

Public Law 87-574

AN ACT

August 6, 1962
[H. R. 8992]

To amend certain administrative provisions of title 38, United States Code, relating to the Department of Medicine and Surgery in the Veterans' Administration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 38 of the United States Code is amended as follows:

(1) Section 233 is amended—

(A) by adding the following at the end of the catchline: **“; personal property”;**

(B) by striking out “and” at the end of subparagraph (3) and inserting “; and” in lieu of the period at the end of subparagraph (4); and

(C) by adding the following new subparagraph:

“(5) reimburse employees for the cost of repairing or replacing their personal property damaged or destroyed by patients or domiciliary members while such employees are engaged in the performance of their official duties.”

(2) The analysis of chapter 3 regarding section 233 is amended by inserting the following before the period at the end thereof: **“; personal property”.**

SEC. 2. Chapter 17 of title 38 of the United States Code is amended as follows:

(1) By adding at the end of subchapter II the following new section:

“§ 618. Therapeutic and rehabilitative activities

“The Administrator, upon the recommendation of the Chief Medical Director, may utilize the services of patients and members in Veterans' Administration hospitals and domiciliarys for therapeutic and rehabilitative purposes, at nominal remuneration, and such patients and members shall not under these circumstances be held or considered as employees of the United States for any purpose. The Administrator shall prescribe the conditions for the utilization of such services.”

(2) The analysis of subchapter II is amended by inserting immediately below

“617. Invalid lift for pensioners.”

the following:

“618. Therapeutic and rehabilitative activities.”

SEC. 3. Section 4108(a) of title 38 of the United States Code is amended as follows:

“(a) Within the restrictions herein imposed, the Chief Medical Director may rate any physician appointed under paragraph (1) of section 4104, or on a temporary full-time or part-time basis under section 4114(a), of this title as a medical or surgical specialist, and, upon the recommendation of the Assistant Chief Medical Director for Dentistry, may rate any doctor of dental surgery or dental medicine, appointed under paragraph (1) of section 4104, or on a temporary full-time or part-time basis under section 4114(a), of this title as a dental specialist; however, no person shall at any time hold more than one such rating.”

SEC. 4. Title 38 of the United States Code is further amended as follows:

(1) Section 4105 is amended by inserting immediately after the words “United States” in paragraph (1) the following: **“, except as provided in section 4114”.**

Veterans' Ad-
ministration.
Dept. of Medi-
cine and Surgery.
72 Stat. 1116.

Employees' per-
sonal property.
Reimbursement
for damage.

Hospitals.
Patients and
members.
Utilization of
services.

38 USC 610-617.

Specialist rat-
ings.
Part-time per-
sonnel.
72 Stat. 1246.
72 Stat. 1244.
Post, p. 309.

72 Stat. 1244.

(2) Section 4114 is amended—

(A) by adding the following at the end of the catchline: **“; residencies and internships”;**

(B) by amending subsection (a) to read as follows:

“(a) (1) The Administrator, upon the recommendation of the Chief Medical Director, may employ, without regard to civil service or classification laws, rules, or regulations—

“(A) physicians, dentists, nurses, dietitians, social workers, librarians, and other professional, clerical, technical, and unskilled personnel (including interns, residents, trainees, and students in medical support programs) on a temporary full-time or part-time basis; and

“(B) physicians, dentists, nurses, and other professional and technical personnel on a fee basis.

“(2) Personnel employed under paragraph (1) of this subsection shall be in addition to personnel described in section 4103, paragraph (1) of section 4104, and section 4111 of this title and shall be paid such rates of pay as the Administrator may prescribe.

“(3) (A) Temporary full-time appointments of physicians, dentists, and nurses may exceed ninety days only if the Chief Medical Director finds that circumstances render it impracticable to obtain the necessary services through appointments under paragraph (1) of section 4104 of this title. Temporary full-time appointments of other personnel shall not exceed ninety days.

“(B) No part-time appointment shall be for a period of more than one year, except for appointments of physicians, dentists, nurses and interns, and residents and other trainees in medical support programs.”

(C) By adding the following new subsection:

“(c) When the Chief Medical Director determines that it is not possible to recruit qualified citizens for the necessary services, appointments under this section may be made without regard to the citizenship requirements of section 4105 of this title or of any other law prohibiting the employment of, or payment of compensation to, a person who is not a citizen of the United States.”

(3) The analysis of chapter 73 regarding section 4114 is amended by inserting the following before the period at the end thereof: “; residencies and internships”.

SEC. 5. Section 4103 of title 38, United States Code, is amended—

(1) by striking out the word “Any” at the beginning of subsection (g) and inserting in lieu thereof “Except as provided in subsection (i), any”; and

(2) by adding at the end thereof a new subsection as follows:

“(i) The Administrator may designate a member of the Chaplain Service of the Veterans Administration as Director, Chaplain Service, for a period of two years, subject to removal by the Administrator for cause. During the period that any such member serves as Director, Chaplain Service, he shall be paid a salary, as determined by the Administrator, within the minimum and maximum salary limitations prescribed for Grade GS-15 positions by the Classification Act of 1949, as amended. Redesignations under this subsection may be made for successive like periods. An individual designated as Director, Chaplain Service, shall at the end of his period of service as Director revert to the position, grade, and status which he held immediately prior to being designated Director, Chaplain Service, and all service as Director, Chaplain Service, shall be creditable as service in the former position.”

Approved August 6, 1962.

72 Stat. 1247.

Medical support
programs.
Employment of
trainees.

72 Stat. 1243;
74 Stat. 300.
72 Stat. 1244,
1247.

Appointments of
physicians, etc.
Duration ex-
tended.

Employment of
noncitizens.

72 Stat. 1244.

38 USC 4101-
4115.

Director, Chap-
lain Service.

74 Stat. 298.
5 USC 1113.