

103^D CONGRESS
2^D SESSION

S. 1030

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1994

Referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma services for veterans, to improve certain Department of Veterans Affairs programs for women veterans, to extend the period of entitlement to inpatient care for veterans exposed to Agent Orange or ionizing radiation, to establish a hospice care pilot program, to establish a rural health care clinics program, to authorize the Secretary of Veterans Affairs to provide per diem payments and construction grants to State homes for adult day health care services, to establish an education debt reduction program, and for other purposes.

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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Veterans Health Programs Improvement Act of 1994”.

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

Sec. 1. Short title; table of contents.

TITLE I—WOMEN VETERANS

- Sec. 101. Department of Veterans Affairs sexual trauma services program.
- Sec. 102. Reports relating to determinations of service connection for sexual trauma.
- Sec. 103. Coordinators of women’s services.
- Sec. 104. Women’s health services.
- Sec. 105. Expansion of research relating to women veterans.
- Sec. 106. Mammography quality standards.

TITLE II—GENERAL HEALTH CARE SERVICES

- Sec. 201. Extension of period of eligibility for medical care for exposure to dioxin or ionizing radiation.
- Sec. 202. Extension of period of eligibility for priority health care for veterans of the Persian Gulf War.
- Sec. 203. Programs for furnishing hospice care to veterans.
- Sec. 204. Rural health-care clinic program.
- Sec. 205. Payment to States of per diem for veterans receiving adult day health care.
- Sec. 206. Revision of authority on use of tobacco products in department facilities.

TITLE III—MISCELLANEOUS

Subtitle A—Education Debt Reduction Program

- Sec. 301. Short title.
- Sec. 302. Program of assistance in the payment of education debts incurred by certain Veterans Health Administration employees.

Subtitle B—Other Provisions

- Sec. 311. Extension of authority of Advisory Committee on Education.
- Sec. 312. Extension of authority to maintain regional office in the Philippines.

3 **TITLE I—WOMEN VETERANS**

4 **SEC. 101. DEPARTMENT OF VETERANS AFFAIRS SEXUAL**
5 **TRAUMA SERVICES PROGRAM.**

6 (a) AUTHORITY TO PROVIDE SERVICES FOR SEXUAL
7 TRAUMA.—(1) Subsection (a)(1) of section 1720D of title
8 38, United States Code is amended—

1 (A) by inserting “(A)” before “During the pe-
2 riod”; and

3 (B) by adding at the end the following:

4 “(B) During the period referred to in subparagraph
5 (A), the Secretary may provide appropriate care and serv-
6 ices to a veteran for an injury, illness, or other psycho-
7 logical condition which the Secretary determines to be the
8 result of a physical assault, battery, or harassment re-
9 ferred to in that subparagraph.”.

10 (2) Subsection (c)(1) of such section is amended to
11 read as follows:

12 “(1) The Secretary shall give priority to the establish-
13 ment and operation of the program to provide counseling
14 and care and services under subsection (a). In the case
15 of a veteran eligible for counseling and care and services
16 under subsection (a)(1), the Secretary shall ensure that
17 the veteran is furnished counseling under this section in
18 a way that is coordinated with the furnishing of such care
19 and services under this chapter.”.

20 (3) Subsection (d) of such section is amended by in-
21 serting “and care and services” after “counseling” each
22 place it appears.

23 (b) AUTHORITY TO PROVIDE SERVICES BY CON-
24 TRACT.—Subsection (a)(3) of such section is amended—

25 (1) by inserting “(A)” before “In furnishing”;

1 (2) in subparagraph (A), as so designated—

2 (i) by striking out “(A)” and inserting in
3 lieu thereof “(i)”; and

4 (ii) by striking out “(B)” and inserting in
5 lieu thereof “(ii)”; and

6 (3) by adding at the end the following:

7 “(B) The Secretary may provide care and services to
8 a veteran under paragraph (1)(B) pursuant to a contract
9 with a qualified non-Department health professional or fa-
10 cility if Department facilities are not capable of furnishing
11 such care and services to that veteran economically be-
12 cause of geographic inaccessibility.”.

13 (c) EXTENSION OF AUTHORITY TO PROVIDE SEXUAL
14 TRAUMA SERVICES.—Subsection (a) of such section, as
15 amended by subsections (a) and (b) of this section, is fur-
16 ther amended—

17 (1) by striking out “December 31, 1995,” in
18 paragraph (1)(A) and inserting in lieu thereof “De-
19 cember 31, 1998,”; and

20 (2) by striking out “December 31, 1994,” in
21 paragraph (3) and inserting in lieu thereof “Decem-
22 ber 31, 1998,”.

23 (d) PERIOD OF ELIGIBILITY TO SEEK SERVICES.—

24 (1) Such subsection, as amended by subsections (a), (b),
25 and (c) of this section, is further amended—

1 (A) by striking out paragraph (2); and

2 (B) by redesignating paragraph (3) as para-
3 graph (2).

4 (2) Section 102(b) of the Veterans Health Care Act
5 of 1992 (Public Law 102–585; 106 Stat. 4946; 38 U.S.C.
6 1720D note) is repealed.

7 (e) REPEAL OF LIMITATION ON PERIOD OF RECEIPT
8 OF SERVICES.—Section 1720D of title 38, United States
9 Code (as amended by subsections (a) through (d) of this
10 section), is further amended—

11 (1) by striking out subsection (b); and

12 (2) by redesignating subsections (c), (d), and
13 (e) as subsections (b), (c), and (d), respectively.

14 (f) INCREASED PRIORITY OF CARE.—Section 1712(i)
15 of title 38, United States Code, is amended—

16 (1) in paragraph (1)—

17 (A) by inserting “(A)” after “To a vet-
18 eran”; and

19 (B) by inserting “, or (B) who is eligible
20 for counseling and care and services under sec-
21 tion 1720D of this title, for the purposes of
22 such counseling and care and services” before
23 the period at the end; and

24 (2) in paragraph (2)—

1 (A) by striking out “, (B)” and inserting
2 in lieu thereof “or (B)”; and

3 (B) by striking out “, or (C)” and all that
4 follows through “such counseling”.

5 (g) PROGRAM REVISION.—(1) Section 1720D of title
6 38, United States Code (as amended by subsections (a)
7 through (e) of this section), is further amended—

8 (A) by striking out “woman” in subsection
9 (a)(1)(A);

10 (B) by striking out “women” in subsection
11 (b)(2)(C) and in the first sentence of subsection (c);
12 and

13 (C) by striking out “women” in subsection
14 (c)(2) and inserting in lieu thereof “individuals”.

15 (2)(A) The heading of such section is amended to
16 read as follows:

17 **“§1720D. Counseling, care, and services for sexual**
18 **trauma”.**

19 (B) The item relating to such section in the table of
20 sections at the beginning of chapter 17 of such title is
21 amended to read as follows:

“1720D. Counseling, care, and services for sexual trauma.”.

