

Public Law 115–251
115th Congress

An Act

Sept. 29, 2018
[S. 3479]

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

Department of
Veterans Affairs
Expiring
Authorities
Act of 2018.
38 USC 101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Department of Veterans Affairs Expiring Authorities Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—EXTENSIONS OF AUTHORITY

Subtitle A—Health Care Matters

- Sec. 101. Extension of authority for collection of copayments for hospital care and nursing home care.
Sec. 102. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.
Sec. 103. Removal of authorization of appropriations to provide assistance and support services for caregivers.
Sec. 104. Making permanent authority for recovery from third parties of cost of care and services furnished to veterans with health-plan contracts for non-service-connected disability.
Sec. 105. Extension of authority for transfer of real property.
Sec. 106. Extension of authority for pilot program on assistance for child care for certain veterans receiving health care.
Sec. 107. Extension of authority to make grants to veterans service organizations for transportation of highly rural veterans.
Sec. 108. Extension of authority for pilot program on counseling in retreat settings for women veterans newly separated from service.
Sec. 109. Extension of temporary expansion of payments and allowances for beneficiary travel in connection with veterans receiving care from vet centers.

Subtitle B—Benefits Matters

- Sec. 121. Making permanent authority for temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty ambulating.
Sec. 122. Extension of authority for specially adapted housing assistive technology grant program.
Sec. 123. Making permanent authority to guarantee payment of principal and interest on certificates or other securities.
Sec. 124. Making permanent authority for calculating net value of real property at time of foreclosure.
Sec. 125. Extension of authority relating to vendee loans.
Sec. 126. Making permanent authority to provide rehabilitation and vocational benefits to members of the Armed Forces with severe injuries or illnesses.
Sec. 127. Extension of authority to enter into agreement with the National Academy of Sciences regarding associations between diseases and exposure to dioxin and other chemical compounds in herbicides.

Subtitle C—Homeless Veterans Matters

- Sec. 141. Extension of authority for homeless veterans reintegration programs.
- Sec. 142. Extension of authority for homeless women veterans and homeless veterans with children reintegration program.
- Sec. 143. Extension of authority for referral and counseling services for veterans at risk of homelessness transitioning from certain institutions.
- Sec. 144. Extension of authority for treatment and rehabilitation services for seriously mentally ill and homeless veterans.
- Sec. 145. Extension of authority for financial assistance for supportive services for very low-income veteran families in permanent housing.
- Sec. 146. Extension of authority for grant program for homeless veterans with special needs.
- Sec. 147. Extension of authority for the Advisory Committee on Homeless Veterans.

Subtitle D—Other Matters

- Sec. 161. Extension of authority for transportation of individuals to and from Department of Veterans Affairs facilities.
- Sec. 162. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
- Sec. 163. Extension of authority for monthly assistance allowances under the Office of National Veterans Sports Programs and Special Events.
- Sec. 164. Extension of requirement to provide reports to Congress regarding equitable relief in the case of administrative error.
- Sec. 165. Extension of authorization of appropriations for adaptive sports programs for disabled veterans and members of the armed forces.
- Sec. 166. Extension of authority for Advisory Committee on Minority Veterans.

TITLE II—IMPROVEMENT OF HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS

- Sec. 201. Treatment of modifications of contracts under Veterans Community Care program.
- Sec. 202. Modification of provision requiring recognition and acceptance, on an interim basis, of credentials and qualifications of health care providers under community care program.
- Sec. 203. Expansion of coverage of Veterans Care Agreements.
- Sec. 204. Modification of authority for deduction of overpayments for health care.
- Sec. 205. Modification of eligibility of former members of the Armed Forces for mental and behavioral health care from the Department of Veterans Affairs.
- Sec. 206. Access of health care providers of the Department of Veterans Affairs to drug monitoring programs that do not participate in the national network.
- Sec. 207. Elimination of report on activities and proposals involving contracting for performance by contractor personnel of work previously performed by Department employees.
- Sec. 208. Additional report on increased availability of opioid receptor antagonists.
- Sec. 209. Expansion of health care assessment to include all territories of the United States and the assessment of extended care services.
- Sec. 210. Authorization of major medical facility project at Department of Veterans Affairs West Los Angeles Medical Center.
- Sec. 211. Technical amendments to VA MISSION Act of 2018 and amendments made by that Act.

