

109TH CONGRESS  
1ST SESSION

# H. R. 4159

To amend title 38, United States Code, to establish licensure requirements for employees and contractor personnel of the Department of Veterans Affairs performing orthotics services, pedorthics services, or prosthetics services in any State in which there is a State licensure requirement for persons performing those services in private practice.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2005

Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. NEAL of Massachusetts, and Ms. JACKSON-LEE of Texas) 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 establish licensure requirements for employees and contractor personnel of the Department of Veterans Affairs performing orthotics services, pedorthics services, or prosthetics services in any State in which there is a State licensure requirement for persons performing those services in private practice.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

5 SEC. 2. EMPLOYMENT STANDARDS FOR PROSTHETICS EM-  
6 PLOYEES AND CONTRACTOR PERSONNEL OF  
7 DEPARTMENT OF VETERANS AFFAIRS.

11   **“§ 7412. Orthotics, pedorthics, and prosthetics em-**  
12                   **ployees and contractor personnel**

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1 prosthetics services as the public consumer of those serv-  
2 ices is assured by the State licensure process.

3       “(b) PRACTITIONERS PROVIDING SERVICES IN MORE  
4 THAN ONE STATE.—This section does not require a prac-  
5 titioner who has a license from a State to obtain an addi-  
6 tional State license when the practitioner is providing serv-  
7 ices covered by the license within a single benefits delivery  
8 region of the Department and the practitioner the State  
9 from which the practitioner holds a license has substan-  
10 tially similar licensure requirements as other States within  
11 that region.

12       “(c) ANNUAL REPORT TO CONGRESS.—The Sec-  
13 retary shall submit to Congress an annual report regard-  
14 ing the implementation of this section.

15       “(d) DEFINITIONS.—For purposes of this section:

16               “(1) The term ‘orthotics’ means the science  
17 that deals with the use of specialized mechanical de-  
18 vices to support or supplement weakened or abnor-  
19 mal joints or limbs.

20               “(2) The term ‘pedorthics’ means the science  
21 concerned with the design, manufacture, fit, and  
22 modification of foot appliances as prescribed for re-  
23 lief of painful or disabling conditions of the foot.

4       “(e) TRANSITION.—During the one-year period be-  
5   ginning on the date of the enactment of this section, the  
6   Secretary may waive the provisions of subsection (a) for  
7   any individual who as of that date would otherwise be cov-  
8   ered by that subsection.”.

9           (2) The table of sections at the beginning of such  
10 chapter is amended by inserting after the item relating  
11 to section 7411 the following new item:

“7412. Orthotics, pedorthics, and prosthetics employees and contractor personnel.”.

(b) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall prescribe regulations for the purposes of section 7412 of title 38, United States Code, as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

(c) IMPLEMENTATION.—The Secretary shall fully implement regulations referred to in subsection (b) not later than one year after the date of the enactment of this Act.

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