

107TH CONGRESS
2D SESSION

H. R. 5082

To amend title 38, United States Code, to suspend for five years the authority of the Secretary of Veterans Affairs to increase the copayment amount in effect for medication furnished by the Secretary on an outpatient basis for the treatment of non-service-connected disabilities and to provide an increase in the maximum annual rates of pension payable to surviving spouses of veterans of a period of war, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2002

Mr. STRICKLAND (for himself, Mr. BERRY, Mr. NEY, Mr. TAYLOR of Mississippi, Mr. BACA, and Mr. CARSON of Oklahoma) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to suspend for five years the authority of the Secretary of Veterans Affairs to increase the copayment amount in effect for medication furnished by the Secretary on an outpatient basis for the treatment of non-service-connected disabilities and to provide an increase in the maximum annual rates of pension payable to surviving spouses of veterans of a period of war, 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.**

4 This Act may be cited as the “Veterans’ Prescription
5 Drug and Surviving Spouses Assistance Act of 2002”.

6 **SEC. 2. SUSPENSION OF AUTHORITY TO INCREASE COPAY-**
7 **MENT AMOUNT.**

8 Section 1722A(d) of title 38, United States Code, is
9 amended—

10 (1) by inserting “(1)” after “(d)”; and

11 (2) by adding at the end the following:

12 “(2) The Secretary may not exercise the authority
13 provided by subsection (b)(1) during the five-year period
14 beginning on the date of the enactment of this paragraph,
15 and any increase before that date in the copayment
16 amount in effect under subsection (a) shall not be in effect
17 during that five-year period.”.

18 **SEC. 3. INCREASE IN MAXIMUM ANNUAL RATES OF PEN-**
19 **SION FOR SURVIVING SPOUSES OF VETERANS**
20 **OF A PERIOD OF WAR.**

21 (a) INCREASE.—Section 1541 of title 38, United
22 States Code, is amended—

23 (1) in subsection (a), by striking “as increased”
24 and inserting “as increased under subsection (f),
25 and as further increased”;

1 (2) by redesignating subsections (f), (g), and
 2 (h) as subsections (g), (h), and (i), respectively; and

3 (3) by inserting after subsection (e) the fol-
 4 lowing new subsection (f):

5 “(f)(1) Effective for months after November of the
 6 year of the enactment of this subsection, the annual rate
 7 of pension payable to a surviving spouse under a provision
 8 referred to in paragraph (2) shall be increased for any
 9 year by the amount equal to the difference between—

10 “(A) the current poverty line (as that term is
 11 defined in section 673(2) of the Community Services
 12 Block Grant Act (42 U.S.C. 9902(2)) for that year
 13 for a one-person family unit in the 48 contiguous
 14 States and the District of Columbia; and

15 “(B) the annual rate of pension in effect under
 16 subsection (b) in November of that year.

17 “(2) A provision referred to in this paragraph is any
 18 of the following provisions of this section:

19 “(A) Subsection (b).

20 “(B) The first sentence of subsection (c).

21 “(C) Subsection (d)(1).

22 “(D) The first sentence of subsection (d)(2).

23 “(E) The first sentence of subsection (e)(1).”.

24 (b) DISREGARD OF INCREASED AMOUNT FOR PUR-
 25 POSES OF MEDICAID ELIGIBILITY.—Section 1902(r)(1) of

1 the Social Security Act (42 U.S.C. 1396a(r)(1)) is amend-
2 ed by adding at the end the following new subparagraph:

3 “(C) In determining for purposes of this title the in-
4 come of a surviving spouse of a veteran who receives a
5 monthly pension under section 1541 of title 38, United
6 States Code, such income shall not include any amount
7 attributable to the application of subsection (f) of that sec-
8 tion.”.

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