TITLE III—OTHER MATTERS

- Sec. 301. Approval of courses of education provided by public institutions of higher education for purposes of training and rehabilitation for veterans with service-connected disabilities conditional on in-State tuition rate for veterans.
- Sec. 302. Corrective action for certain Department of Veterans Affairs employees for conflicts of interest with educational institutions operated for profit.
- Sec. 303. Modification of compliance requirements for particular leases relating to Department of Veterans Affairs West Los Angeles Campus.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—EXTENSIONS OF AUTHORITY

Subtitle A—Health Care Matters

SEC. 101. EXTENSION OF AUTHORITY FOR COLLECTION OF COPAYMENTS FOR HOSPITAL CARE AND NURSING HOME CARE.

Section 1710(f)(2)(B) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

SEC. 102. EXTENSION OF REQUIREMENT TO PROVIDE NURSING HOME CARE TO CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 1710A(d) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

SEC. 103. REMOVAL OF AUTHORIZATION OF APPROPRIATIONS TO PROVIDE ASSISTANCE AND SUPPORT SERVICES FOR CAREGIVERS.

Section 1720G is amended by striking subsection (e).

SEC. 104. MAKING PERMANENT AUTHORITY FOR RECOVERY FROM THIRD PARTIES OF COST OF CARE AND SERVICES FURNISHED TO VETERANS WITH HEALTH-PLAN CONTRACTS FOR NON-SERVICE-CONNECTED DISABILITY.

Section 1729(a)(2)(E) is amended, in the matter preceding clause (i), by striking “before September 30, 2019,”.

SEC. 105. EXTENSION OF AUTHORITY FOR TRANSFER OF REAL PROPERTY.

Section 8118(a)(5) is amended by striking “December 31, 2018” and inserting “September 30, 2020”.

SEC. 106. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.

(a) EXTENSION.—Subsection (e) of section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1144; 38 U.S.C. 1710 note) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (h) of such section is amended by striking “and 2019” and inserting “2019, and 2020”.

SEC. 107. EXTENSION OF AUTHORITY TO MAKE GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.

Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking “2019” and inserting “2020”.

SEC. 108. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE.

(a) EXTENSION.—Subsection (d) of section 203 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1143; 38 U.S.C. 1712A note) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (f) of such section is amended by striking “and 2019” and inserting “2019, and 2020”.

SEC. 109. EXTENSION OF TEMPORARY EXPANSION OF PAYMENTS AND ALLOWANCES FOR BENEFICIARY TRAVEL IN CONNECTION WITH VETERANS RECEIVING CARE FROM VET CENTERS.

Section 104(a) of the Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 126 Stat. 1169), as amended by section 109(a) of the Department of Veterans Affairs Expiring Authorities Act of 2017 (Public Law 115–62; 131 Stat. 1162), is amended by striking “September 30, 2018” and inserting “September 30, 2019”.

Subtitle B—Benefits Matters

SEC. 121. MAKING PERMANENT AUTHORITY FOR TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY AMBULATING.

Section 2101(a)(4) is amended by striking “(A) Except” and all that follows through “(B) In each of fiscal years 2014 through 2018, the Secretary” and inserting “In any fiscal year, the Secretary”.

SEC. 122. EXTENSION OF AUTHORITY FOR SPECIALLY ADAPTED HOUSING ASSISTIVE TECHNOLOGY GRANT PROGRAM.

Section 2108(g) is amended by striking “September 30, 2018” and inserting “September 30, 2020”.

