

112TH CONGRESS
2D SESSION

H. R. 6393

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to consider the best interest of the veteran when determining whether the veteran should receive certain contracted health care, to amend the Wounded Warrior Act to improve access to certain medical care for former members of the Armed Forces with severe injuries or illnesses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2012

Mr. BARBER (for himself and Mr. PLATTS) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to consider the best interest of the veteran when determining whether the veteran should receive certain contracted health care, to amend the Wounded Warrior Act to improve access to certain medical care for former members of the Armed Forces with severe injuries or illnesses, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Health Ac-
3 cess Act”.

4 **SEC. 2. DETERMINATION OF CONTRACT CARE AUTHORITY**
5 **FOR HEALTH CARE NEEDS OF VETERANS.**

6 Section 1703 of title 38, United States Code, is
7 amended—

8 (1) in subsection (a), by striking “When De-
9 partment facilities” and everything that follows
10 through “required,” and inserting “In any case de-
11 scribed in subsection (e)(1),”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(e) ELIGIBILITY.—(1) A case described in this para-
15 graph is any case—

16 “(A) when Department facilities are not capable
17 of furnishing—

18 “(i) economical hospital care or medical
19 services because of geographical inaccessibility;
20 or

21 “(ii) the care or services required; or

22 “(B) in which a physician of the Department
23 determines that it is in the best interest of a veteran
24 to receive hospital or medical services furnished in a
25 non-Department facility in accordance with sub-
26 section (a).

1 “(2) The Secretary shall determine whether or not
2 to furnish to a veteran care or services in a non-Depart-
3 ment facility pursuant to this section by the date that is
4 30 days after the date on which the veteran requests such
5 care or services.”.

6 **SEC. 3. ACCESS TO CERTAIN MEDICAL CARE FOR FORMER**
7 **MEMBERS OF THE ARMED FORCES WITH SE-**
8 **VERE INJURIES OR ILLNESSES.**

9 Section 1631(a) of the Wounded Warrior Act (title
10 XVI of Public Law 110–181; 10 U.S.C. 1071 note) is
11 amended—

12 (1) in paragraph (1), by striking “not reason-
13 ably available” and all that follows through the pe-
14 riod and inserting the following: “that is not reason-
15 ably available to such former member in the Depart-
16 ment of Veterans Affairs or is determined by the
17 physician of the former member to be in the best in-
18 terest of the former member.”; and

19 (2) in paragraph (2), by striking “December
20 31, 2012” and inserting “December 31, 2016”.

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