22 (h) INFORMATION ON COUNSELING BY TELE-
23 PHONE.—(1) Paragraph (1) of section 1720D(c) of title
24 38, United States Code, as redesignated by subsection (d)

1 of this section, is amended by striking out “may” and in-
2 serting in lieu thereof “shall”.

3 (2) In providing information on counseling available
4 to veterans through the information system required
5 under section 1720D(c)(1) of title 38, United States Code,
6 as amended by this section, the Secretary of Veterans Af-
7 fairs shall ensure—

8 (A) that the telephone system described in such
9 section is operated by Department of Veterans Af-
10 fairs personnel who are trained in the provision to
11 persons who have experienced sexual trauma of in-
12 formation about the counseling and care and serv-
13 ices relating to sexual trauma that are available to
14 veterans in the communities in which such veterans
15 reside, including counseling and care and services
16 available under programs of the Department (includ-
17 ing the care and services available under section
18 1720D of such title) and from non-Department
19 agencies or organizations;

20 (B) that such personnel are provided with infor-
21 mation on the counseling and care and services re-
22 lating to sexual trauma that are available to veter-
23 ans and the locations in which such care and serv-
24 ices are available;

1 (C) that such personnel refer veterans seeking
2 such counseling and care and services to appropriate
3 providers of such counseling and care and services
4 (including counseling and care and services that are
5 available in the communities in which such veterans
6 reside);

7 (D) that the telephone system is operated in a
8 manner that protects the confidentiality of persons
9 who place telephone calls to the system; and

10 (E) that the telephone system operates at all
11 times.

12 (3) The Secretary shall ensure that information about
13 the availability of the telephone system is visibly posted
14 in Department medical facilities and is advertised through
15 public service announcements, pamphlets, and other
16 means.

17 (4) Not later than 18 months after the date of the
18 enactment of this Act, the Secretary shall submit to Con-
19 gress a report on the operation of the telephone system
20 required under section 1720D(c)(1) of title 38, United
21 States Code (as so amended). The report shall set forth
22 the following:

23 (A) The number of telephone calls placed to the
24 system during the period covered by the report, with
25 a separate display of (i) the number of calls placed

1 to the system from each State (as such term is de-
2 fined in section 101(20) of title 38, United States
3 Code) during that period, and (ii) the number of
4 persons who placed more than one call to the system
5 during that period.

6 (B) The types of sexual trauma described to
7 personnel operating the system by persons placing
8 calls to the system.

9 (C) A description of the difficulties, if any, ex-
10 perience by persons placing calls to the system in
11 obtaining counseling and care and services for sexual
12 trauma in the communities in which such persons
13 live, including counseling and care and services
14 available from the Department and from non-De-
15 partment agencies and organizations.

16 (D) A description of the training provided to
17 the personnel operating the system.

18 (E) The recommendations and plans of the Sec-
19 retary for the improvement of the system.

20 (5) The Secretary shall commence operation of the
21 telephone system required under section 1720D(c)(1) of
22 title 38, United States Code (as so amended), not later
23 than 180 days after the date of the enactment of this Act.

1 **SEC. 102. REPORTS RELATING TO DETERMINATIONS OF**
2 **SERVICE CONNECTION FOR SEXUAL TRAUMA.**

3 (a) REPORT.—(1) The Secretary of Veterans Affairs
4 shall submit to the Committees on Veterans' Affairs of
5 the Senate and House of Representatives a report contain-
6 ing the Secretary's assessment of—

7 (A) the difficulties that veterans encounter in
8 obtaining from the Department of Veterans Affairs
9 determinations that disabilities relating to sexual
10 trauma resulting from events that occurred during
11 active duty are service-connected disabilities; and

12 (B) the extent to which Department personnel
13 fail to make determinations that such disabilities are
14 service-connected disabilities.

15 (2) The Secretary shall include in the report the Sec-
16 retary's recommendations for actions to be taken to re-
17 spond in a fair manner to the difficulties described in the
18 report and to eliminate failures to make determinations
19 that such disabilities are service-connected disabilities.

20 (3) The report required by this subsection shall be
21 submitted not later than June 30, 1994.

22 (b) FOLLOW-UP REPORTS.—Not later than June 30
23 of each of 1995 and 1996, the Secretary shall submit to
24 the committees referred to in paragraph (1) of subsection
25 (a) a report on the actions taken by the Secretary to im-

1 plement the recommendations referred to in paragraph (2)
2 of that subsection.

3 (c) DEFINITION.—In this section, the term “sexual
4 trauma” means the immediate and long-term physical or
5 psychological trauma resulting from rape, sexual assault,
6 aggravated sexual abuse (as such term is described in sec-
7 tion 2241 of title 18, United States Code), sexual harass-
8 ment, or other act of sexual violence.

9 **SEC. 103. COORDINATORS OF WOMEN’S SERVICES.**

10 (a) REQUIREMENT OF FULL-TIME SERVICE.—Sec-
11 tion 108 of the Veterans Health Care Act of 1992 (Public
12 Law 102–585; 106 Stat. 4948; 38 U.S.C. 1710 note) is
13 amended—

14 (1) by inserting “(a)” before “The Secretary”;
15 and

16 (2) by adding at the end the following:

17 “(b) Each official who serves in the position of coordi-
18 nator of women’s services under subsection (a) shall so
19 serve on a full-time basis.”.

20 (b) ADDITIONAL RESPONSIBILITIES.—Subsection (a)
21 of such section (as designated by subsection (a) of this
22 section) is further amended—

23 (1) by redesignating paragraph (5) as para-
24 graph (6); and

1 (2) by inserting after paragraph (4) the follow-
2 ing new paragraph (5):

3 “(5) Facilitating communication between
4 women veterans coordinators under the jurisdiction
5 of such regional coordinator and the Under Sec-
6 retary for Health and the Secretary.”.

7 (c) SUPPORT FOR WOMEN’S SERVICES COORDINA-
8 TORS.—The Secretary of Veterans Affairs shall take ap-
9 propriate actions to ensure that—

10 (1) sufficient funding is provided to each De-
11 partment of Veterans Affairs facility in order to per-
12 mit the coordinator of women’s services to carry out
13 the responsibilities of the coordinator at the facility;

14 (2) sufficient clerical and communications sup-
15 port is provided to each such coordinator for that
16 purpose; and

17 (3) each such coordinator has direct access to
18 the Director or Chief of Staff of the facility to which
19 the coordinator is assigned.

20 **SEC. 104. WOMEN’S HEALTH SERVICES.**

21 (a) WOMEN’S HEALTH SERVICES.—Section 1701 of
22 title 38, United States Code, is amended—

23 (1) in paragraph (6)(A)(i), by inserting “wom-
24 en’s health services,” after “preventive health serv-
25 ices,”; and

1 (2) by adding at the end the following:

2 “(10) The term ‘women’s health services’ means
3 health care services provided to women, including counsel-
4 ing and services relating to the following:

5 “(A) Papanicolaou tests (pap smears).

6 “(B) Breast examinations and mammography.