SEC. 123. MAKING PERMANENT AUTHORITY TO GUARANTEE PAYMENT OF PRINCIPAL AND INTEREST ON CERTIFICATES OR OTHER SECURITIES.

Section 3720(h) is amended—

- (1) by striking paragraph (2); and
- (2) by striking “(1)”.

SEC. 124. MAKING PERMANENT AUTHORITY FOR CALCULATING NET VALUE OF REAL PROPERTY AT TIME OF FORECLOSURE.

Section 3732(c) is amended by striking paragraph (11).

SEC. 125. EXTENSION OF AUTHORITY RELATING TO VENDEE LOANS.

Section 3733(a)(7) is amended—

- (1) in the matter preceding subparagraph (A), by striking “September 30, 2018” and inserting “September 30, 2019”; and
- (2) in subparagraph (C), by striking “September 30, 2018,” and inserting “September 30, 2019,”.

SEC. 126. MAKING PERMANENT AUTHORITY TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF THE ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES.

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

- (1) by striking paragraph (2); and
- (2) by striking “(1) IN GENERAL.—”.

SEC. 127. EXTENSION OF AUTHORITY TO ENTER INTO AGREEMENT WITH THE NATIONAL ACADEMY OF SCIENCES REGARDING ASSOCIATIONS BETWEEN DISEASES AND EXPOSURE TO DIOXIN AND OTHER CHEMICAL COMPOUNDS IN HERBICIDES.

Section 3(i) of the Agent Orange Act of 1991 (Public Law 102–4; 38 U.S.C. 1116 note) is amended by striking “September 30, 2018” and inserting “September 30, 2020”.

Subtitle C—Homeless Veterans Matters

SEC. 141. EXTENSION OF AUTHORITY FOR HOMELESS VETERANS RE-INTEGRATION PROGRAMS.

Section 2021(e)(1)(F) is amended by striking “2018” and inserting “2020”.

SEC. 142. EXTENSION OF AUTHORITY FOR HOMELESS WOMEN VETERANS AND HOMELESS VETERANS WITH CHILDREN RE-INTEGRATION PROGRAM.

Section 2021A(f)(1) is amended by striking “2018” and inserting “2020”.

SEC. 143. EXTENSION OF AUTHORITY FOR REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK OF HOMELESSNESS TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023(d) is amended by striking “September 30, 2018” and inserting “September 30, 2020”.

SEC. 144. EXTENSION OF AUTHORITY FOR TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) GENERAL TREATMENT.—Section 2031(b) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

(b) ADDITIONAL SERVICES AT CERTAIN LOCATIONS.—Section 2033(d) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

SEC. 145. EXTENSION OF AUTHORITY FOR FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.

Section 2044(e)(1) is amended by striking subparagraph (F) and inserting the following:

“(F) \$340,000,000 for fiscal year 2018.

“(G) \$380,000,000 for fiscal year 2019.”.

SEC. 146. EXTENSION OF AUTHORITY FOR GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

Section 2061(d)(1) is amended by striking “2019” and inserting “2020”.

SEC. 147. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking “September 30, 2018” and inserting “September 30, 2022”.

Subtitle D—Other Matters

SEC. 161. EXTENSION OF AUTHORITY FOR TRANSPORTATION OF INDIVIDUALS TO AND FROM DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

Section 111A(a)(2) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

SEC. 162. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking “September 30, 2018” and inserting “September 30, 2019”.

SEC. 163. EXTENSION OF AUTHORITY FOR MONTHLY ASSISTANCE ALLOWANCES UNDER THE OFFICE OF NATIONAL VETERANS SPORTS PROGRAMS AND SPECIAL EVENTS.

Section 322(d)(4) is amended by striking “2019” and inserting “2020”.

