

113TH CONGRESS
2D SESSION

H. R. 5286

To amend title 38, United States Code, to provide for a more equitable geographic allocation of funds appropriated to the Department of Veterans Affairs for medical care.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2014

Mr. LARSON of Connecticut introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for a more equitable geographic allocation of funds appropriated to the Department of Veterans Affairs for medical 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 “Veterans Equitable
5 Treatment Act”.

6 **SEC. 2. STANDARD FOR TIME FOR REFERRAL FOR SPE-**
7 **CIALIST CARE.**

8 (a) TIME FOR SPECIALIST APPOINTMENTS.—

1 (1) REQUIREMENT.—The Secretary of Veterans
2 Affairs shall establish by regulation a maximum spe-
3 cialist referral period, subject to such exceptions as
4 the Secretary considers necessary.

5 (2) SPECIALIST REFERRAL PERIOD DEFINED.—
6 For purposes of paragraph (1), the term “specialist
7 referral period” means the period of time between
8 (A) the date on which a veteran is referred to a spe-
9 cialty clinic of the Department by the veteran’s pri-
10 mary care physician within the Department of Vet-
11 erans Affairs health care system, and (B) the date
12 for which the veteran is scheduled for an appoint-
13 ment with a Department specialist pursuant to such
14 referral.

15 (3) DEPARTMENT POLICIES.—In establishing a
16 maximum specialist referral period under paragraph
17 (1), the Secretary shall act in a manner consistent
18 with the current treatment policies of the Depart-
19 ment based on clinical need and with the established
20 30–30–20 performance goal of the Department for
21 such a referral period.

22 (b) STANDARD FOR TRANSPORTATION.—The Sec-
23 retary shall take such steps as necessary to ensure that
24 the Department of Veterans Affairs is able to provide ap-
25 propriate transportation services for qualified veterans

1 within a reasonable time period of a scheduled appoint-
2 ment.

3 **SEC. 3. CONTRACT CARE TO BE PROVIDED WHEN DEPART-**
4 **MENT OF VETERANS AFFAIRS CARE NOT**
5 **AVAILABLE IN ACCORDANCE WITH STAND-**
6 **ARDS.**

7 (a) CONTRACT CARE.—In any case in which the Sec-
8 retary of Veterans Affairs is not able to provide hospital
9 care or medical services in accordance with the standard
10 prescribed under section 2(a) or to provide transportation
11 services in accordance with section 2(b), the Secretary
12 shall promptly provide for such care or transportation
13 from a private source. Hospital care or medical services
14 so provided shall be those for which the veteran is other-
15 wise eligible within the Department of Veterans Affairs
16 medical care system.

17 (b) REIMBURSEMENT RATE.—Whenever care or serv-
18 ices are provided under subsection (a), the Secretary shall
19 reimburse the provider of such care or services for the rea-
20 sonable value of such care or services, as determined by
21 the Secretary. Such reimbursement shall be provided in
22 the same manner as applies to reimbursement for emer-
23 gency treatment under section 1725 of title 38, United
24 States Code, subject to such of the terms and conditions
25 otherwise applicable to such reimbursements under such

1 section as the Secretary determines to be appropriate for
2 purposes of this section.

3 (c) **EXPEDITED REIMBURSEMENT PROCEDURES.—**

4 The Secretary shall take appropriate steps to expedite the
5 reimbursement required by subsection (b) and consistent
6 with the Veterans Health Administration policy that 90
7 percent of all non-VA Contract Care claims are processed
8 within 30 days of receipt. Such steps may include steps
9 to make use of advanced technology, such as smart card
10 technology that would allow claims for such reimburse-
11 ment to be processed electronically. The Secretary shall,
12 to the extent possible, also apply such steps for expediting
13 reimbursement to claims for emergency services provided
14 to veterans for which the Secretary provides reimburse-
15 ment under provisions of law in effect before the date of
16 the enactment of this Act.

17 **SEC. 4. TERMINATION OF 24-MONTH RULE FOR REIM-**
18 **BURSEMENT FOR EMERGENCY SERVICES.**

19 The provisions of subparagraph (B) of section
20 1725(b)(2) of title 38, United States Code, shall not apply
21 with respect to emergency treatment furnished on or after
22 the date of the enactment of this Act.

23 **SEC. 5. REPORTS.**

24 The Secretary of Veterans Affairs shall submit to the
25 Committees on Veterans' Affairs of the Senate and House

1 of Representatives a report at the end of each fiscal-year
2 quarter on the waiting times for appointments in the De-
3 partment of Veterans Affairs medical care system. The re-
4 port shall describe any reductions in such waiting times
5 and any experience with appointment delays.

