

108TH CONGRESS
1ST SESSION

H. R. 2357

IN THE SENATE OF THE UNITED STATES

JULY 22 (legislative day, JULY 21), 2003

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

AN ACT

To amend title 38, United States Code, to provide for the appointment of chiropractors in the Veterans Health Administration of the Department of Veterans Affairs and to provide eligibility for Department of Veterans Affairs health care for certain Filipino World War II veterans residing in the United States.

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 Improvement Act of 2003”.

6 **SEC. 2. APPOINTMENT OF CHIROPRACTORS IN THE VET-**
 7 **ERANS HEALTH ADMINISTRATION.**

8 (a) APPOINTMENTS.—Section 7401 of title 38,
 9 United States Code, is amended—

10 (1) by inserting “and chiropractic care” in the
 11 matter preceding paragraph (1) after “medical
 12 care”; and

13 (2) by inserting “chiropractors,” in paragraph
 14 (1) after “podiatrists,”.

15 (b) QUALIFICATIONS OF APPOINTEES.—Section
 16 7402(b) of such title is amended—

17 (1) by redesignating paragraph (10) as para-
 18 graph (11); and

19 (2) by inserting after paragraph (9) the fol-
 20 lowing new paragraph (10):

21 “(10) CHIROPRACTOR.—To be eligible to be ap-
 22 pointed to a chiropractor position, a person must—

23 “(A) hold the degree of doctor of chiropractic,
 24 or its equivalent, from a college of chiropractic ap-
 25 proved by the Secretary; and

1 “(B) be licensed to practice chiropractic in a
2 State.”.

3 (c) PERIOD OF APPOINTMENTS AND PROMOTIONS.—
4 Section 7403(a)(2) of such title is amended by adding at
5 the end the following new subparagraph:

6 “(H) Chiropractors.”.

7 (d) GRADES AND PAY SCALES.—Section 7404(b)(1)
8 of such title is amended by striking the third center head-
9 ing in the table and inserting the following:

“CLINICAL PODIATRIST, CHIROPRACTOR, AND OPTOMETRIST
SCHEDULE”.

10 (e) TEMPORARY AND PART-TIME APPOINTMENTS.—
11 Section 7405(a) of such title is amended—

12 (1) by adding at the end of paragraph (1) the
13 following new subparagraph:

14 “(E) Chiropractors.”; and

15 (2) by adding at the end of paragraph (2) the
16 following new subparagraph:

17 “(D) Chiropractors.”.

18 (f) RESIDENCIES AND INTERNSHIPS.—Section
19 7406(c) of such title is amended—

20 (1) in paragraph (1)—

21 (A) by inserting “and chiropractic” after
22 “medical” the first place it appears; and

23 (B) by inserting “or chiropractic” after
24 “medical” the second place it appears;

1 (2) in paragraph (2)(B), by inserting “or chiro-
2 practic” after “medical” the first place it appears;
3 and

4 (3) in paragraph (3)(A), by inserting “or chiro-
5 practic” after “medical”.

6 (g) MALPRACTICE AND NEGLIGENCE PROTECTION.—

7 Section 7316(a) of such title is amended—

8 (1) in paragraph (1), by inserting “or chiro-
9 practic” after “medical” each place it appears; and

10 (2) in paragraph (2)—

11 (A) by inserting “or chiropractic” after
12 “medical” the first place it appears; and

13 (B) by inserting “chiropractor,” after “po-
14 diatrist,”.

15 (h) TREATMENT AS SCARCE MEDICAL SPECIALISTS
16 FOR CONTRACTING PURPOSES.—Section 7409(a) of such
17 title is amended by inserting “chiropractors,” in the sec-
18 ond sentence after “optometrists,”.

19 (i) REIMBURSEMENT OF CONTINUING PROFES-
20 SIONAL EDUCATION EXPENSES.—Section 7411 of such
21 title is amended by striking “or dentist” and inserting “,
22 dentist, or chiropractic”.

23 (j) COLLECTIVE BARGAINING EXEMPTION.—Section
24 7421(b) of such title is amended by adding at the end
25 the following new paragraph:

1 “(8) Chiropractors.”.

2 (k) EFFECTIVE DATE.—The amendments made by
3 this section shall take effect at the end of the 180-day
4 period beginning on the date of the enactment of this Act.

5 **SEC. 3. ELIGIBILITY FOR DEPARTMENT OF VETERANS AF-**
6 **FAIRS HEALTH CARE OF CERTAIN FILIPINO**
7 **WORLD WAR II VETERANS RESIDING IN THE**
8 **UNITED STATES.**

9 (a) ELIGIBILITY.—The text of section 1734 of title
10 38, United States Code, is amended to read as follows:

11 “(a) The Secretary shall furnish hospital and nursing
12 home care and medical services to any individual described
13 in subsection (b) in the same manner, and subject to the
14 same terms and conditions, as apply to the furnishing of
15 such care and services to individuals who are veterans as
16 defined in section 101(2) of this title. Any disability of
17 an individual described in subsection (b) that is a service-
18 connected disability for purposes of this subchapter (as
19 provided for under section 1735(2) of this title) shall be
20 considered to be a service-connected disability for purposes
21 of furnishing care and services under the preceding sen-
22 tence.

23 “(b) Subsection (a) applies to any individual who is
24 a Commonwealth Army veteran or new Philippine Scout
25 and who—

1 “(1) is residing in the United States; and

2 “(2) is a citizen of the United States or an
3 alien lawfully admitted to the United States for per-
4 manent residence.”.

5 (b) LIMITATION.—(1) The amendment made by sub-
6 section (a) shall take effect on the date on which the Sec-
7 retary of Veterans Affairs submits to the Committees on
8 Veterans’ Affairs of the Senate and House of Representa-
9 tives and publishes in the Federal Register a certification
10 described in paragraph (2).

11 (2) A certification referred to in paragraph (1) is a
12 certification that sufficient resources are available for the
13 fiscal year during which the certification is submitted to
14 carry out section 1734 of title 38, United States Code,
15 as amended by such amendment, during that fiscal year
16 at each significantly affected health care facility of the De-
17 partment of Veterans Affairs.

18 (3) For purposes of paragraph (2), the term “signifi-
19 cantly affected health care facility” means a health care
20 facility at which, as determined by the Secretary, it is rea-
21 sonably foreseeable that the implementation of the provi-
22 sions of section 1734 of title 38, United States Code, as
23 amended by subsection (a), will result in a significant in-
24 crease in the use of health care resources due to the num-
25 ber of veterans described in subsection (b) of that section

- 1 who are considered to be likely to seek hospital or nursing
- 2 home care or medical services, as authorized by subsection
- 3 (a) of that section, at that facility.

Passed the House of Representatives July 21, 2003.

Attest:

JEFF TRANDAHL,

Clerk.