SEC. 164. EXTENSION OF REQUIREMENT TO PROVIDE REPORTS TO CONGRESS REGARDING EQUITABLE RELIEF IN THE CASE OF ADMINISTRATIVE ERROR.

Section 503(c) is amended by striking “December 31, 2018” and inserting “December 31, 2020”.

SEC. 165. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR ADAPTIVE SPORTS PROGRAMS FOR DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES.

Section 521A is amended—

(1) in subsection (g)(1), by striking “2019” and inserting “2020”; and

(2) in subsection (l), by striking “2019” and inserting “2020”.

SEC. 166. EXTENSION OF AUTHORITY FOR ADVISORY COMMITTEE ON MINORITY VETERANS.

(a) **EXTENSION OF AUTHORITY.**—Subsection (e) of section 544 is amended by striking “September 30, 2018” and inserting “September 30, 2022”.

(b) **MODIFICATION OF REPORTING REQUIREMENT.**—Subsection (c)(1) of such section is amended, in the matter preceding subparagraph (A), by striking “each year” and inserting “every other year”.

TITLE II—IMPROVEMENT OF HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS

SEC. 201. TREATMENT OF MODIFICATIONS OF CONTRACTS UNDER VETERANS COMMUNITY CARE PROGRAM.

(a) **IN GENERAL.**—Section 1703(h)(1) is amended—

(1) by striking “The Secretary shall” and inserting “(A) The Secretary shall”; and

(2) by adding at the end the following new subparagraph:

“(B) For purposes of subparagraph (A), the requirement to enter into consolidated, competitively bid contracts shall not restrict

38 USC 1703
note.

the authority of the Secretary under other provisions of law when modifying such a contract after entering into the contract.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the effective date specified in section 101(b) of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182).

SEC. 202. MODIFICATION OF PROVISION REQUIRING RECOGNITION AND ACCEPTANCE, ON AN INTERIM BASIS, OF CREDENTIALS AND QUALIFICATIONS OF HEALTH CARE PROVIDERS UNDER COMMUNITY CARE PROGRAM.

Section 1703(h)(5)(A) is amended by striking “the date of the enactment” and inserting “the effective date specified in section 101(b)”.

SEC. 203. EXPANSION OF COVERAGE OF VETERANS CARE AGREEMENTS.

(a) **IN GENERAL.**—Section 1703A is amended by adding at the end the following new subsection:

“(1) **COVERED INDIVIDUAL DEFINED.**—In this section, the term ‘covered individual’ means any individual eligible for hospital care, medical services, or extended care services under this title or any other law administered by the Secretary.”.

(b) **CONFORMING AMENDMENTS.**—Section 1703A is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “veteran” each place it appears and inserting “covered individual”; and

(B) in subparagraph (C)—

(i) by striking “veteran” and inserting “covered individual”; and

(ii) by striking “veteran’s” and inserting “covered individual’s”;

(2) in subsection (e)(2)(B), by striking “veteran” each place it appears and inserting “covered individual”;

(3) in subsection (f)(2)—

(A) in subparagraph (C), by striking “veterans” and inserting “covered individuals”; and

(B) in subparagraph (D), by striking “veteran” and inserting “covered individual”;

(4) in subsection (g), by striking “to veterans” and inserting “to covered individuals”; and

(5) in subsection (j)—

(A) by striking “any veteran” and inserting “any covered individual”; and

(B) by striking “to veterans” each place it appears and inserting “to covered individuals”.

SEC. 204. MODIFICATION OF AUTHORITY FOR DEDUCTION OF OVERPAYMENTS FOR HEALTH CARE.

Section 1703D(e)(1) is amended—

(1) by striking “shall” and inserting “may”; and

(2) by inserting before the period at the end the following: “and may use any other means authorized by another provision of law to correct or recover overpayments”.

SEC. 205. MODIFICATION OF ELIGIBILITY OF FORMER MEMBERS OF THE ARMED FORCES FOR MENTAL AND BEHAVIORAL HEALTH CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS.

