

103^D CONGRESS
1ST SESSION

H. R. 2535

AMENDMENT

In the Senate of the United States,

November 20 (legislative day, November 2), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2535) entitled “An Act to amend title 38, United States Code, to provide additional authority for the Secretary of Veterans Affairs to provide health care for veterans of the Persian Gulf War”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. AUTHORITY TO PROVIDE PRIORITY HEALTH***
2 ***CARE TO VETERANS OF THE PERSIAN GULF***
3 ***WAR.***

4 *(a) INPATIENT CARE.—(1) Section 1710(a)(1)(G) of*
5 *title 38, United States Code, is amended by striking out*
6 *“or radiation” and inserting in lieu thereof “, radiation,*
7 *or environmental hazard”.*

8 *(2) Section 1710(e) of such title is amended—*

9 *(A) by inserting at the end of paragraph (1) the*
10 *following new subparagraph:*

1 “(C) Subject to paragraphs (2) and (3) of this sub-
2 section, a veteran who the Secretary finds may have been
3 exposed while serving on active duty in the Southwest Asia
4 theater of operations during the Persian Gulf War to a toxic
5 substance or environmental hazard is eligible for hospital
6 care and nursing home care under subsection (a)(1)(G) of
7 this section for any disability, notwithstanding that there
8 is insufficient medical evidence to conclude that such dis-
9 ability may be associated with such exposure.”;

10 (B) in paragraph (2), by striking out “subpara-
11 graph (A) or (B)” and inserting in lieu thereof “sub-
12 paragraph (A), (B), or (C)”;

13 (C) in paragraph (3), by striking out the period
14 at the end and inserting in lieu thereof “, or, in the
15 case of care for a veteran described in paragraph
16 (1)(C), after December 31, 1994.”.

17 (b) *OUTPATIENT CARE*.—Section 1712(a) of such title
18 is amended—

19 (1) in paragraph (1)—

20 (A) by striking out “and” at the end of sub-
21 paragraph (B);

22 (B) by striking out the period at the end of
23 subparagraph (C) and inserting in lieu thereof “;
24 and”;

25 (C) by adding at the end the following:

1 “(D) during the period before December 31,
2 1994, for any disability in the case of a veteran who
3 served on active duty in the Southwest Asia theater
4 of operations during the Persian Gulf War and who
5 the Secretary finds may have been exposed to a toxic
6 substance or environmental hazard during such serv-
7 ice, notwithstanding that there is insufficient medical
8 evidence to conclude that the disability may be associ-
9 ated with such exposure.”; and

10 (2) by adding at the end the following new para-
11 graph:

12 “(7) Medical services may not be furnished under
13 paragraph (1)(D) with respect to a disability that is found,
14 in accordance with guidelines issued by the Under Sec-
15 retary for Health, to have resulted from a cause other than
16 an exposure described in that paragraph.”.

17 (c) *EFFECTIVE DATE.*—(1) The amendments made by
18 subsections (a) and (b) shall take effect as of August 2, 1990.

19 (2) The Secretary of Veterans Affairs shall, upon re-
20 quest, reimburse any veteran who paid the United States
21 an amount under section 1710(f) or 1712(f) of title 38,
22 United States Code, as the case may be, for hospital care,
23 nursing home care, or outpatient services furnished by the
24 Secretary to the veteran before the date of the enactment
25 of this Act on the basis of a finding that the veteran may

1 *have been exposed to a toxic substance or environmental*
2 *hazard during the Persian Gulf War. The amount of the*
3 *reimbursement shall be the amount that was paid by the*
4 *veteran for such care or services under such section 1710(f)*
5 *or 1712(f).*

6 **SEC. 2. EXTENSION OF CERTAIN HEALTH CARE AND OTHER**
7 **AUTHORITIES.**

8 (a) *ELIGIBILITY FOR CARE FOR EXPOSURE TO DIOXIN*
9 *OR IONIZING RADIATION.*—Section 1710(e)(3) of title 38,
10 *United States Code, as amended by section 1(a)(2)(C), is*
11 *further amended by striking out “December 31, 1993” and*
12 *inserting in lieu thereof “June 30, 1994”.*

13 (b) *ELIGIBILITY FOR SEXUAL TRAUMA COUNSEL-*
14 *ING.*—Section 102(b) of the Women Veterans Health Pro-
15 *grams Act of 1992 (Public Law 102–585; 38 U.S.C. 1720D*
16 *note) is amended—*

17 (1) *by striking out “December 31, 1991,” and in-*
18 *serting in lieu thereof “December 31, 1992,”; and*

19 (2) *by striking out “December 31, 1993” and in-*
20 *serting in lieu thereof “December 31, 1994”.*

21 (c) *AUTHORITY TO MAINTAIN REGIONAL OFFICE IN*
22 *THE PHILIPPINES.*—Section 315(b) of title 38, *United*
23 *States Code, is amended by striking out “March 31, 1994”*
24 *and inserting in lieu thereof “December 31, 1994”.*

1 (d) *AUTHORITY FOR ADVISORY COMMITTEE ON EDU-*
2 *CATION.*—Section 3692(c) of title 38, United States Code,
3 *is amended by striking out “December 31, 1993” and in-*
4 *serting in lieu thereof “December 31, 1994”.*

5 **SEC. 3. SHARING OF RESOURCES WITH STATE HOMES.**

6 (a) *PURPOSE.*—Section 8151 of title 38, United States
7 *Code, is amended by adding at the end the following: “It*
8 *is further the purpose of this subchapter to improve the pro-*
9 *vision of care to veterans under this title by authorizing*
10 *the Secretary to enter into agreements with State veterans*
11 *facilities for the sharing of health-care resources.”.*

12 (b) *DEFINITION.*—Section 8152 of such title is amend-
13 *ed—*

14 (1) *by redesignating paragraph (3) as para-*
15 *graph (4); and*

16 (2) *by inserting after paragraph (2) the follow-*
17 *ing new paragraph (3):*

18 “(3) *The term ‘health-care resource’ includes hos-*
19 *pital care, medical services, and rehabilitative serv-*
20 *ices, as those terms are defined in paragraphs (5),*
21 *(6), and (8), respectively, of section 1701 of this title,*
22 *any other health-care service, and any health-care*
23 *support or administrative resource.”.*

24 (c) *SHARING OF HEALTH-CARE RESOURCES.*—Section
25 *8153(a) of such title is amended—*

1 (1) by inserting “(1)” after “(a)”; and

2 (2) by striking out “other form of agreement,”
3 and all that follows and inserting in lieu thereof the
4 following: “other form of agreement for the mutual
5 use, or exchange of use, of—

6 “(A) specialized medical resources between De-
7 partment health-care facilities and other health-care
8 facilities (including organ banks, blood banks, or
9 similar institutions), research centers, or medical
10 schools; and

11 “(B) health-care resources between Department
12 health-care facilities and State home facilities recog-
13 nized under section 1742(a) of this title.

14 “(2) The Secretary may enter into a contract or other
15 agreement under paragraph (1) only if (A) such an agree-
16 ment will obviate the need for a similar resource to be pro-
17 vided in a Department health care facility, or (B) the De-
18 partment resources which are the subject of the agreement
19 and which have been justified on the basis of veterans’ care
20 are not used to their maximum effective capacity.”.

Attest:

Secretary.