

109TH CONGRESS  
1ST SESSION

# S. 331

To amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2005

Mr. JOHNSON (for himself, Mr. NELSON of Nebraska, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

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 “Assured Funding for  
5 Veterans Health Care Act of 2005”.

6 **SEC. 2. ASSURANCE OF ADEQUATE FUNDING FOR VET-  
7 ERANS HEALTH CARE.**

8       (a) IN GENERAL.—Chapter 3 of title 38, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing new section:

1     **§ 320. Assured funding for veterans health care**

2         “(a) For each fiscal year, the Secretary of the Treas-  
3         ury shall make available to the Secretary of Veterans Af-  
4         fairs the amount determined under subsection (b) with re-  
5         spect to that fiscal year. Each such amount is available,  
6         without fiscal year limitation, for the programs, functions,  
7         and activities of the Veterans Health Administration, as  
8         specified in subsection (c).

9         “(b)(1) The amount applicable to fiscal year 2007  
10        under this subsection is the amount equal to 130 percent  
11        of the amount obligated by the Department during fiscal  
12        year 2005 for the purposes specified in subsection (c).

13         “(2) The amount applicable to any fiscal year after  
14        fiscal year 2007 under this subsection is the amount equal  
15        to the product of the following:

16             “(A) The sum of—

17                 “(i) the number of veterans enrolled in the  
18                Department health care system under section  
19                1705 of this title as of July 1 preceding the be-  
20                ginning of such fiscal year; and

21                 “(ii) the number of persons eligible for  
22                health care under chapter 17 of this title who  
23                are not covered by clause (i) and who were pro-  
24                vided hospital care or medical services under  
25                such chapter at any time during the fiscal year  
26                preceding such fiscal year.

1               “(B) The per capita baseline amount, as in-  
2       creased from time to time pursuant to paragraph  
3       (3)(B).

4               “(3)(A) For purposes of paragraph (2)(B), the term  
5       ‘per capita baseline amount’ means the amount equal to—

6               “(i) the amount specified in paragraph (1), di-  
7       vided by

8               “(ii) the number of veterans enrolled in the De-  
9       partment health care system under section 1705 of  
10      this title as of September 30, 2005.

11               “(B) With respect to any fiscal year, the Secretary  
12      shall provide a percentage increase (rounded to the near-  
13      est dollar) in the per capita baseline amount equal to the  
14      percentage by which—

15               “(i) the Consumer Price Index (all Urban Con-  
16       sumers, United States City Average, Hospital and  
17       related services, Seasonally Adjusted), published by  
18       the Bureau of Labor Statistics of the Department of  
19       Labor for the 12-month period ending on the June  
20       30 preceding the beginning of the fiscal year for  
21       which the increase is made, exceeds

22               “(ii) such Consumer Price Index for the 12-  
23       month period preceding the 12-month period de-  
24       scribed in clause (i).

1       “(c)(1) Except as provided in paragraph (2), the pur-  
2    poses for which amounts made available pursuant to sub-  
3    section (a) shall be all programs, functions, and activities  
4    of the Veterans Health Administration.

5       “(2) Amounts made available pursuant to subsection  
6    (a) are not available for—

7           “(A) construction, acquisition, or alteration of  
8    medical facilities as provided in subchapter I of  
9    chapter 81 of this title (other than for such repairs  
10   as were provided for before the date of the enact-  
11   ment of this section through the Medical Care ap-  
12   propriation for the Department); or

13           “(B) grants under subchapter III of chapter 81  
14    of this title.”.

15       (b) CLERICAL AMENDMENT.—The table of sections  
16    at the beginning of such chapter is amended by adding  
17    at the end the following new item:

“320. Assured funding for veterans health care.”.