Section 1720I(b)(3) is amended by striking “is not otherwise eligible to enroll” and inserting “is not enrolled”.

SEC. 206. ACCESS OF HEALTH CARE PROVIDERS OF THE DEPARTMENT OF VETERANS AFFAIRS TO DRUG MONITORING PROGRAMS THAT DO NOT PARTICIPATE IN THE NATIONAL NETWORK.

Section 1730B is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, or any individual State or regional prescription drug monitoring program,” after “programs”;

(B) in paragraph (2)(A), by striking “such network” and inserting “the national network of State-based prescription monitoring programs, or, if providing care in a State that does not participate in such national network, an individual State or regional prescription drug monitoring program,”; and

(C) in paragraph (3), by inserting “, or any individual State or regional prescription drug monitoring program,” after “programs”; and

(2) in subsection (c)(2) by inserting “, or any individual State or regional prescription drug monitoring program,” after “programs”.

SEC. 207. ELIMINATION OF REPORT ON ACTIVITIES AND PROPOSALS INVOLVING CONTRACTING FOR PERFORMANCE BY CONTRACTOR PERSONNEL OF WORK PREVIOUSLY PERFORMED BY DEPARTMENT EMPLOYEES.

Section 8110 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

SEC. 208. ADDITIONAL REPORT ON INCREASED AVAILABILITY OF OPIOID RECEPTOR ANTAGONISTS.

Section 911(e)(2) of the Jason Simcakoski Memorial and Promise Act (Public Law 114–198; 38 U.S.C. 1701 note) is amended by inserting “and not later than one year after the date of the enactment of the Department of Veterans Affairs Expiring Authorities Act of 2018” before “the Secretary shall”.

SEC. 209. EXPANSION OF HEALTH CARE ASSESSMENT TO INCLUDE ALL TERRITORIES OF THE UNITED STATES AND THE ASSESSMENT OF EXTENDED CARE SERVICES.

Section 213 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

(1) in the section header, by striking “PACIFIC TERRITORIES” and inserting “TERRITORIES OF THE UNITED STATES”;

(2) in subsection (a)—

(A) by striking “180 days” and inserting “270 days”; and

Ante, p. 1462.

- (B) by striking “Pacific territories” and inserting “territories of the United States”;
- (3) in subsection (b)—
 - (A) in paragraph (1)—
 - (i) in the matter preceding subparagraph (A), by striking “Pacific territories” and inserting “territories of the United States”; and
 - (ii) by adding at the end the following:
 - “(E) Extended care.”; and
 - (B) in paragraph (2)—
 - (i) by striking “community-based outpatient clinic” and inserting “medical facility”; and
 - (ii) by striking “Pacific territory” and inserting “territory of the United States”; and
- (4) in subsection (c)—
 - (A) by striking “Pacific territories” and inserting “territories of the United States”;
 - (B) by striking “and”; and
 - (C) by inserting before the period at the end the following: “, Puerto Rico, and the United States Virgin Islands”.

SEC. 210. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECT AT DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES MEDICAL CENTER.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may carry out the major medical facility project described in subsection (b) in fiscal year 2019, in an amount not to exceed \$35,000,000.

(b) **MAJOR MEDICAL FACILITY PROJECT.**—The major medical facility project described in this subsection is the construction of a new regional food services facility building on the campus of the medical center of the Department of Veterans Affairs in West Los Angeles, California, to replace the seismically deficient Building 300, Regional Food Service Facility, which is located on the north campus of the medical center as of the date of the enactment of this Act.

SEC. 211. TECHNICAL AMENDMENTS TO VA MISSION ACT OF 2018 AND AMENDMENTS MADE BY THAT ACT.

(a) **TITLE 38.**—

(1) **ANNUAL REPORT ON PERFORMANCE AWARDS AND BONUSES.**—Section 726(c)(3) is amended by striking “, United States Code”.

