

Calendar No. 193

103D CONGRESS
1ST SESSION

S. 1030

[Report No. 103-136]

A BILL

To amend chapter 17 of title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans.

SEPTEMBER 8 (legislative day, SEPTEMBER 7), 1993
Reported with an amendment and an amendment to the
title

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To amend chapter 17 of title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans.

IN THE SENATE OF THE UNITED STATES

MAY 26 (legislative day, APRIL 19), 1993

Mr. ROCKEFELLER (for himself, Mr. DECONCINI, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, Mr. CAMPBELL, Mr. KENNEDY, Mr. CONRAD, Mrs. MURRAY, Mr. JEFFORDS, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

SEPTEMBER 8 (legislative day, SEPTEMBER 7), 1993

Reported by Mr. ROCKEFELLER with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend chapter 17 of title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans.

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. DEPARTMENT OF VETERANS AFFAIRS SEXUAL**
 4 **TRAUMA COUNSELING PROGRAM.**

5 (a) EXTENSION OF PERIOD OF AUTHORITY TO PRO-
 6 VIDE SEXUAL TRAUMA COUNSELING.—Subsection (a) of
 7 section 1720D of title 38, United States Code, is amend-
 8 ed—

9 (1) by striking out “December 31, 1995,” in
 10 paragraph (1) and inserting in lieu thereof “Decem-
 11 ber 31, 1998,”; and

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

15 (b) PERIOD OF ELIGIBILITY TO SEEK COUNSEL-
 16 ING.—(1) Such subsection is further amended—

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

18 (B) by redesignating paragraph (3) (as amend-
 19 ed by subsection (a)(2)) as paragraph (2).

20 (2) Section 102(b) of the Veterans Health Care Act
 21 of 1992 (Public Law 102–585; 106 Stat. 4946; 38 U.S.C.
 22 1720D note) is repealed.

23 (c) REPEAL OF LIMITATION ON PERIOD OF RECEIPT
 24 OF COUNSELING.—Section 1720D of title 38, United
 25 States Code, is further amended—

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

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

4 (d) INCREASED PRIORITY OF CARE.—Section 1712(i)
5 of title 38, United States Code, is amended—

6 (1) in paragraph (1)—

7 (A) by inserting “(A)” after “To a vet-
8 eran”; and

9 (B) by inserting “, or (B) who is eligible
10 for counseling under section 1720D of this title,
11 for the purposes of such counseling” before the
12 period at the end; and

13 (2) in paragraph (2)—

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

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

18 (e) PROGRAM REVISION.—(1) Section 1720D of title
19 38, United States Code, is further amended—

20 (A) by striking out “woman” in subsection
21 (a)(1);

22 (B) by striking out “women” in subsection
23 (b)(2)(C) and in the first sentence of subsection (c),
24 as redesignated by subsection (c); and

1 (C) by striking out “women” in subsection
2 (c)(2), as so redesignated, and inserting in lieu
3 thereof “individuals”.

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

6 **“§ 1720D. Counseling for sexual trauma”.**

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

 “1720D. Counseling for sexual trauma.”.

10 (f) INFORMATION ON COUNSELING BY TELE-
11 PHONE.—(1) Paragraph (1) of section 1720D(c) of title
12 38, United States Code, as redesignated by subsection (c)
13 of this section, is amended by striking out “may” and in-
14 serting in lieu thereof “shall”.

15 (2) In providing information on counseling available
16 to veterans through the information system required
17 under section 1720D(c)(1) of title 38, United States Code
18 (as amended by this section), the Secretary of Veterans
19 Affairs shall ensure—

20 (A) that the telephone system described in such
21 section is operated by Department of Veterans Af-
22 fairs personnel who are trained in the provision to
23 persons who have experienced sexual trauma of in-
24 formation about the care and services relating to
25 sexual trauma that are available to veterans in the

1 communities in which such veterans reside, including
2 care and services available under programs of the
3 Department (including the care and services avail-
4 able under section 1720D of such title) and from
5 non-Department agencies or organizations;

6 (B) that such personnel are provided with infor-
7 mation on the care and services relating to sexual
8 trauma that are available to veterans and the loca-
9 tions in which such care and services are available;

10 (C) that such personnel refer veterans seeking
11 such care and services to appropriate providers of
12 such care and services (including care and services
13 that are available in the communities in which such
14 veterans reside);

15 (D) that the telephone system is operated in a
16 manner that protects the confidentiality of persons
17 who place telephone calls to the system; and

18 (E) that the telephone system operates at all
19 times.