7 “(C) Maternity care, including pre-natal care,
8 delivery, and post-natal care.

9 “(D) Menopause.”.

10 (b) CONTRACTS FOR WOMEN’S HEALTH SERVICES.—
11 Section 1703(a) of such title is amended by adding at the
12 end the following:

13 “(9) Women’s health services for veterans on
14 an ambulatory or outpatient basis.”.

15 (c) REPEAL OF SUPERSEDED AUTHORITY.—Section
16 106 of the Veterans Health Care Act of 1992 (Public Law
17 102–585; 38 U.S.C. 1710 note) is amended—

18 (1) by striking out subsection (a); and

19 (2) by striking out “(b) RESPONSIBILITIES OF
20 DIRECTORS OF FACILITIES.—” before “The Sec-
21 retary”.

22 (d) REPORT ON HEALTH CARE AND RESEARCH.—
23 Section 107(b) of such Act (38 U.S.C. 1710 note) is
24 amended—

1 (1) in paragraph (1), by inserting “and wom-
2 en’s health services (as such term is defined in sec-
3 tion 1701(10) of title 38, United States Code)” after
4 “section 106 of this Act”;

5 (2) in paragraph (2), by striking out “and (B)”
6 and inserting in lieu thereof “(B) the type and
7 amount of services provided by such personnel, in-
8 cluding information on the numbers of inpatient
9 stays and the number of outpatient visits through
10 which such services were provided, and (C)”;

11 (3) by redesignating paragraph (4) as para-
12 graph (7);

13 (4) by adding after paragraph (3) the following
14 new paragraphs:

15 “(4) A description of the personnel of the De-
16 partment who provided such services to women vet-
17 erans, including the number of employees (including
18 both the number of individual employees and the
19 number of full-time employee equivalents) and the
20 professional qualifications or specialty training of
21 such employees and the Department facilities to
22 which such personnel were assigned.

23 “(5) A description of any actions taken by the
24 Secretary to ensure the retention of the personnel
25 described in paragraph (4), and any actions under-

1 taken to recruit additional such personnel or person-
2 nel to replace such personnel.

3 “(6) An assessment by the Secretary of any dif-
4 ficulties experienced by the Secretary in the furnish-
5 ing of such services and the actions taken by the
6 Secretary to resolve such difficulties.”; and

7 (5) by adding after paragraph (7), as redesign-
8 nated by paragraph (3) of this subsection, the fol-
9 lowing:

10 “(8) A description of the actions taken by the
11 Secretary to foster and encourage the expansion of
12 such research.”.

13 **SEC. 105. EXPANSION OF RESEARCH RELATING TO WOMEN**
14 **VETERANS.**

15 (a) HEALTH RESEARCH.—Section 109(a) of the Vet-
16 erans Health Care Act of 1992 (Public Law 102–585; 38
17 U.S.C. 7303 note) is amended—

18 (1) by inserting “(1)” before “The Secretary”;

19 (2) in paragraph (1), as so designated, by strik-
20 ing out “veterans who are women” and inserting in
21 lieu thereof “women veterans”; and

22 (3) by adding at the end the following:

23 “(2) In carrying out this section, the Secretary shall
24 consult with the following:

25 “(A) The Director of the Nursing Service.

1 “(B) Officials of the Central Office assigned re-
2 sponsibility for women’s health programs and sexual
3 trauma services.

4 “(C) The members of the Advisory Committee
5 on Women Veterans established under section 542 of
6 title 38, United States Code.

7 “(D) Members of appropriate task forces and
8 working groups within the Department of Veterans
9 Affairs (including the Women Veterans Working
10 Group and the Task Force on Treatment of Women
11 Who Suffer Sexual Abuse).

12 “(3) The Secretary shall foster and encourage re-
13 search under this section on the following matters as they
14 relate to women:

15 “(A) Breast cancer.

16 “(B) Gynecological and reproductive health, in-
17 cluding gynecological cancer, infertility, sexually-
18 transmitted diseases, and pregnancy.

19 “(C) Human Immunodeficiency Virus and Ac-
20 quired Immune Deficiency Syndrome.

21 “(D) Mental health, including post-traumatic
22 stress disorder and depression.

23 “(E) Diseases related to aging, including meno-
24 pause, osteoporosis, and Alzheimer’s Disease.

25 “(F) Substance abuse.

1 “(G) Sexual violence and related trauma.

2 “(H) Exposure to toxic chemicals and other en-
3 vironmental hazards.

4 “(4) The Secretary shall, to the maximum extent
5 practicable, ensure that personnel of the Department of
6 Veterans Affairs engaged in the research referred to in
7 paragraph (1) include the following:

8 “(A) Personnel of the geriatric research, edu-
9 cation, and clinical centers designated pursuant to
10 section 7314 of title 38, United States Code.

11 “(B) Personnel of the National Center for Post-
12 Traumatic Stress Disorder established pursuant to
13 section 110(c) of the Veterans Health Care Act of
14 1984 (Public Law 98–528; 98 Stat. 2692).

15 “(5) The Secretary shall, to the maximum extent
16 practicable, ensure that personnel of the Department en-
17 gaged in research relating to the health of women veterans
18 are advised and informed of such research engaged in by
19 other personnel of the Department.”.

20 (b) POPULATION STUDY.—Section 110(a) of such
21 Act (38 U.S.C. 1710 note) is amended—

22 (1) in paragraph (1), by striking out the second
23 sentence; and

24 (2) by amending paragraph (3) to read as fol-
25 lows:

1 “(3)(A) Subject to subparagraph (B), the study shall
2 be based on—

3 “(i) an appropriate sample of veterans who are
4 women and of women who are serving on active mili-
5 tary, naval, or air service; and

6 “(ii) an examination of the medical and demo-
7 graphic histories of the women comprising such sam-
8 ple.

9 “(B) The sample referred to in subparagraph (A)
10 shall, to the maximum extent practicable, constitute a rep-
11 resentative sampling (as determined by the Secretary) of
12 the ages, the ethnic, social and economic backgrounds, the
13 enlisted and officer grades, and the branches of service
14 of all veterans who are women and women who are serving
15 on such duty.

16 “(C) In carrying out the examination referred to in
17 subparagraph (A)(ii), the Secretary shall determine the
18 number of women of the sample who have used medical
19 facilities of the Department, nursing home facilities of or
20 under the jurisdiction of the Department, and outpatient
21 care facilities of or under the jurisdiction of the Depart-
22 ment.”.

23 **SEC. 106. MAMMOGRAPHY QUALITY STANDARDS.**

24 (a) PERFORMANCE OF MAMMOGRAMS.—Mammo-
25 grams may not be performed at a Department of Veterans

1 Affairs facility unless that facility is accredited for that
2 purpose by a private nonprofit organization designated by
3 the Secretary of Veterans Affairs. The organization des-
4 igned by the Secretary under this subsection shall meet
5 the standards for accrediting bodies established by the
6 Secretary of Health and Human Services under section
7 354(e) of the Public Health Service Act (42 U.S.C.
8 263b(e)).