(2) **VETERANS CARE AGREEMENTS.**—Section 1703A(h)(4) is amended by striking “, United States Code”.

(3) **ACCESS STANDARDS.**—Section 1703B(i) is amended—

(A) by striking “(1) The term” and inserting “In this section:

“(1) The term”;

(B) in paragraph (1), by moving subparagraphs (A) and (B) two ems to the right;

(C) by moving paragraph (2) two ems to the right; and

(D) in paragraph (2), by striking “refers to” and inserting “means”.

(4) **STANDARDS FOR QUALITY.**—Section 1703C(c) is amended—

(A) by striking “(c)(1) The term” and inserting “(c) DEFINITIONS.— In this section:

“(1) The term”;

(B) in paragraph (1), by moving subparagraphs (A) and (B) two ems to the right;

(C) by moving paragraph (2) two ems to the right; and

(D) in paragraph (2), by striking “refers to” and inserting “means”.

(5) PROMPT PAYMENT STANDARD.—Section 1703D(g)(3) is amended by striking “of this Act, as amended by the Caring for Our Veterans Act of 2018,” and inserting “of this title”.

(6) REMEDIATION OF MEDICAL SERVICE LINES.—Section 1706A is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting “of this title” after “section 1703(e)(1)”; and

(B) in subsection (d)(1), by striking “paragraph (1)” and inserting “subsection (a)”.

(7) WALK-IN CARE.—Section 1725A is amended—

(A) in subsection (c), by striking “or other agreement” and inserting “agreement, or other arrangement”; and

(B) in subsection (f)(4), by striking “Section 8153(c)” and inserting “Sections 8153(c) and 1703A(j)”.

(8) AUTHORITY TO RECOVER THE COST OF SERVICES FURNISHED FOR NON-SERVICE-CONNECTED DISABILITIES.—Section 1729(a)(2)(D) is amended by striking the period at the end and inserting “; or”.

(9) AGREEMENTS WITH STATE HOMES.—Section 1745(a)(4)(B)(ii)(III) is amended by striking “subchapter V of chapter 17 of this title” and inserting “this subchapter”.

(10) TRANSPLANT PROCEDURES WITH LIVE DONORS AND RELATED SERVICES.—Section 1788(c) is amended by striking “this chapter” and inserting “this title”.

(11) QUADRENNIAL VETERANS HEALTH ADMINISTRATION REVIEW.—Section 7330C is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Secretary of Veterans Affairs” and inserting “Secretary”;

(ii) in paragraph (2)—

(I) in subparagraph (B), by striking “Department of Veterans Affairs” and inserting “Department”;

(II) in subparagraph (C), by striking “of title 38, as added by section 102” and inserting “of this title”; and

(III) in subparagraph (H)(i), by striking “Department of Veterans Affairs” and inserting “Department”; and

(iii) in paragraph (4)—

(I) in subparagraph (A)(iii), by inserting “of this title” after “section 1703C”; and

(II) in subparagraph (B), by inserting “of this title” after “section 1703(b)”;

(B) in subsection (b)(2)(I), by inserting “of this title” after “section 1706A”; and

(C) in subsection (c)—

(i) in paragraph (1), by striking “such high performing” and inserting “a high-performing”; and

(ii) in paragraph (3), by inserting “such” before “a high-performing”.

(12) DEPARTMENT OF VETERANS AFFAIRS SPECIALTY EDUCATION LOAN REPAYMENT PROGRAM.—Section 7693(a)(1) is amended by striking “is hired” and inserting “will be eligible for appointment”.

(b) VA MISSION ACT.—

Ante, p. 1424.

(1) TRAINING PROGRAM FOR ADMINISTRATION OF NON-DEPARTMENT HEALTH CARE.—Section 122(a)(2) of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended by striking “such title” and inserting “title 38, United States Code”.

Ante, p. 1425.

