of Veterans Af-
13 fairs medical centers as follows:

14 (1) At not less than 30 medical centers by the
15 end of fiscal year 2002.

16 (2) At not less than 60 medical centers by the
17 end of fiscal year 2003,

18 (3) At not less than 90 medical centers by the
19 end of fiscal year 2004.

20 (4) At not less than 120 medical centers by the
21 end of fiscal year 2005.

22 (5) At all of the Department of Veterans Af-
23 fairs medical centers by the end of fiscal year 2006.

24 (c) INITIAL PARTICIPATING MEDICAL CENTERS.—
25 The initial 30 medical centers at which the program is

1 to be carried out shall be designated by the Secretary not
2 later than 60 days after the date of the enactment of this
3 Act. In designating those medical centers, the Secretary
4 shall select medical centers to reflect geographic diversity,
5 facilities of various size and capabilities, and the range
6 of services in the Department health care system.

7 **SEC. 203. CHIROPRACTIC PROVIDERS.**

8 The program under section 202 shall be carried out
9 through personal service contracts and with appointments
10 of licensed chiropractors for delivery of chiropractic serv-
11 ices at Department of Veterans Affairs medical centers.

12 **SEC. 204. SCOPE OF SERVICES; ENROLLMENT.**

13 (a) SCOPE OF SERVICES.—The chiropractic services
14 provided under section 202 shall include, at a minimum,
15 care for neuro-musculoskeletal conditions.

16 (b) ENROLLMENT.—A veteran enrolled under section
17 1705 of title 38, United States Code, may, as part of such
18 enrollment, choose a chiropractor as the veteran's primary
19 care provider. A veteran with a primary care provider
20 other than a chiropractor may be referred to chiropractic
21 services for neuro-musculoskeletal conditions by a medical
22 provider.

23 **SEC. 205. TRAINING AND INFORMATION.**

24 (a) PRIMARY CARE TEAMS.—The Secretary shall
25 provide training and materials relating to chiropractic

1 services to members of Department health care providers
2 assigned to primary care teams for the purposes of famil-
3 iarizing those providers with the benefits of appropriate
4 use of chiropractic services.

5 (b) FUTURE PROGRAM SITES.—During the period
6 covered by section 202(b), the Secretary shall provide ma-
7 terials relating to chiropractic services to medical centers
8 and other health care facilities of the Department not yet
9 participating in the program in order to ensure that health
10 care providers at those facilities are aware of chiropractic
11 care as a future referral source.

12 (c) APPROVAL OF MATERIALS.—The Secretary may
13 approve materials to be furnished under subsections (a)
14 and (b) only after consulting with, and receiving the views
15 of, the advisory committee established under section 206.

16 **SEC. 206. ADVISORY COMMITTEE.**

17 (a) ESTABLISHMENT.—The Secretary shall establish
18 an advisory committee to review implementation of the
19 program under this title.

20 (b) MEMBERS.—In appointing the members of the
21 advisory committee, the Secretary shall include on the ad-
22 visory committee—

- 23 (1) members of the chiropractic profession;
24 (2) persons who are experts in human resources
25 appointments in the Federal service;

1 (3) persons with expertise in academic matters;

2 (4) persons with knowledge of credentialing and
3 the granting of professional privileging to health
4 care practitioners; and

5 (5) other persons as determined necessary by
6 the Secretary and the functional needs of the advisory
7 committee in establishing the chiropractic
8 health program.

9 (c) FUNCTIONS.—The advisory committee shall provide
10 advice to the Secretary on—

11 (1) the granting of professional privileges for
12 chiropractors at Department medical centers;

13 (2) the scope of practice of chiropractors at Department
14 medical centers;

15 (3) training materials; and

16 (4) such other matters as are determined appropriate
17 by the Secretary.

18 **SEC. 207. IMPLEMENTATION REPORT.**

19 Not later than 18 months after the date of the enactment
20 of this Act, the Secretary shall submit to the Committees on
21 Veterans Affairs of the Senate and House of Representatives a
22 report on the implementation of this
23 title.

**TITLE III—NATIONAL
COMMISSION ON VA NURSING**

SEC. 301. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is hereby established in the Department of Veterans Affairs a commission to be known as the “National Commission on VA Nursing” (hereinafter in this title referred to as the “Commission”).

(b) COMPOSITION.—(1) The Commission shall be composed of 12 members.

(2) Eleven members shall be appointed by the Secretary of Veterans Affairs, as follows:

(A) Three shall be recognized representatives of employees, including nurses, of the Department of Veterans Affairs.