9 (b) QUALITY STANDARDS.—(1)(A) The Secretary of
10 Veterans Affairs shall prescribe quality assurance and
11 quality control standards relating to the performance and
12 interpretation of mammograms and use of mammogram
13 equipment and facilities by personnel of the Department
14 of Veterans Affairs. Such standards shall be no less strin-
15 gent than the standards prescribed by the Secretary of
16 Health and Human Services under section 354(f) of the
17 Public Health Service Act.

18 (B) In prescribing such standards, the Secretary of
19 Veterans Affairs shall consult with the Secretary of Health
20 and Human Services.

21 (2) The Secretary of Veterans Affairs shall prescribe
22 such standards not later than 120 days after the Secretary
23 of Health and Human Services prescribes quality stand-
24 ards under such section 354(f).

1 (c) INSPECTION OF DEPARTMENT EQUIPMENT.—(1)
2 The Secretary of Veterans Affairs shall, on an annual
3 basis, inspect the equipment and facilities utilized by and
4 in Department of Veterans Affairs health-care facilities
5 for the performance of mammograms in order to ensure
6 the compliance of such equipment and facilities with the
7 standards prescribed under subsection (b). Such inspec-
8 tion shall be carried out in a manner consistent with the
9 inspection of certified facilities by the Secretary of Health
10 and Human Services under section 354(g) of the Public
11 Health Services Act.

12 (2) The Secretary of Veterans Affairs may not dele-
13 gate the responsibility of such secretary under paragraph
14 (1) to a State agency.

15 (d) APPLICATION OF STANDARDS TO CONTRACT
16 PROVIDERS.—The Secretary of Veterans Affairs shall en-
17 sure that mammograms performed for the Department of
18 Veterans Affairs under contract with any non-Department
19 facility or provider conform to the quality standards pre-
20 scribed by the Secretary of Health and Human Services
21 under section 354 of the Public Health Service Act.

22 (e) REPORT.—(1) The Secretary shall submit to the
23 Committees on Veterans' Affairs of the Senate and House
24 of Representatives a report on the quality standards pre-
25 scribed by the Secretary under subsection (b)(1).

1 (2) The Secretary shall submit the report not later
2 than 180 days after the date on which the Secretary pre-
3 scribes such regulations.

4 (f) DEFINITION.—In this section, the term “mammo-
5 gram” shall have the meaning given such term in section
6 354(a)(5) of the Public Health Service Act (42 U.S.C.
7 263b(a)).

8 **TITLE II—GENERAL HEALTH** 9 **CARE SERVICES**

10 **SEC. 201. EXTENSION OF PERIOD OF ELIGIBILITY FOR MED-** 11 **ICAL CARE FOR EXPOSURE TO DIOXIN OR** 12 **IONIZING RADIATION.**

13 Section 1710(e)(3) of title 38, United States Code,
14 is amended by striking out “June 30, 1994” and inserting
15 in lieu thereof “December 31, 2003”.

16 **SEC. 202. EXTENSION OF PERIOD OF ELIGIBILITY FOR PRI-** 17 **ORITY HEALTH CARE FOR VETERANS OF THE** 18 **PERSIAN GULF WAR.**

19 (a) INPATIENT CARE.—Section 1710(e)(3) of title
20 38, United States Code, is amended by striking out “after
21 December 31, 1994” and inserting in lieu thereof “after
22 September 30, 2003”.

23 (b) OUTPATIENT CARE.—Section 1712(a)(1)(D) of
24 such title is amended by striking out “before December

1 31, 1994” and inserting in lieu thereof “before October
2 1, 2003”.

3 **SEC. 203. PROGRAMS FOR FURNISHING HOSPICE CARE TO**
4 **VETERANS.**

5 (a) ESTABLISHMENT OF PROGRAMS.—Chapter 17 of
6 title 38, United States Code, is amended by adding at the
7 end the following:

8 “SUBCHAPTER VII—HOSPICE CARE PILOT PROGRAM;
9 HOSPICE CARE SERVICES

10 **“§ 1761. Definitions**

11 “For the purposes of this subchapter—

12 “(1) The term ‘terminally ill veteran’ means
13 any veteran—

14 “(A) who is (i) entitled to receive hospital
15 care in a medical facility of the Department
16 under section 1710(a)(1) of this title, (ii) eligi-
17 ble for hospital or nursing home care in such a
18 facility and receiving such care, (iii) receiving
19 care in a State home facility for which care the
20 Secretary is paying per diem under section
21 1741 of this title, or (iv) transferred to a non-
22 Department nursing home for nursing home
23 care under section 1720 of this title and receiv-
24 ing such care; and

1 “(B) who has a medical prognosis (as cer-
2 tified by a Department physician) of a life ex-
3 pectancy of six months or less.

4 “(2) The term ‘hospice care services’ means (A)
5 the care, items, and services referred to in subpara-
6 graphs (A) through (H) of section 1861(dd)(1) of
7 the Social Security Act (42 U.S.C. 1395x(dd)(1)),
8 and (B) personal care services.

9 “(3) The term ‘hospice program’ means any
10 program that satisfies the requirements of section
11 1861(dd)(2) of the Social Security Act (42 U.S.C.
12 1395x(dd)(2)).

13 “(4) The term ‘medical facility of the Depart-
14 ment’ means a facility referred to in section
15 1701(4)(A) of this title.

16 “(5) The term ‘non-Department facility’ means
17 a facility (other than a medical facility of the De-
18 partment) at which care to terminally ill veterans is
19 furnished, regardless of whether such care is fur-
20 nished pursuant to a contract, agreement, or other
21 arrangement referred to in section 1762(b)(1)(D) of
22 this title.

23 “(6) The term ‘personal care services’ means
24 any care or service furnished to a person that is nec-
25 essary to maintain a person’s health and safety

1 within the home or nursing home of the person, in-
2 cluding care or services related to dressing and per-
3 sonal hygiene, feeding and nutrition, and environ-
4 mental support.

5 **“§ 1762. Hospice care: pilot program requirements**

6 “(a)(1) During the period beginning on October 1,
7 1993, and ending on December 31, 1998, the Secretary
8 shall conduct a pilot program in order—

9 “(A) to assess the feasibility and desirability of
10 furnishing hospice care services to terminally ill vet-
11 erans; and

12 “(B) to determine the most efficient and effec-
13 tive means of furnishing such services to such veter-
14 ans.

15 “(2) The Secretary shall conduct the pilot program
16 in accordance with this section.

17 “(b)(1) Under the pilot program, the Secretary
18 shall—

19 “(A) designate not less than 15 nor more than
20 30 medical facilities of the Department at or
21 through which to conduct hospice care services dem-
22 onstration projects;

23 “(B) designate the means by which hospice care
24 services shall be provided to terminally ill veterans

1 under each demonstration project pursuant to sub-
2 section (c);

3 “(C) allocate such personnel and other re-
4 sources of the Department as the Secretary consid-
5 ers necessary to ensure that services are provided to
6 terminally ill veterans by the designated means
7 under each demonstration project; and

8 “(D) enter into any contract, agreement, or
9 other arrangement that the Secretary considers nec-
10 essary to ensure the provision of such services by the
11 designated means under each such project.

