

# Union Calendar No. 104

108TH CONGRESS  
1ST SESSION

# H. R. 1562

**[Report No. 108–114, Part I]**

To amend title 38, United States Code, to enhance the authority of the Department of Veterans Affairs to recover costs of medical care furnished to veterans and other persons by the Department from third parties that provide health insurance coverage to such veterans and other persons.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2003

Mr. BEAUPREZ (for himself, Mr. SMITH of New Jersey, Mr. EVANS, Mr. SIMMONS, and Mr. RODRIGUEZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

MAY 19, 2003

Reported with amendments and referred to the Committee on Ways and Means for a period ending not later than May 23, 2003, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(s), rule X

[Strike out all after the enacting clause and insert the part printed in *italic*]

MAY 23, 2003

Referral to the Committee on Ways and Means extended for a period ending not later than June 13, 2003

JUNE 13, 2003

Referral to the Committee on Ways and Means extended for a period ending not later than June 27, 2003

JUNE 27, 2003

Referral to the Committee on Ways and Means extended for a period ending not later than July 11, 2003

JULY 11, 2003

Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 2, 2003]

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## A BILL

To amend title 38, United States Code, to enhance the authority of the Department of Veterans Affairs to recover costs of medical care furnished to veterans and other persons by the Department from third parties that provide health insurance coverage to such veterans and other persons.

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 Health Care*  
5 *Cost Recovery Act of 2003”.*

6 **SEC. 2. AUTHORITY FOR DEPARTMENT OF VETERANS AF-**  
7 **FAIRS TO RECOVER MEDICAL COSTS FROM**  
8 **THIRD-PARTY PROVIDERS AS IF IT IS A PRE-**  
9 **FERRED PROVIDER ORGANIZATION.**

10 *(a) IN GENERAL.—Section 1729(f) of title 38, United*  
11 *States Code, is amended by adding at the end the following*  
12 *new sentence: “The absence of a participation agreement*  
13 *or other contractual arrangement entered into by the Sec-*  
14 *retary with a person obligated to provide, or to pay, the*  
15 *expenses of health services under a health-plan contract or*

1 *with a third party that is a preferred provider organization*  
2 *may not be used or operate to prevent, or reduce the amount*  
3 *of, any such recovery or collection by the United States.”.*

4 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
5 *section (a) shall apply only with respect to care and services*  
6 *furnished under chapter 17 of title 38, United States Code,*  
7 *on and after the date of the enactment of this Act.*

8 **SEC. 3. RECOVERY OF COSTS OF HEALTH CARE AND SERV-**  
9 **ICES PROVIDED TO PERSONS OTHER THAN**  
10 **VETERANS.**

11 (a) *COST RECOVERY.*—*Section 1729 of title 38, United*  
12 *States Code, is amended by adding at the end the following*  
13 *new subsection:*

14 “(j)(1) *Whenever the Secretary furnishes care and serv-*  
15 *ices to a person other than a veteran, the United States*  
16 *shall have the right to recover or collect charges for such*  
17 *care or services in the same manner, and to the same extent,*  
18 *as is provided under this section for care and services fur-*  
19 *nished to a veteran, except that for such purpose the terms*  
20 *‘health-plan contract’ and ‘third-party’ shall have the*  
21 *meanings set forth in paragraphs (2) and (3), respectively,*  
22 *of section 1725(f) of this title.*

23 “(2) *The amounts of charges under paragraph (1) shall*  
24 *be in such amounts as the Secretary may prescribe by regu-*  
25 *lation.”.*

1       (b) *TECHNICAL AMENDMENTS.*—Subsection (a)(2) of  
2 such section is amended—

3           (1) by inserting “or” at the end of subparagraph  
4 (C); and

5           (2) by striking subparagraphs (D) and (E) and  
6 inserting the following:

7           “(D) that is incurred by a veteran who is enti-  
8 tled to care (or payment of the expenses of care)  
9 under a health-plan contract, but, in the case of a  
10 veteran who has a service-connected disability, only  
11 with respect to care and services furnished before Oc-  
12 tober 1, 2007.”.

13       (c) *EFFECTIVE DATE.*—The amendments made by sub-  
14 section (a) shall apply only with respect to care and services  
15 furnished under chapter 17 of title 38, United States Code,  
16 on and after the date of the enactment of this Act.

17 **SEC. 4. NAME OF DEPARTMENT OF VETERANS AFFAIRS**  
18 **HEALTH CARE FACILITY, CHICAGO, ILLINOIS.**

19       The Department of Veterans Affairs health care facility  
20 located at 820 South Damen Avenue in Chicago, Illinois,  
21 shall after the date of the enactment of this Act be known  
22 and designated as the “Jesse Brown Department of Veterans  
23 Affairs Medical Center”. Any reference to such facility in  
24 any law, map, regulation, document, paper, or other record  
25 of the United States shall be considered to be a reference

1 *to the Jesse Brown Department of Veterans Affairs Medical*  
2 *Center.*

3 **SEC. 5. NAME OF DEPARTMENT OF VETERANS AFFAIRS**

4 **OUTPATIENT CLINIC, NEW LONDON, CON-**  
5 **NECTICUT.**

6 *The Department of Veterans Affairs outpatient clinic*  
7 *located in New London, Connecticut, shall after the date*  
8 *of the enactment of this Act be known and designated as*  
9 *the “John J. McGuirk Department of Veterans Affairs Out-*  
10 *patient Clinic”.* *Any reference to such outpatient clinic in*  
11 *any law, regulation, map, document, record, or other paper*  
12 *of the United States shall be considered to be a reference*  
13 *to the John J. McGuirk Department of Veterans Affairs*  
14 *Outpatient Clinic.*

Amend the title so as to read: “A bill to amend title 38, United States Code, to enhance the authority of the Department of Veterans Affairs to recover costs of medical care furnished to veterans and other persons by the Department from third parties that provide health insurance coverage to such veterans and other persons, and for other purposes.”.

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JULY 11, 2003

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