(B) Three shall be representatives of professional associations of nurses of the Department or similar organizations affiliated with the Department’s health care practitioners.

(C) Two shall be representatives of trade associations representing the nursing profession.

(D) Two shall be nurses from nursing schools affiliated with the Department of Veterans Affairs.

(E) One shall be a representative of veterans.

1 (3) The Nurse Executive of the Department of Vet-
2 erans Affairs shall be an ex officio member of the Commis-
3 sion.

4 (d) CHAIRMAN OF COMMISSION.—The Secretary of
5 Veterans Affairs shall designate one of the members of
6 the Commission to serve as chairman of the Commission.

7 (e) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
8 bers shall be appointed for the life of the Commission. Any
9 vacancy in the Commission shall be filled in the same man-
10 ner as the original appointment.

11 (f) INITIAL ORGANIZATION REQUIREMENTS.—All ap-
12 pointments to the Commission shall be made not later
13 than 60 days after the date of the enactment of this Act.
14 The Commission shall convene its first meeting not later
15 than 60 days after the date as of which all members of
16 the Commission have been appointed.

17 **SEC. 302. DUTIES OF COMMISSION.**

18 (a) ASSESSMENT.—The Commission shall—

19 (1) consider legislative and organizational policy
20 changes to enhance the recruitment and retention of
21 nurses by the Department of Veterans Affairs; and

22 (2) assess the future of the nursing profession
23 within the Department.

24 (b) RECOMMENDATION.—The Commission shall rec-
25 ommend legislative and organizational policy changes to

1 enhance the recruitment and retention of nurses in the
2 Department.

3 **SEC. 303. REPORTS.**

4 (a) COMMISSION REPORT.—The Commission shall,
5 not later than two years after the date of its first meeting,
6 submit to Congress and the Secretary of Veterans Affairs
7 a report on the Commission’s findings and conclusions.

8 (b) SECRETARY OF VETERANS AFFAIRS REPORT.—
9 Not later than 60 after the date of the Commission’s re-
10 port under subsection (a), the Secretary shall submit to
11 Congress a report—

12 (1) providing the Secretary’s views on the Com-
13 mission’s findings and conclusions; and

14 (2) explaining what actions, if any, the Sec-
15 retary intends to take to implement the rec-
16 ommendations of the Commission and the Sec-
17 retary’s reasons for doing so.

18 **SEC. 304. POWERS.**

19 (a) HEARINGS.—The Commission or, at its direction,
20 any panel or member of the Commission, may, for the pur-
21 pose of carrying out the provisions of this title, hold hear-
22 ings and take testimony to the extent that the Commission
23 or any member considers advisable.

24 (b) INFORMATION.—The Commission may secure di-
25 rectly from any Federal department or agency information

1 that the Commission considers necessary to enable the
2 Commission to carry out its responsibilities under this
3 title.

4 **SEC. 305. PERSONNEL MATTERS.**

5 (a) PAY OF MEMBERS.—Members of the Commission
6 shall serve without pay by reason of their work on the
7 Commission.

8 (b) TRAVEL EXPENSES.—The members of the Com-
9 mission shall be allowed travel expenses, including per
10 diem in lieu of subsistence, at rates authorized for employ-
11 ees of agencies under subchapter I of chapter 57 of title
12 5, United States Code, while away from their homes or
13 regular places of business in the performance of services
14 for the Commission.

15 (c) STAFF.—(1) The Secretary may, without regard
16 to the provisions of title 5, United States Code, governing
17 appointments in the competitive service, appoint a staff
18 director and such additional personnel as may be nec-
19 essary to enable the Commission to perform its duties.

20 (2) The Secretary may fix the pay of the staff direc-
21 tor and other personnel appointed under paragraph (1)
22 without regard to the provisions of chapter 51 and sub-
23 chapter III of chapter 53 of title 5, United States Code,
24 relating to classification of positions and General Schedule
25 pay rates, except that the rate of pay fixed under this

1 paragraph for the staff director may not exceed the rate
2 payable for level V of the Executive Schedule under section
3 5316 of such title and the rate of pay for other personnel
4 may not exceed the maximum rate payable for grade GS–
5 15 of the General Schedule.

6 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon
7 request of the Secretary, the head of any Federal depart-
8 ment or agency may detail, on a nonreimbursable basis,
9 any personnel of that department or agency to the Com-
10 mission to assist it in carrying out its duties.

11 **SEC. 306. TERMINATION OF THE COMMISSION.**

12 The Commission shall terminate 90 days after the
13 date of the submission of its report under section 303(a).

Passed the House of Representatives October 23,
2001.

Attest:

JEFF TRANDAHL,
Clerk.