12 “(2) In carrying out the responsibilities referred to
13 in paragraph (1) the Secretary shall take into account the
14 need to provide for and conduct the demonstration
15 projects so as to provide the Secretary with such informa-
16 tion as is necessary for the Secretary to evaluate and as-
17 sess the furnishing of hospice care services to terminally
18 ill veterans by a variety of means and in a variety of cir-
19 cumstances.

20 “(3) In carrying out the requirement described in
21 paragraph (2), the Secretary shall ensure, to the maxi-
22 mum extent feasible, that—

23 “(A) the medical facilities of the Department
24 selected to conduct demonstration projects under the
25 pilot program include facilities located in urban

1 areas of the United States and rural areas of the
2 United States;

3 “(B) the full range of affiliations between medi-
4 cal facilities of the Department and medical schools
5 is represented by the facilities selected to conduct
6 demonstration projects under the pilot program, in-
7 cluding no affiliation, minimal affiliation, and exten-
8 sive affiliation;

9 “(C) such facilities vary in the number of beds
10 that they operate and maintain; and

11 “(D) the demonstration projects are located or
12 conducted in accordance with any other criteria or
13 standards that the Secretary considers relevant or
14 necessary to furnish and to evaluate and assess fully
15 the furnishing of hospice care services to terminally
16 ill veterans.

17 “(c)(1) Subject to paragraph (2), hospice care to ter-
18 minally ill veterans shall be furnished under a demonstra-
19 tion project by one or more of the following means des-
20 igned by the Secretary:

21 “(A) By the personnel of a medical facility of
22 the Department providing hospice care services pur-
23 suant to a hospice program established by the Sec-
24 retary at that facility.

1 “(B) By a hospice program providing hospice
2 care services under a contract with that program
3 and pursuant to which contract any necessary inpa-
4 tient services are provided at a medical facility of
5 the Department.

6 “(C) By a hospice program providing hospice
7 care services under a contract with that program
8 and pursuant to which contract any necessary inpa-
9 tient services are provided at a non-Department
10 medical facility.

11 “(2)(A) The Secretary shall provide that—

12 “(i) care is furnished by the means described in
13 paragraph (1)(A) at not less than five medical facili-
14 ties of the Department; and

15 “(ii) care is furnished by the means described
16 in subparagraphs (B) and (C) of paragraph (1) in
17 connection with not less than five such facilities for
18 each such means.

19 “(B) The Secretary shall provide in any contract
20 under subparagraph (B) or (C) of paragraph (1) that in-
21 patient care may be provided to terminally ill veterans at
22 a medical facility other than that designated in the con-
23 tract if the provision of such care at such other facility
24 is necessary under the circumstances.

1 “(d)(1) Except as provided in paragraph (2), the
2 amount paid to a hospice program for care furnished pur-
3 suant to subparagraph (B) or (C) of subsection (c)(1) may
4 not exceed the amount that would be paid to that program
5 for such care under section 1814(i) of the Social Security
6 Act (42 U.S.C. 1395f(i)) if such care were hospice care
7 for which payment would be made under part A of title
8 XVIII of such Act.

9 “(2) The Secretary may pay an amount in excess of
10 the amount referred to in paragraph (1) (or furnish serv-
11 ices whose value, together with any payment by the Sec-
12 retary, exceeds such amount) to a hospice program for
13 furnishing care to a terminally ill veteran pursuant to sub-
14 paragraph (B) or (C) of subsection (c)(1) if the Secretary
15 determines, on a case-by-case basis, that—

16 “(A) the furnishing of such care to the veteran
17 is necessary and appropriate; and

18 “(B) the amount that would be paid to that
19 program under section 1814(i) of the Social Security
20 Act would not compensate the program for the cost
21 of furnishing such care.

22 **“§ 1763. Care for terminally ill veterans**

23 “(a) During the period referred to in section
24 1762(a)(1) of this title, the Secretary shall designate not
25 less than 10 medical facilities of the Department at which

1 hospital care is being furnished to terminally ill veterans
2 to furnish the care referred to in subsection (b)(1).

3 “(b)(1) Palliative care to terminally ill veterans shall
4 be furnished at the facilities referred to in subsection (a)
5 by one of the following means designated by the Secretary:

6 “(A) By personnel of the Department providing
7 one or more hospice care services to such veterans
8 at or through medical facilities of the Department.

9 “(B) By personnel of the Department monitor-
10 ing the furnishing of one or more of such services
11 to such veterans at or through non-Department fa-
12 cilities.

13 “(2) The Secretary shall furnish care by the means
14 referred to in each of subparagraphs (A) and (B) of para-
15 graph (1) at not less than five medical facilities designated
16 under subsection (a).

17 **“§ 1764. Information relating to hospice care services**

18 “The Secretary shall ensure to the extent practicable
19 that terminally ill veterans who have been informed of
20 their medical prognosis receive information relating to the
21 eligibility, if any, of such veterans for hospice care and
22 services under title XVIII of the Social Security Act (42
23 U.S.C. 1395 et seq.).

1 **“§ 1765. Evaluation and reports**

2 “(a) Not later than September 30, 1994, and on an
3 annual basis thereafter until October 1, 1999, the Sec-
4 retary shall submit a written report to the Committees on
5 Veterans’ Affairs of the Senate and House of Representa-
6 tives relating to the conduct of the pilot program under
7 section 1762 of this title and the furnishing of hospice
8 care services under section 1763 of this title. Each report
9 shall include the following information:

10 “(1) The location of the sites of the demonstra-
11 tion projects provided for under the pilot program.

12 “(2) The location of the medical facilities of the
13 Department at or through which hospice care serv-
14 ices are being furnished under section 1763 of this
15 title.

16 “(3) The means by which care to terminally ill
17 veterans is being furnished under each such project
18 and at or through each such facility.

19 “(4) The number of veterans being furnished
20 such care under each such project and at or through
21 each such facility.

22 “(5) An assessment by the Secretary of any dif-
23 ficulties in furnishing such care and the actions
24 taken to resolve such difficulties.

25 “(b) Not later than August 1, 1997, the Secretary
26 shall submit to the committees referred to in subsection

1 (a) a report containing an evaluation and assessment by
2 the Director of the Health Services Research and Develop-
3 ment Service of the hospice care pilot program under sec-
4 tion 1762 of this title and the furnishing of hospice care
5 services under section 1763 of this title. The report shall
6 contain such information (and shall be presented in such
7 form) as will enable the committees to evaluate fully the
8 feasibility and desirability of furnishing hospice care serv-
9 ices to terminally ill veterans.

10 “(c) The report shall include the following:

11 “(1) A description and summary of the pilot
12 program.

