

“(i) \$15,000 in the case of a veteran with no dependents; and

“(ii) \$18,000 in the case of a veteran with one dependent, plus \$1,000 for each additional dependent; and

“(B) for a calendar year beginning after December 31, 1986, is the amount in effect for purposes of this paragraph for the preceding calendar year as adjusted under subsection (c) of this subsection.

“(2) The Category B threshold—

“(A) for the calendar year beginning on January 1, 1986, is—

“(i) \$20,000 in the case of a veteran with no dependents; and

“(ii) \$25,000 in the case of a veteran with one dependent, plus \$1,000 for each additional dependent; and

“(B) for a calendar year beginning after December 31, 1986, is the amount in effect for purposes of this paragraph for the preceding calendar year as adjusted under subsection (c) of this subsection.”

Subsec. (c). Pub. L. 101-508, §8013(c)(3), struck out “paragraphs (1) and (2) of” before “subsection (b) of this section”.

Subsec. (d)(2). Pub. L. 101-508, §8013(c)(4), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “A determination described in this paragraph is a determination—

“(A) that for the purposes of subsection (a)(1)(C) of this section a veteran's attributable income is not greater than the Category A threshold; or

“(B) that for the purposes of subsection (a)(2) of this section a veteran's attributable income is not greater than the Category B threshold.”

Subsec. (e)(1). Pub. L. 101-508, §8013(c)(5)(A), substituted “the amount determined under subsection (b) of this section” for “the Category A threshold or the Category B threshold, as appropriate”.

Subsec. (e)(2). Pub. L. 101-508, §8013(c)(5)(B), added par. (2) and struck out former par. (2) which read as follows:

“(A) A veteran is described in this paragraph for the purposes of subsection (a)(1) of this section if—

“(i) the veteran has an attributable income greater than the Category A threshold; and

“(ii) the current projections of such veteran's income for the current year are that the veteran's income for such year will be substantially below such threshold.

“(B) A veteran is described in this paragraph for the purposes of subsection (a)(2) of this section if—

“(i) the veteran has an attributable income greater than the Category B threshold; and

“(ii) the current projections of such veteran's income for the current year are that the veteran's income for such year will be substantially below such threshold.”

1988—Subsec. (g). Pub. L. 100-322 substituted “section” for “sections 610(b)(2) and”.

1986—Pub. L. 99-272 amended section generally, revising and restating existing provisions as subsec. (g) and adding subsecs. (a) to (f).

1980—Pub. L. 96-330 substituted provisions relating to the facts that will be accepted as sufficient evidence of an individual's inability to defray necessary expenses for provisions relating to the use of statements under oath to establish the inability to defray necessary expenses.

1976—Subsec. (a). Pub. L. 94-581, §202(k), substituted “610(a)(1)(B)” for “610(a)(1)” and “632(a)(2)” for “632(b)”.

Subsec. (b). Pub. L. 94-581, §210(a)(9), substituted “such veteran's inability” for “his inability”.

1970—Pub. L. 91-500 designated existing provisions as subsec. (a) and added subsec. (b).

1966—Pub. L. 89-612 inserted reference to section 632(b) of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-508 to remain in effect through the period covered by Pub. L. 102-145, see sec-

tion 111 of Pub. L. 102-145, set out as a note under section 1710 of this title.

Amendment by Pub. L. 101-508 to remain in effect through the period covered by Pub. L. 102-109, see section 111 of Pub. L. 102-109, set out as a note under section 1710 of this title.

Amendment by Pub. L. 101-508 applicable with respect to hospital care and medical services received after Nov. 5, 1990, see section 8013(d) of Pub. L. 101-508, as amended, set out as a note under section 1710 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Provisions of this section as in effect on the day before Apr. 7, 1986, applicable with respect to hospital and nursing home care furnished on or after July 1, 1986, to veterans furnished such care or services on June 30, 1986, but only to the extent that such care is furnished with respect to the same episode of care for which it was furnished on June 30, 1986, see section 19011(f) of Pub. L. 99-272, set out as a note under section 1710 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

INITIAL INCREASE UNDER SUBSECTION (C)

Pub. L. 99-272, title XIX, §19011(c)(3), Apr. 7, 1986, 100 Stat. 378, provided that the first increase under subsection (c) of this section, as added by section 19011(c)(1) of Pub. L. 99-272, was to take effect on Jan. 1, 1987.

