

111TH CONGRESS  
1ST SESSION

# S. 239

To amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service hospital of the Veterans Health Administration in the State or receive comparable services provided by contract in the State.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2009

Mrs. SHAHEEN (for herself and Mr. GREGG) introduced the following bill;  
which was read twice and referred to the Committee on Veterans' Affairs

---

## A BILL

To amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service hospital of the Veterans Health Administration in the State or receive comparable services provided by contract in the State.

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 Eq-  
5       uity Act of 2009”.

1 **SEC. 2. AVAILABILITY OF FULL-SERVICE HOSPITAL OF THE**  
 2 **VETERANS HEALTH ADMINISTRATION IN**  
 3 **CERTAIN STATES OR PROVISION OF COM-**  
 4 **PARABLE SERVICES THROUGH CONTRACT**  
 5 **WITH OTHER HEALTH CARE PROVIDERS IN**  
 6 **THE STATE.**

7 (a) IN GENERAL.—Chapter 17 of title 38, United  
 8 States Code, is amended by inserting after section 1716  
 9 the following new section:

10 **“§ 1716A. Access to full-service hospitals in certain**  
 11 **States or comparable services through**  
 12 **contract**

13 “(a) REQUIREMENT.—With respect to each of the 48  
 14 contiguous States, the Secretary shall ensure that veterans  
 15 in the State eligible for hospital care and medical services  
 16 under section 1710 of this title have access—

17 “(1) to at least one full-service hospital of the  
 18 Veterans Health Administration in the State; or

19 “(2) to hospital care and medical services com-  
 20 parable to the services provided in full-service hos-  
 21 pitals through contract with other health care pro-  
 22 viders in the State.

23 “(b) RULE OF CONSTRUCTION.—Nothing in sub-  
 24 section (a) shall be construed to restrict the ability of the  
 25 Secretary to provide enhanced care to an eligible veteran

1 who resides in one State in a hospital of the Veterans  
 2 Health Administration in another State.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
 4 at the beginning of such chapter is amended by inserting  
 5 after the item relating to section 1716 the following new  
 6 item:

“1716A. Access to full-service hospitals in certain States or comparable services  
 through contract.”.

7 (c) REPORT ON IMPLEMENTATION.—Not later than  
 8 one year after the date of the enactment of this Act, the  
 9 Secretary of Veterans Affairs shall submit to Congress a  
 10 report describing the extent to which the Secretary has  
 11 complied with the requirement imposed by section 1716A  
 12 of title 38, United States Code, as added by subsection  
 13 (a), including the effect of such requirement on improving  
 14 the quality and standards of care provided to veterans.

○