13 “(2) With respect to each demonstration project
14 conducted under the pilot program—

15 “(A) a description and summary of the
16 project;

17 “(B) a description of the facility conduct-
18 ing the demonstration project and a discussion
19 of how such facility was selected in accordance
20 with the criteria set out in, or prescribed by the
21 Secretary pursuant to, subparagraphs (A)
22 through (D) of section 1762(b)(3) of this title;

23 “(C) the means by which hospice care serv-
24 ices care are being furnished to terminally ill
25 veterans under the demonstration project;

1 “(D) the personnel used to furnish such
2 services under the demonstration project;

3 “(E) a detailed factual analysis with re-
4 spect to the furnishing of such services, includ-
5 ing (i) the number of veterans being furnished
6 such services, (ii) the number, if any, of inpa-
7 tient admissions for each veteran being fur-
8 nished such services and the length of stay for
9 each such admission, (iii) the number, if any, of
10 outpatient visits for each such veteran, and (iv)
11 the number, if any, of home-care visits provided
12 to each such veteran;

13 “(F) the direct costs, if any, incurred by
14 terminally ill veterans, the members of the fam-
15 ilies of such veterans, and other individuals in
16 close relationships with such veterans in connec-
17 tion with the participation of veterans in the
18 demonstration project;

19 “(G) the costs incurred by the Department
20 in conducting the demonstration project, includ-
21 ing an analysis of the costs, if any, of the dem-
22 onstration project that are attributable to (i)
23 furnishing such services in facilities of the De-
24 partment, (ii) furnishing such services in non-

1 Department facilities, and (iii) administering
2 the furnishing of such services; and

3 “(H) the unreimbursed costs, if any, in-
4 curred by any other entity in furnishing services
5 to terminally ill veterans under the project pur-
6 suant to section 1762(c)(1)(C) of this title.

7 “(3) An analysis of the level of the following
8 persons’ satisfaction with the services furnished to
9 terminally ill veterans under each demonstration
10 project:

11 “(A) Terminally ill veterans who receive
12 such services, members of the families of such
13 veterans, and other individuals in close relation-
14 ships with such veterans.

15 “(B) Personnel of the Department respon-
16 sible for furnishing such services under the
17 project.

18 “(C) Personnel of non-Department facili-
19 ties responsible for furnishing such services
20 under the project.

21 “(4) A description and summary of the means
22 of furnishing hospice care services at or through
23 each medical facility of the Department designated
24 under section 1763(a)(1) of this title.

1 “(5) With respect to each such means, the in-
2 formation referred to in paragraphs (2) and (3).

3 “(6) A comparative analysis by the Director of
4 the services furnished to terminally ill veterans
5 under the various demonstration projects referred to
6 in section 1762 of this title and at or through the
7 designated facilities referred to in section 1763 of
8 this title, with an emphasis in such analysis on a
9 comparison relating to—

10 “(A) the management of pain and health
11 symptoms of terminally ill veterans by such
12 projects and facilities;

13 “(B) the number of inpatient admissions
14 of such veterans and the length of inpatient
15 stays for such admissions under such projects
16 and facilities;

17 “(C) the number and type of medical pro-
18 cedures employed with respect to such veterans
19 by such projects and facilities; and

20 “(D) the effectiveness of such projects and
21 facilities in providing care to such veterans at
22 the homes of such veterans or in nursing
23 homes.

24 “(7) An assessment by the Director of the fea-
25 sibility and desirability of furnishing hospice care

1 services by various means to terminally ill veterans,
 2 including an assessment by the Director of the opti-
 3 mal means of furnishing such services to such veter-
 4 ans.

5 “(8) Any recommendations for additional legis-
 6 lation regarding the furnishing of care to terminally
 7 ill veterans that the Secretary considers appro-
 8 priate.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
 10 at the beginning of such chapter is amended by adding
 11 at the end the following:

“SUBCHAPTER VII—HOSPICE CARE PILOT PROGRAM; HOSPICE CARE SERVICES

“1761. Definitions.

“1762. Hospice care: pilot program requirements.

“1763. Care for terminally ill veterans.

“1764. Information relating to hospice care services.

“1765. Evaluation and reports.”.

12 (c) AUTHORITY TO CARRY OUT OTHER HOSPICE
 13 CARE PROGRAMS.—The amendments made by subsection
 14 (a) may not be construed as terminating the authority of
 15 the Secretary of Veterans Affairs to provide hospice care
 16 services to terminally ill veterans under any program in
 17 addition to the programs required under the provisions
 18 added by such amendments.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—Funds
 20 are authorized to be appropriated for the Department of
 21 Veterans Affairs for the purposes of carrying out the eval-
 22 uation of the hospice care pilot programs under section

1 1765 of title 38, United States Code (as added by sub-
2 section (a)), as follows:

3 (1) For fiscal year 1994, \$1,200,000.

4 (2) For fiscal year 1995, \$2,500,000.

5 (3) For fiscal year 1996, \$2,200,000.

6 (4) For fiscal year 1997, \$100,000.

7 **SEC. 204. RURAL HEALTH-CARE CLINIC PROGRAM.**

8 (a) PROGRAM.—(1) Chapter 17 of title 38, United
9 States Code, is amended by adding at the end of sub-
10 chapter II the following:

11 **“§ 1720E. Rural health-care clinics: pilot program**

12 “(a) During the three-year period beginning on Octo-
13 ber 1, 1993, the Secretary shall conduct a rural health-
14 care clinic program in States where significant numbers
15 of veterans reside in areas geographically remote from ex-
16 isting health-care facilities (as determined by the Sec-
17 retary). The Secretary shall conduct the program in ac-
18 cordance with this section.

19 “(b)(1) In carrying out the rural health-care clinic
20 program, the Secretary shall furnish medical services to
21 the veterans described in subsection (c) through use of—

22 “(A) mobile health-care clinics equipped, oper-
23 ated, and maintained by personnel of the Depart-
24 ment; and

1 “(B) other types of rural clinics, including part-
2 time stationary clinics for which the Secretary con-
3 tracts and part-time stationary clinics operated by
4 personnel of the Department.

5 “(2) The Secretary shall furnish services under the
6 rural health-care clinic program in areas—

7 “(A) that are more than 100 miles from a De-
8 partment general health-care facility; and

9 “(B) that are less than 100 miles from such a
10 facility, if the Secretary determines that the furnish-
11 ing of such services in such areas is appropriate.

12 “(c) A veteran eligible to receive medical services
13 through rural health-care clinics under the program is any
14 veteran eligible for medical services under section 1712 of
15 this title.

16 “(d) The Secretary shall commence operation of at
17 least three rural health-care clinics (at least one of which
18 shall be a mobile health-care clinic) in each fiscal year of
19 the program. The Secretary may not operate more than
20 one mobile health-care clinic under the authority of this
21 section in any State in any such fiscal year.