§ 1722A. Copayment for medications

(a)(1) Subject to paragraph (2), the Secretary shall require a veteran to pay the United States \$2 for each 30-day supply of medication furnished such veteran under this chapter on an outpatient basis for the treatment of a non-service-connected disability or condition. If the amount supplied is less than a 30-day supply, the amount of the charge may not be reduced.

(2) The Secretary may not require a veteran to pay an amount in excess of the cost to the Secretary for medication described in paragraph (1).

(3) Paragraph (1) does not apply—

(A) to a veteran with a service-connected disability rated 50 percent or more;

(B) to a veteran who is a former prisoner of war;

(C) to a veteran whose annual income (as determined under section 1503 of this title) does not exceed the maximum annual rate of pension which would be payable to such veteran if such veteran were eligible for pension under section 1521 of this title; or

(D) to a veteran who was awarded the medal of honor under section 7271, 8291, or 9271 of title 10 or section 491¹ of title 14.

(4) Paragraph (1) does not apply to opioid antagonists furnished under this chapter to a veteran who is at high risk for overdose of a specific medication or substance in order to reverse the effect of such an overdose.

(b) The Secretary, pursuant to regulations which the Secretary shall prescribe, may—

(1) increase the copayment amount in effect under subsection (a); and

(2) establish a maximum monthly and a maximum annual pharmaceutical copayment

¹ See References in Text note below.

amount under subsection (a) for veterans who have multiple outpatient prescriptions.

(c) Amounts collected under this section shall be deposited in the Department of Veterans Affairs Medical Care Collections Fund.

(Added Pub. L. 101-508, title VIII, §8012(a)(1), Nov. 5, 1990, 104 Stat. 1388-345, §622A; renumbered §1722A, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406; amended Pub. L. 102-139, title V, §518(a), Oct. 28, 1991, 105 Stat. 779; Pub. L. 102-229, title I, Dec. 12, 1991, 105 Stat. 1709; Pub. L. 102-568, title VI, §§605(a), 606(a), Oct. 29, 1992, 106 Stat. 4343; Pub. L. 103-66, title XII, §12002(b), Aug. 10, 1993, 107 Stat. 414; Pub. L. 103-446, title XII, §1201(e)(7), Nov. 2, 1994, 108 Stat. 4685; Pub. L. 105-33, title VIII, §§8021(b), 8023(b)(3), Aug. 5, 1997, 111 Stat. 665, 667; Pub. L. 106-117, title II, §201(a), Nov. 30, 1999, 113 Stat. 1560; Pub. L. 108-7, div. K, title I, §113(c), Feb. 20, 2003, 117 Stat. 482; Pub. L. 108-170, title I, §101(b), Dec. 6, 2003, 117 Stat. 2043; Pub. L. 114-198, title IX, §915(a), July 22, 2016, 130 Stat. 765; Pub. L. 114-223, div. A, title II, §243(a), Sept. 29, 2016, 130 Stat. 884; Pub. L. 114-315, title VI, §603(d), Dec. 16, 2016, 130 Stat. 1570; Pub. L. 115-232, div. A, title VIII, §809(n)(1)(D), Aug. 13, 2018, 132 Stat. 1843.)

Editorial Notes

REFERENCES IN TEXT

Section 491 of title 14, referred to in subsec. (a)(3)(D), was redesignated section 2732 of title 14 by Pub. L. 115-282, title I, §116(b), Dec. 4, 2018, 132 Stat. 4226, and references to section 491 of title 14 deemed to refer to such redesignated section, see section 123(b)(1) of Pub. L. 115-282, set out as a References to Redesignated Sections of Title 14 note preceding section 101 of Title 14, Coast Guard.

AMENDMENTS

2018—Subsec. (a)(3)(D). Pub. L. 115-232 substituted “section 7271, 8291, or 9271 of title 10” for “section 3741, 6241, or 8741 of title 10”.

2016—Subsec. (a)(3)(D). Pub. L. 114-315 added subpar. (D).