(2) PROCESSES FOR SAFE OPIOID PRESCRIBING PRACTICES BY NON-DEPARTMENT PROVIDERS.—Section 131 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

(A) in subsection (c)(1)—

(i) by inserting “of title 38, United States Code,” after “section 1703(a)(2)(A)”;

(ii) by striking “of this title” each place it appears and inserting “of this Act”; and

(iii) by inserting “of such title” after “section 1703A(e)(2)(F)”;

(B) in subsection (d), by striking “covered veterans” each place it appears and inserting “veterans”.

Ante, p. 1429.

(3) PLANS FOR SUPPLEMENTAL APPROPRIATIONS.—Section 141 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended by striking “Whenever the Secretary” and inserting “Whenever the Secretary of Veterans Affairs”.

Ante, p. 1431.

(4) TELEMEDICINE REPORTING REQUIREMENT.—Section 151(c)(1) of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended by striking “section 1730B” and inserting “section 1730C”.

Ante, p. 1439.

(5) EXPANSION OF FAMILY CAREGIVER PROGRAM.—Section 161(a)(1)(B) of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended by striking “such title” and inserting “title 38, United States Code”.

Ante, p. 1467.

(6) SPECIALTY EDUCATION LOAN REPAYMENT PROGRAM.—Section 303 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

(A) in subsection (d), by inserting “of Veterans Affairs” after “Department”; and

(B) in subsection (e), in the matter preceding paragraph (1), by striking “established” and inserting “under subchapter VIII of chapter 76 of title 38, United States Code, as enacted”.

(7) VETERANS HEALING VETERANS MEDICAL ACCESS AND SCHOLARSHIP PROGRAM.—Section 304 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

Ante, p. 1467.

(A) in subsection (a), by striking “covered medical schools” and inserting “covered medical school”; and

(B) in subsection (b)—

(i) in paragraph (2), by striking “entitled to” and inserting “concurrently receiving”;

(ii) in paragraph (3), by striking “2019” and inserting “2020”; and

(iii) in paragraph (6), by striking “subsection (e)” and inserting “subsection (d)”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “2019” and inserting “2020”; and

(ii) in paragraph (3), by striking “2019” and inserting “2020”;

(D) in subsection (e), by striking “2019” and inserting “2020”; and

(E) in subsection (f), by striking “December 31, 2020” and inserting “December 31, 2021”.

(8) DEVELOPMENT OF CRITERIA FOR DESIGNATION OF CERTAIN MEDICAL FACILITIES AS UNDERSERVED FACILITIES AND PLAN TO ADDRESS PROBLEM OF UNDERSERVED FACILITIES.—Section 401 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

Ante, p. 1470.

(A) in subsection (b)(5), by adding “or the applicable access standards developed under section 1703B of title 38, United States Code” after “the wait-time goals of the Department”; and

(B) in subsection (d)(2)(A), by striking “section 407” and inserting “section 402”.

(9) PILOT PROGRAM ON GRADUATE MEDICAL EDUCATION AND RESIDENCY.—Section 403(b)(4) of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended by inserting “under” after “an agreement”.

Ante, p. 1473.

(10) DEPARTMENT OF VETERANS AFFAIRS MEDICAL SCRIBE PILOT PROGRAM.—Section 507 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

Ante, p. 1479.

(A) in subsection (b)(3), by striking “as determine” and inserting “as determined”; and

(B) in subsection (c)(2)(C), by striking “speciality” and inserting “specialty”.

TITLE III—OTHER MATTERS**SEC. 301. APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER EDUCATION FOR PURPOSES OF TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES CONDITIONAL ON IN-STATE TUITION RATE FOR VETERANS.**

(a) IN GENERAL.—Section 3679(c) is amended—

(1) in paragraph (1), by striking “chapter 30 or 33” and inserting “chapter 30, 31, or 33”;

(2) in paragraph (2), by adding at the end the following new subparagraph:

“(C) An individual who is entitled to rehabilitation under section 3102(a) of this title.”;

(3) in paragraph (3), by striking “paragraph (2)(A) or (2)(B)” and inserting “paragraph (2)(A), (2)(B), or (2)(C)”;

(4) in paragraph (6), by striking “chapters 30 and 33” and inserting “chapters 30, 31, and 33”.