22 “(e) Not later than 120 days after the date of the
23 enactment of this Act, the Secretary shall submit to Con-
24 gress a report on the Secretary’s plans for the implemen-
25 tation of the pilot program required under this section.

1 “(f) Not later than December 31, 1997, the Secretary
2 shall submit to Congress a report containing an evaluation
3 of the program. The report shall include the following:

4 “(1) A description of the program, including in-
5 formation with respect to—

6 “(A) the number and type of rural health-
7 care clinics operated under the program;

8 “(B) the States in which such clinics were
9 operated;

10 “(C) the medical services furnished under
11 the program, including a detailed specification
12 of the cost of such services;

13 “(D) the veterans who were furnished serv-
14 ices under the program, setting forth (i) the
15 numbers and percentages of the veterans who
16 had service-connected disabilities, (ii) of the vet-
17 erans having such disabilities, the numbers and
18 percentages who were furnished care for such
19 disabilities, (iii) the ages of the veterans, (iv)
20 taking into account the veterans’ past use of
21 Department health-care facilities, an analysis of
22 the extent to which the veterans would have re-
23 ceived medical services from the Department
24 outside the program and the types of services

1 they would have received, and (v) the financial
2 circumstances of the veterans; and

3 “(E) the types of personnel who furnished
4 services to veterans under the program, includ-
5 ing any difficulties in the recruitment or reten-
6 tion of such personnel.

7 “(2) An assessment by the Secretary of the
8 cost-effectiveness and efficiency of furnishing medi-
9 cal services to veterans through various types of
10 rural clinics (including mobile health-care clinics op-
11 erated under the pilot program conducted pursuant
12 to section 113 of the Veterans’ Benefits and Services
13 Act of 1988 (Public Law 100–322; 38 U.S.C. 1712
14 note)).

15 “(3) Any plans for administrative action, and
16 any recommendations for legislation, that the Sec-
17 retary considers appropriate.

18 “(g) For the purposes of this section, the term ‘De-
19 partment general health-care facility’ has the meaning
20 given such term in section 1712A(i)(2) of this title.”.

21 (2) The table of sections at the beginning of such
22 chapter is amended by inserting after the item relating
23 to section 1720D the following new item:

 “1720E. Rural health-care clinics: pilot program.”.

24 (b) AUTHORIZATION OF APPROPRIATIONS.—(1)
25 There is authorized to be appropriated for the Department

1 of Veterans Affairs to carry out the rural health-care clin-
2 ics program provided for in section 1720E of title 38,
3 United States Code (as added by subsection (a)), the fol-
4 lowing:

5 (A) For fiscal year 1994, \$3,000,000.

6 (B) For fiscal year 1995, \$6,000,000.

7 (C) For fiscal year 1996, \$9,000,000.

8 (2) Amounts appropriated pursuant to such author-
9 ization may not be used for any other purpose.

10 (3) No funds may be expended to carry out the rural
11 health-care clinics program provided for in such section
12 1720E unless expressly provided for in an appropriations
13 Act.

14 **SEC. 205. PAYMENT TO STATES OF PER DIEM FOR VETER-**
15 **ANS RECEIVING ADULT DAY HEALTH CARE.**

16 (a) PAYMENT OF PER DIEM FOR VETERANS RECEIV-
17 ING ADULT DAY CARE.—Section 1741 of title 38, United
18 States Code, is amended—

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

20 (2) by redesignating paragraphs (1) and (2) as
21 subparagraphs (A) and (B), respectively; and

22 (3) by adding at the end the following new
23 paragraph (2):

24 “(2) The Secretary may pay each State per diem at
25 a rate determined by the Secretary for each veteran receiv-

1 ing adult day health care in a State home, if such veteran
2 is eligible for such care under laws administered by the
3 Secretary.”.

4 (b) ASSISTANCE TO STATES FOR CONSTRUCTION OF
5 ADULT DAY CARE FACILITIES.—(1) Section 8131(3) of
6 title 38, United States Code, is amended by inserting
7 “adult day health,” before “or hospital care”.

8 (2) Section 8132 of such title is amended by inserting
9 “adult day health,” before “or hospital care”.

10 (3) Section 8135(b) of such title is amended—

11 (A) in paragraph (2)(C), by inserting “or adult
12 day health care facilities” after “domiciliary beds”;
13 and

14 (B) in paragraph (3)(A), by inserting “or con-
15 struction (other than new construction) of adult day
16 health care buildings” before the semicolon.

17 **SEC. 206. REVISION OF AUTHORITY ON USE OF TOBACCO**
18 **PRODUCTS IN DEPARTMENT FACILITIES.**

19 Section 526(a) of the Veterans Health Care Act of
20 1992 (Public Law 102–585; 38 U.S.C. 1715 note) is
21 amended—

22 (1) in paragraph (1), by striking out “estab-
23 lishes and maintains—” and inserting in lieu thereof
24 “may establish and maintain—”; and

1 (2) in paragraph (2), by striking out “provides
 2 access” and all that follows through “paragraph
 3 (1)” and inserting in lieu thereof “if such an area
 4 is established, provides access to the area”.

5 **TITLE III—MISCELLANEOUS**
 6 **Subtitle A—Education Debt**
 7 **Reduction Program**

8 **SEC. 301. SHORT TITLE.**

9 This subtitle may be cited as the “Department of
 10 Veterans Affairs Health Professionals Education Debt Re-
 11 duction Act”.

12 **SEC. 302. PROGRAM OF ASSISTANCE IN THE PAYMENT OF**
 13 **EDUCATION DEBTS INCURRED BY CERTAIN**
 14 **VETERANS HEALTH ADMINISTRATION EM-**
 15 **PLOYEES.**

16 (a) PROGRAM.—(1) Chapter 76 of title 38, United
 17 States Code, is amended by adding at the end the follow-
 18 ing:

19 “SUBCHAPTER VI—EDUCATION DEBT
 20 REDUCTION PROGRAM

21 **“§ 7661. Authority for program**

22 “(a) The Secretary shall carry out an education debt
 23 reduction program under this subchapter. The program
 24 shall be known as the Department of Veterans Affairs
 25 Education Debt Reduction Program (hereafter in this

1 chapter referred to as the ‘Education Debt Reduction Pro-
2 gram’). The purpose of the program is to assist personnel
3 serving in health-care positions in the Veterans Health
4 Administration in reducing the amount of debt incurred
5 by such personnel in completing educational programs
6 that qualify such personnel for such service.

7 “(b)(1) Subject to paragraph (2), assistance under
8 the Education Debt Reduction Program shall be in addi-
9 tion to the assistance available to individuals under the
10 Educational Assistance Program established under this
11 chapter.

12 “(2) An individual may not receive assistance under
13 both the Education Debt Reduction Program and the
14 Educational Assistance Program for the same period of
15 service in the Department.