20 (3) The Secretary shall ensure that information about
21 the availability of the telephone system is visibly posted
22 in Department medical facilities and is advertised through
23 public service announcements, pamphlets, and other
24 means.

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

7 (A) The number of telephone calls placed to the
8 system during the period covered by the report, with
9 a separate display of (i) the number of calls placed
10 to the system from each State (as such term is de-
11 fined in section 101(20) of title 38, United States
12 Code) during that period, and (ii) the number of
13 persons who placed more than one call to the system
14 during that period.

15 (B) The types of sexual trauma described to
16 personnel operating the system by persons placing
17 calls to the system.

18 (C) A description of the difficulties, if any, ex-
19 perienceed by persons placing calls to the system in
20 obtaining care and services for sexual trauma in the
21 communities in which such persons live, including
22 counseling and care and services available from the
23 Department and from non-Department agencies and
24 organizations.

1 (D) A description of the training provided to
2 the personnel operating the system.

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

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

9 **SEC. 2. REPORT RELATING TO DETERMINATIONS OF SERV-**
10 **ICE CONNECTION FOR SEXUAL TRAUMA.**

11 (a) **REPORT.**—The Secretary of Veterans Affairs
12 shall submit to the Committees on Veterans' Affairs of
13 the Senate and House of Representatives a report contain-
14 ing the Secretary's assessment of—

15 (1) the difficulties that veterans encounter in
16 obtaining from the Department of Veterans Affairs
17 determinations that disabilities relating to sexual
18 trauma resulting from events that occurred during
19 active duty are service-connected disabilities; and

20 (2) the extent to which Department personnel
21 fail to make determinations that such disabilities are
22 service-connected disabilities.

23 (b) **RECOMMENDATIONS.**—The Secretary shall in-
24 clude in the report the Secretary's recommendations for
25 actions to be taken to respond in a fair manner to the

1 difficulties described in the report and to eliminate failures
 2 to make determinations that such disabilities are service-
 3 connected disabilities.

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

10 (d) DEADLINE FOR REPORT.—The report required
 11 by this section shall be submitted not later than June 30,
 12 1994.

13 **SEC. 3. COORDINATORS OF WOMEN'S SERVICES.**

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

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

19 and

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

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

1 (b) ~~ADDITIONAL RESPONSIBILITIES.~~—Subsection (a)
2 of such section (as designated by subsection (a) of this
3 section) is further amended—

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

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

8 “(5) Facilitating communication between
9 women veterans coordinators under the jurisdiction
10 of such regional coordinator and the Under Sec-
11 retary for Health and the Secretary.”

12 (c) ~~SUPPORT FOR WOMEN’S SERVICES COORDINA-~~
13 ~~TORS.~~—The Secretary of Veterans Affairs shall take
14 appropriate actions to ensure that—

15 (1) sufficient funding is provided to each De-
16 partment of Veterans Affairs facility in order to per-
17 mit the coordinator of women’s services to carry out
18 the responsibilities of the coordinator at the facility;

19 (2) sufficient clerical and communications sup-
20 port is provided to each such coordinator for that
21 purpose; and

22 (3) each such coordinator has direct access to
23 the Director or Chief of Staff of the facility to which
24 the coordinator is assigned.

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—This Act may be cited as the “Vet-
3 *erans Health Programs Improvement Act of 1993*”.

4 (b) *TABLE OF CONTENTS.*—The table of contents of this
5 *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. Authority to provide priority health care to 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.

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.

1 **TITLE I—WOMEN VETERANS**

2 **SEC. 101. DEPARTMENT OF VETERANS AFFAIRS SEXUAL**
3 **TRAUMA SERVICES PROGRAM.**

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

7 (A) *by inserting “(A)” before “During the pe-*
8 *riod”;* and

9 (B) *by adding at the end the following:*

10 *“(B) During the period referred to in subparagraph*
11 *(A), the Secretary may provide appropriate care and serv-*
12 *ices to a veteran for an injury, illness, or other psycho-*
13 *logical condition which the Secretary determines to be the*
14 *result of a physical assault, battery, or harassment referred*
15 *to in that subparagraph.”.*

16 (2) *Subsection (c)(1) of such section is amended to read*
17 *as follows:*

18 (1) *The Secretary shall give priority to the establish-*
19 *ment and operation of the program to provide counseling*
20 *and care and services under subsection (a). In the case of*
21 *a veteran eligible for counseling and care and services under*
22 *subsection (a)(1), the Secretary shall ensure that the veteran*
23 *is furnished counseling under this section in a way that*
24 *is coordinated with the furnishing of such care and services*
25 *under this chapter.”.*

