

113TH CONGRESS
1ST SESSION

H. R. 3507

To amend titles 10 and 38, United States Code, to expand the use of telehealth under the TRICARE program and in the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2013

Mr. PETERS of California (for himself, Mr. THOMPSON of California, Mr. WELCH, and Mr. HARPER) 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 titles 10 and 38, United States Code, to expand the use of telehealth under the TRICARE program and in the Department of Veterans Affairs, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “21st Century Care for
5 Military and Veterans Act”.

1 **SEC. 2. TELEHEALTH UNDER TRICARE PROGRAM.**

2 (a) CARE PROVIDED AT MILITARY MEDICAL TREAT-
3 MENT FACILITIES.—Section 1077 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new subsection:

6 “(g) In providing health care to a covered beneficiary
7 under section 1076 of this title at a military medical treat-
8 ment facility, the Secretary may furnish an item or service
9 to the covered beneficiary via a telecommunications sys-
10 tem.”.

11 (b) CARE PROVIDED AT PRIVATE FACILITIES.—

12 (1) CERTAIN DEPENDENTS.—Section 1079 of
13 title 10, United States Code, is amended by adding
14 at the end the following new subsection:

15 “(r)(1) An item or service furnished to a covered ben-
16 eficiary via a telecommunications system shall be covered
17 by a plan described in paragraph (2) to the same extent
18 the item or service would be covered if furnished in the
19 same location of the covered beneficiary, and benefits shall
20 not be denied under such a plan solely on the basis that
21 the item or service is being furnished via a telecommuni-
22 cations system. For the purposes of reimbursement, licen-
23 sure, professional liability, and other purposes under this
24 section with respect to the provision of telehealth services,
25 practitioners, suppliers, and providers of such services are

1 considered to be furnishing such services at their location
2 and not at the originating site.

3 “(2) A plan described in this paragraph is a plan for
4 which the Secretary enters into a contract under sub-
5 section (a) to provide dependents with medical care.”.

6 (2) CERTAIN MEMBERS AND FORMER MEM-
7 BERS.—Section 1086 of title 10, United States
8 Code, is amended by adding at the end the following
9 new subsection:

10 “(i)(1) An item or service furnished to a covered ben-
11 eficiary via a telecommunications system shall be covered
12 by a plan described in paragraph (2) to the same extent
13 the item or service would be covered if furnished in the
14 same location of the covered beneficiary, and benefits shall
15 not be denied under such a plan solely on the basis that
16 the item or service is being furnished via a telecommuni-
17 cations system. For the purposes of reimbursement, licen-
18 sure, professional liability, and other purposes under this
19 section with respect to the provision of telehealth services,
20 practitioners, suppliers, and providers of such services are
21 considered to be furnishing such services at their location
22 and not at the originating site.

23 “(2) A plan described in this paragraph is a plan for
24 which the Secretary enters into a contract under sub-

1 section (a) to provide persons covered by subsection (c)
 2 with health benefits.”.

3 **SEC. 3. HEALTH CARE PROVIDED BY THE DEPARTMENT OF**
 4 **VETERANS AFFAIRS.**

5 (a) IN GENERAL.—Subchapter I of chapter 17 of title
 6 38, United States Code, is amended by inserting after sec-
 7 tion 1709A the following new section:

8 **“§ 1709B. Provision of health care via telecommuni-**
 9 **cations system**

10 “(a) DIRECT CARE.—In providing health care di-
 11 rectly to an individual under this chapter or chapter 18
 12 of this title, the Secretary may furnish an item or service
 13 to the individual via a telecommunications system.

14 “(b) CONTRACTED CARE.—(1) An item or service
 15 furnished to an individual covered by a plan described in
 16 paragraph (2) via a telecommunications system shall be
 17 covered by such a plan to the same extent the item or
 18 service would be covered if furnished in the same location
 19 of the individual, and benefits shall not be denied under
 20 such a plan solely on the basis that the item or service
 21 is being furnished via a telecommunications system. For
 22 the purposes of reimbursement, licensure, professional li-
 23 ability, and other purposes under this chapter and chapter
 24 18 with respect to the provision of telehealth services,
 25 practitioners, suppliers, and providers of such services are

1 considered to be furnishing such services at their location
2 and not at the originating site.

3 “(2) A plan described in this paragraph is a plan for
4 which the Secretary enters into a contract or agreement
5 under this chapter or chapter 18 of this title to furnish
6 health care to an individual.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by inserting
9 after the item relating to section 1709A the following new
10 item:

“1709B. Provision of health care via telecommunications system.”.

11 **SEC. 4. EFFECTIVE DATE.**

12 The amendments made by this Act shall take effect
13 on January 1, 2015, and shall apply to items and services
14 furnished on or after such date.

○