16 **“§ 7662. Eligibility; application**

17 “(a) An individual eligible to participate in the Edu-
18 cation Debt Reduction Program is any individual (other
19 than a physician or dentist) who—

20 “(1) serves in a position in the Veterans Health
21 Administration under an appointment under section
22 7402(b) of this title;

23 “(2) serves in an occupation, specialty, or geo-
24 graphic area for which the recruitment or retention
25 of an adequate supply of qualified health-care per-

1 sonnel is especially difficult (as determined by the
2 Secretary);

3 “(3) has pursued or is pursuing, as the case
4 may be—

5 “(A) a two-year or four-year course of edu-
6 cation or training at a qualifying undergraduate
7 institution which course qualified or will qualify,
8 as the case may be, the individual for appoint-
9 ment in a position referred to in paragraph (1);
10 or

11 “(B) a course of education at a qualifying
12 graduate institution which course qualified or
13 will qualify, as the case may be, the individual
14 for appointment in such a position; and

15 “(4) owes any amount of principal or interest
16 under a loan or other obligation the proceeds of
17 which were used or are being used, as the case may
18 be, by or on behalf of the individual to pay tuition
19 or other costs incurred by the individual in the pur-
20 suit of a course of education or training referred to
21 in paragraph (3).

22 “(b) Any eligible individual seeking to participate in
23 the Education Debt Reduction Program shall submit an
24 application to the Secretary relating to such participation.

1 **“§ 7663. Agreement**

2 “(a) The Secretary shall enter into an agreement
3 with each individual selected to participate in the Edu-
4 cation Debt Reduction Program. The Secretary and the
5 individual shall enter into such an agreement at the begin-
6 ning of each year for which the individual is selected to
7 so participate.

8 “(b) An agreement between the Secretary and an in-
9 dividual selected to participate in the Education Debt Re-
10 duction Program shall be in writing, shall be signed by
11 the individual, and shall include the following provisions:

12 “(1) The Secretary’s agreement to provide as-
13 sistance on behalf of the individual under the pro-
14 gram upon the completion by the individual of a
15 one-year period of service in a position referred to
16 in section 7662(a) of this title which period begins
17 on the date of the signing of the agreement (or such
18 later date as is jointly agreed upon by the Secretary
19 and the individual).

20 “(2) The individual’s agreement that the Sec-
21 retary shall pay any assistance provided under the
22 program to the holder (as designated by the individ-
23 ual) of any loan or other obligation of the individual
24 referred to in section 7662(a)(4) of this title in
25 order to reduce or satisfy the unpaid balance (in-

1 including principal and interest) due on such loan or
2 other obligation.

3 “(3) The individual’s agreement that assistance
4 shall not be paid on behalf of the individual under
5 the program for a year unless and until the individ-
6 ual completes the one-year period of service referred
7 to in paragraph (1).

8 “(4) The individual’s agreement that assistance
9 shall not be paid on behalf of the individual under
10 the program for a year unless the individual main-
11 tains (as determined by the Secretary) an acceptable
12 level of performance during the service referred to in
13 paragraph (3).

14 **“§ 7664. Amount of assistance**

15 “(a) Subject to subsection (b), the amount of assist-
16 ance provided to an individual under the Education Debt
17 Reduction Program for a year may not exceed \$4,000 (ad-
18 justed in accordance with section 7631 of this title).

19 “(b) The total amount of assistance received by an
20 individual under the Education Debt Reduction Program
21 may not exceed \$12,000 (as so adjusted).”.

22 (2) The table of sections at the beginning of such
23 chapter is amended by adding at the end the following:

“SUBCHAPTER VI—EDUCATION DEBT REDUCTION PROGRAM

“7661. Authority for program.

“7662. Eligibility; application.

“7663. Agreement.

“7664. Amount of assistance.”.

1 (b) CONFORMING AMENDMENTS.—Section 7631 of
2 title 38, United States Code, is amended—

3 (1) in subsection (a), by striking out “and the
4 maximum Selected Reserve member stipend
5 amount” and inserting in lieu thereof “the maxi-
6 mum Selected Reserve stipend amount, and the edu-
7 cation debt reduction amount and limitation”; and

8 (2) in subsection (b)—

9 (A) by redesignating paragraph (4) as
10 paragraph (5); and

11 (B) by inserting after paragraph (3) the
12 following new paragraph (4):

13 “(4) The term ‘education debt reduction
14 amount and limitation’ means the maximum amount
15 of assistance, and the limitation applicable to such
16 assistance, for a person receiving assistance under
17 subchapter VI of this chapter, as specified in section
18 7663 of this title and as previously adjusted (if at
19 all) in accordance with this subsection.”.

20 (c) REGULATIONS.—The Secretary of Veterans Af-
21 fairs shall prescribe regulations necessary to carry out the
22 Education Debt Reduction Program established under
23 subchapter VI of chapter 76 of title 38, United States
24 Code (as added by subsection (a)). The Secretary shall

1 prescribe such regulations not later than 90 days after the
2 date of the enactment of this Act.

3 (d) REPORT.—Section 7632 of title 38, United States
4 Code, is amended—

5 (1) in the matter above paragraph (1), by in-
6 serting “and the Education Debt Reduction Pro-
7 gram” before the period at the end;

8 (2) in paragraph (1)—

9 (A) by inserting “and the Education Debt
10 Reduction Program” after “Educational Assist-
11 ance Program”;

12 (B) by striking out “Program and” and in-
13 serting in lieu thereof “Program,”; and

14 (C) by inserting “, and the Education
15 Debt Reduction Program” before “separately”;

16 (3) in paragraph (3), by striking out “the Edu-
17 cational Assistance Program (or predecessor pro-
18 gram) has” and inserting in lieu thereof “each of
19 the Educational Assistance Program (or predecessor
20 program) and the Education Debt Reduction Pro-
21 gram have”;

22 (4) in paragraph (4)—

23 (A) by striking out “and per” and insert-
24 ing in lieu thereof “, per”; and

1 (B) by inserting “, and per participant in
2 the Education Debt Reduction Program” before
3 the period at the end.

4 (e) EXEMPTION FROM TAXATION.—Section 7636 of
5 title 38, United States Code, is amended—

6 (1) by inserting “(a)” before “Notwithstand-
7 ing”; and

8 (2) by adding at the end the following:

9 “(b) Notwithstanding any other law, any payment on
10 behalf of a participant in the Education Debt Reduction
11 Program for the tuition or other costs referred to in sec-
12 tion 7662(a)(4) of this title shall be exempt from tax-
13 ation.”.

14 (f) AUTHORIZATION OF APPROPRIATIONS.—(1)
15 There is authorized to be appropriated for the Department
16 of Veterans Affairs \$10,000,000 for each of fiscal years
17 1994 through 1998 to carry out the Education Debt Re-
18 duction Program.

19 (2) No funds may be used to provide assistance under
20 the program unless expressly provided for in an appropria-
21 tions Act.

22 (g) EXEMPTION FROM LIMITATION.—Section 523(b)
23 of the Veterans Health Care Act of 1992 (Public Law
24 102–585; 38 U.S.C. 7601 note) shall not apply to the
25 Education Debt Reduction Program.