1 (3) *Subsection (d) of such section is amended by insert-*
2 *ing “and care and services” after “counseling” each place*
3 *it appears.*

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

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

7 (2) *in subparagraph (A), as so designated—*

8 (i) *by striking out “(A)” and inserting in*
9 *lieu thereof “(i)”;* and

10 (ii) *by striking out “(B)” and inserting in*
11 *lieu thereof “(ii)”;* and

12 (3) *by adding at the end the following:*

13 *“(B) The Secretary may provide care and services to*
14 *a veteran under paragraph (1)(B) pursuant to a contract*
15 *with a qualified non-Department health professional or fa-*
16 *cility if Department facilities are not capable of furnishing*
17 *such care and services to that veteran economically because*
18 *of geographic inaccessibility.”.*

19 (c) *EXTENSION OF AUTHORITY TO PROVIDE SEXUAL*
20 *TRAUMA SERVICES.—Subsection (a) of such section, as*
21 *amended by subsections (a) and (b) of this section, is further*
22 *amended—*

23 (1) *by striking out “December 31, 1995,” in*
24 *paragraph (1)(A) and inserting in lieu thereof “De-*
25 *cember 31, 1998,”;* and

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

4 (d) *PERIOD OF ELIGIBILITY TO SEEK SERVICES.*—(1)
5 Such subsection, as amended by subsections (a), (b), and
6 (c) of this section, is further amended—

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

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

10 (2) Section 102(b) of the Veterans Health Care Act of
11 1992 (Public Law 102–585; 106 Stat. 4946; 38 U.S.C.
12 1720D note) is repealed.

13 (e) *REPEAL OF LIMITATION ON PERIOD OF RECEIPT*
14 *OF SERVICES.*—Section 1720D of title 38, United States
15 Code (as amended by subsections (a) through (d) of this sec-
16 tion), is further amended—

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

18 (2) by redesignating subsections (c), (d), and (e)
19 as subsections (b), (c), and (d), respectively.

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

22 (1) in paragraph (1)—

23 (A) by inserting “(A)” after “To a veteran”;

24 and

1 (B) by inserting “, or (B) who is eligible for
2 counseling and care and services under section
3 1720D of this title, for the purposes of such coun-
4 seling and care and services” before the period at
5 the end; and

6 (2) in paragraph (2)—

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

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

11 (g) PROGRAM REVISION.—(1) Section 1720D of title
12 38, United States Code (as amended by subsections (a)
13 through (e) of this section), is further amended—

14 (A) by striking out “woman” in subsection
15 (a)(1)(A);

16 (B) by striking out “women” in subsection
17 (b)(2)(C) and in the first sentence of subsection (c);
18 and

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

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

1 **“§ 1720D. Counseling, care, and services for sexual**
2 **trauma”.**

3 (B) *The item relating to such section in the table of*
4 *sections at the beginning of chapter 17 of such title is*
5 *amended to read as follows:*

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

6 (h) *INFORMATION ON COUNSELING BY TELEPHONE.—*

7 (1) *Paragraph (1) of section 1720D(c) of title 38, United*
8 *States Code, as redesignated by subsection (d) of this sec-*
9 *tion, is amended by striking out “may” and inserting in*
10 *lieu thereof “shall”.*

11 (2) *In providing information on counseling available*
12 *to veterans through the information system required under*
13 *section 1720D(c)(1) of title 38, United States Code, as*
14 *amended by this section, the Secretary of Veterans Affairs*
15 *shall ensure—*

16 (A) *that the telephone system described in such*
17 *section is operated by Department of Veterans Affairs*
18 *personnel who are trained in the provision to persons*
19 *who have experienced sexual trauma of information*
20 *about the counseling and care and services relating to*
21 *sexual trauma that are available to veterans in the*
22 *communities in which such veterans reside, including*
23 *counseling and care and services available under pro-*
24 *grams of the Department (including the care and*

1 *services available under section 1720D of such title)*
2 *and from non-Department agencies or organizations;*

3 *(B) that such personnel are provided with infor-*
4 *mation on the counseling and care and services relat-*
5 *ing to sexual trauma that are available to veterans*
6 *and the locations in which such care and services are*
7 *available;*

8 *(C) that such personnel refer veterans seeking*
9 *such counseling and care and services to appropriate*
10 *providers of such counseling and care and services*
11 *(including counseling and care and services that are*
12 *available in the communities in which such veterans*
13 *reside);*

14 *(D) that the telephone system is operated in a*
15 *manner that protects the confidentiality of persons*
16 *who place telephone calls to the system; and*

