

103^D CONGRESS
1ST SESSION

H. R. 2535

IN THE SENATE OF THE UNITED STATES

AUGUST 3 (legislative day, JUNE 30), 1993

Received; read twice and referred to the Committee on Veterans Affairs

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.

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. AUTHORITY TO PROVIDE PRIORITY HEALTH**
4 **CARE.**

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

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

2 (A) by inserting at the end of paragraph (1) the
3 following new subparagraph:

4 “(C) Subject to paragraphs (2) and (3) of this sub-
5 section, a veteran who the Secretary finds may have been
6 exposed while serving on active duty in the Southwest Asia
7 theater of operations during the Persian Gulf War to a
8 toxic substance or environmental hazard is eligible for hos-
9 pital care and nursing home care under subsection
10 (a)(1)(G) of this section for any disability which becomes
11 manifest before October 1, 1996, notwithstanding that
12 there is insufficient medical evidence to conclude that such
13 disability may be associated with such exposure.”;

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

17 (C) in paragraph (3), by striking out the period
18 at the end and inserting in lieu thereof “, or, in the
19 case of care for a veteran described in paragraph
20 (1)(C), after September 30, 1998.”.

21 (b) AUTHORIZED OUTPATIENT CARE.—Section
22 1712(a) of such title is amended—

23 (1) in paragraph (1)—

24 (A) by striking out “and” at the end of
25 subparagraph (B);

1 (B) by striking out the period at the end
2 of subparagraph (C) and inserting in lieu there-
3 of “; and”; and

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

5 “(D) during the period before October 1, 1998,
6 for any disability which becomes manifest before Oc-
7 tober 1, 1996, in the case of a veteran who served
8 on active duty in the Southwest Asia theater of op-
9 erations during the Persian Gulf War and who the
10 Secretary finds may have been exposed to a toxic
11 substance or environmental hazard during such serv-
12 ice, notwithstanding that there is insufficient medi-
13 cal evidence to conclude that the disability may be
14 associated with such exposure.”; and

15 (2) by adding at the end the following new
16 paragraph:

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

22 **SEC. 2. EFFECTIVE DATE.**

23 (a) **EFFECTIVE DATE.**—The amendments made by
24 section 1 shall take effect as of August 2, 1990.

1 (b) PROCEDURE FOR REFUNDS OF PRIOR PAY-
2 MENTS.—Upon application of a veteran submitted after
3 the date of the enactment of this Act, the Secretary of
4 Veterans Affairs shall refund to the veteran any amount
5 paid by the veteran to the Secretary before the date of
6 the enactment of this Act in accordance with sections
7 1710(f) and 1712(f) of title 38, United States Code, for
8 care and services covered by the amendments made by sec-
9 tion 1.

Passed the House of Representatives August 2,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.