Subsec. (a)(4). Pub. L. 114-198 and Pub. L. 114-223 amended subsec. (a) identically, adding par. (4).

2003—Subsec. (a)(3)(B), (C). Pub. L. 108-170 added subpar. (B) and redesignated former subpar. (B) as (C).

Subsec. (c). Pub. L. 108-7, §113(c)(1), substituted “under this section” for “under subsection (a)” in first sentence and struck out second sentence which read as follows: “Amounts collected through use of the authority under subsection (b) shall be deposited in the Department of Veterans Affairs Health Services Improvement Fund.”

Subsec. (d). Pub. L. 108-7, §113(c)(2), struck out subsec. (d) which read as follows: “The provisions of subsection (a) expire on September 30, 2002.”

1999—Subsec. (b). Pub. L. 106-117, §201(a)(1), (2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 106-117, §201(a)(1), (3), redesignated subsec. (b) as (c), substituted “subsection (a)” for “this section”, and inserted at end “Amounts collected through use of the authority under subsection (b) shall be deposited in the Department of Veterans Affairs Health Services Improvement Fund.” Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 106-117, §201(a)(1), redesignated subsec. (c) as (d).

1997—Subsec. (b). Pub. L. 105-33, §8023(b)(3), substituted “Medical Care Collections Fund” for “Medical-Care Cost Recovery Fund”.

Subsec. (c). Pub. L. 105-33, §8021(b), substituted “September 30, 2002” for “September 30, 1998”.

1994—Subsec. (a)(1). Pub. L. 103-446 substituted “veteran to pay” for “veteran) to pay”.

1993—Subsec. (c). Pub. L. 103-66 substituted “1998” for “1992” in first sentence and struck out at end “Notwithstanding the preceding sentence, the provisions of subsection (a) shall be in effect through September 30, 1997.”

1992—Subsec. (a)(1). Pub. L. 102-568, §605(a)(1), struck out “(other than a veteran with a service-connected disability rated 50 percent or more” after “require a veteran”.

Subsec. (a)(3). Pub. L. 102-568, §605(a)(2), added par. (3).

Subsec. (c). Pub. L. 102-568, §606(a), inserted at end “Notwithstanding the preceding sentence, the provisions of subsection (a) shall be in effect through September 30, 1997.”

1991—Pub. L. 102-83 renumbered section 622A of this title as this section.

Subsec. (c). Pub. L. 102-139, as amended by Pub. L. 102-229, substituted “September 30, 1992” for “September 30, 1991”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by section 8023(b)(3) of Pub. L. 105-33 effective Oct. 1, 1997, see section 8023(g) of Pub. L. 105-33, set out as a note under section 1710 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-568, title VI, §605(b), Oct. 29, 1992, 106 Stat. 4343, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to medication furnished after the date of the enactment of this Act [Oct. 29, 1992].”

EFFECTIVE AND TERMINATION DATES

Section to remain in effect through the period covered by Pub. L. 102-145, see section 111 of Pub. L. 102-145, set out as an Effective and Termination Dates of 1990 Amendment note under section 1710 of this title.

Section to remain in effect through the period covered by Pub. L. 102-109, see section 111 of Pub. L. 102-109, set out as an Effective and Termination Dates of 1990 Amendment note under section 1710 of this title.

Pub. L. 101-508, title VIII, §8012(b), Nov. 5, 1990, 104 Stat. 1388-345, provided that: “The amendments made by subsection (a) [enacting this section] shall take effect with respect to medication furnished to a veteran after October 31, 1990, or the date of the enactment of this Act [Nov. 5, 1990], whichever is later.”

§ 1722B. Copayments: waiver of collection of copayments for telehealth and telemedicine visits of veterans

The Secretary may waive the imposition or collection of copayments for telehealth and telemedicine visits of veterans under the laws administered by the Secretary.

(Added Pub. L. 112-154, title I, §103(a), Aug. 6, 2012, 126 Stat. 1169.)

§ 1722C. Copayments: prohibition on collection of copayments for first three mental health care outpatient visits of veterans

(a) PROHIBITION.—Except as provided in subsection (b), notwithstanding section 1710(g) of