38 USC 3679
note.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to courses of education provided during a quarter, semester, or term, as applicable, that begins after March 1, 2019.

SEC. 302. CORRECTIVE ACTION FOR CERTAIN DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES FOR CONFLICTS OF INTEREST WITH EDUCATIONAL INSTITUTIONS OPERATED FOR PROFIT.

(a) IN GENERAL.—Section 3683 of title 38, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) DEPARTMENT OFFICERS AND EMPLOYEES.—(1) An officer or employee of the Department shall receive corrective action or disciplinary action if such officer or employee—

“(A) has, while serving as such an officer or employee, owned any interest in, or received any wage, salary, dividend, profit, or gift from, any educational institution operated for profit; or

“(B) has, while serving as a covered officer or employee of the Department, received any service from any educational institution operated for profit.

“(2) In this subsection, the term ‘covered officer or employee of the Department’ means an officer or employee of the Department who—

“(A) works on the administration of benefits under chapter 30, 31, 32, 33, 34, 35, or 36 of this title; or

“(B) has a potential conflict of interest involving an educational institution operated for profit, as determined by the Secretary.”;

(2) in subsection (b)—

(A) by striking “If the Secretary” and inserting the following:

“(b) STATE APPROVING AGENCY EMPLOYEES.—If the Secretary”;

(B) by striking “wages, salary, dividends, profits, gratuities, or services” and inserting “wage, salary, dividend, profit, or gift”;

(C) by striking “in which an eligible person or veteran was pursuing a program of education or course under this chapter or chapter 34 or 35 of this title”;

(D) by striking “terminate the employment of” and inserting “provide corrective action or disciplinary action with respect to”; and

(E) by striking “while such person is an officer or employee of the State approving agency, or State department of veterans’ affairs or State department of education” and inserting “until the completion of such corrective action or disciplinary action”;

(3) in subsection (c)—

(A) by striking “A State approving agency” and inserting the following:

“(c) DISAPPROVAL OF COURSES.—A State approving agency”;

(B) by striking “of Veterans Affairs”; and

(C) by striking “wages, salary, dividends, profits, gratuities, or services” and inserting “wage, salary, dividend, profit, or gift”; and

(4) in subsection (d)—

(A) by striking “The Secretary may” and inserting the following:

“(d) WAIVER AUTHORITY.—(1) The Secretary may”;

(B) by striking “of Veterans Affairs”;

(C) by striking “, after reasonable notice and public hearings,”; and

(D) by adding at the end the following new paragraph:

“(2) The Secretary shall provide public notice of any waiver granted under this subsection by not later than 30 days after the date on which such waiver is granted.”.

Notification.
Deadline.

(b) EFFECTIVE DATE.—The amendments made by subsection

38 USC 3683
note.

(a) shall take effect on the date of the enactment of this Act and shall apply with respect to conflicts of interest that occur on or after that date.

SEC. 303. MODIFICATION OF COMPLIANCE REQUIREMENTS FOR PARTICULAR LEASES RELATING TO DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

Section 2(h)(1) of the West Los Angeles Leasing Act of 2016 (Public Law 114–226) is amended by striking “any lease or land-sharing agreement at the Campus” and inserting “any new lease

or land-sharing agreement at the Campus that is not in compliance with such laws”.

Approved September 29, 2018.

LEGISLATIVE HISTORY—S. 3479:

CONGRESSIONAL RECORD, Vol. 164 (2018):

Sept. 18, considered and passed Senate.

Sept. 25, considered and passed House.