17 *(E) that the telephone system operates at all*
18 *times.*

19 *(3) The Secretary shall ensure that information about*
20 *the availability of the telephone system is visibly posted in*
21 *Department medical facilities and is advertised through*
22 *public service announcements, pamphlets, and other means.*

23 *(4) Not later than 18 months after the date of the en-*
24 *actment of this Act, the Secretary shall submit to Congress*
25 *a report on the operation of the telephone system required*

1 *under section 1720D(c)(1) of title 38, United States Code*
2 *(as so amended). The report shall set forth the following:*

3 *(A) The number of telephone calls placed to the*
4 *system during the period covered by the report, with*
5 *a separate display of (i) the number of calls placed*
6 *to the system from each State (as such term is defined*
7 *in section 101(20) of title 38, United States Code)*
8 *during that period, and (ii) the number of persons*
9 *who placed more than one call to the system during*
10 *that period.*

11 *(B) The types of sexual trauma described to per-*
12 *sonnel operating the system by persons placing calls*
13 *to the system.*

14 *(C) A description of the difficulties, if any, expe-*
15 *rienced by persons placing calls to the system in ob-*
16 *taining counseling and care and services for sexual*
17 *trauma in the communities in which such persons*
18 *live, including counseling and care and services avail-*
19 *able from the Department and from non-Department*
20 *agencies and organizations.*

21 *(D) A description of the training provided to the*
22 *personnel operating the system.*

23 *(E) The recommendations and plans of the Sec-*
24 *retary for the improvement of the system.*

1 (5) *The Secretary shall commence operation of the tele-*
2 *phone system required under section 1720D(c)(1) of title 38,*
3 *United States Code (as so amended), not later than 180*
4 *days after the date of the enactment of this Act.*

5 **SEC. 102. REPORTS RELATING TO DETERMINATIONS OF**
6 **SERVICE CONNECTION FOR SEXUAL TRAUMA.**

7 (a) *REPORT.—(1) The Secretary of Veterans Affairs*
8 *shall submit to the Committees on Veterans' Affairs of the*
9 *Senate and House of Representatives a report containing*
10 *the Secretary's assessment of—*

11 (A) *the difficulties that veterans encounter in ob-*
12 *taining from the Department of Veterans Affairs de-*
13 *terminations that disabilities relating to sexual trau-*
14 *ma resulting from events that occurred during active*
15 *duty are service-connected disabilities; and*

16 (B) *the extent to which Department personnel*
17 *fail to make determinations that such disabilities are*
18 *service-connected disabilities.*

19 (2) *The Secretary shall include in the report the Sec-*
20 *retary's recommendations for actions to be taken to respond*
21 *in a fair manner to the difficulties described in the report*
22 *and to eliminate failures to make determinations that such*
23 *disabilities are service-connected disabilities.*

24 (3) *The report required by this subsection shall be sub-*
25 *mitted not later than June 30, 1994.*

1 (b) *FOLLOW-UP REPORTS.*—Not later than June 30
2 of each of 1995 and 1996, the Secretary shall submit to the
3 committees referred to in paragraph (1) of subsection (a)
4 a report on the actions taken by the Secretary to implement
5 the recommendations referred to in paragraph (2) of that
6 subsection.

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

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

14 (a) *REQUIREMENT OF FULL-TIME SERVICE.*—Section
15 108 of the Veterans Health Care Act of 1992 (Public Law
16 102–585; 106 Stat. 4948; 38 U.S.C. 1710 note) is amend-
17 ed—

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

19 and

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

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

1 (b) *ADDITIONAL RESPONSIBILITIES.*—Subsection (a)
2 of such section (as designated by subsection (a) of this sec-
3 tion) is further amended—

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

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

8 “(5) *Facilitating communication between women*
9 *veterans coordinators under the jurisdiction of such*
10 *regional coordinator and the Under Secretary for*
11 *Health and the Secretary.*”

12 (c) *SUPPORT FOR WOMEN’S SERVICES COORDINA-*
13 *TORS.*—The Secretary of Veterans Affairs shall take appro-
14 priate actions to ensure that—

15 (1) sufficient funding is provided to each De-
16 partment of Veterans Affairs facility in order to per-
17 mit the coordinator of women’s services to carry out
18 the responsibilities of the coordinator at the facility;

19 (2) sufficient clerical and communications sup-
20 port is provided to each such coordinator for that
21 purpose; and

22 (3) each such coordinator has direct access to the
23 Director or Chief of Staff of the facility to which the
24 coordinator is assigned.

1 **SEC. 104. WOMEN'S HEALTH SERVICES.**

2 (a) *WOMEN'S HEALTH SERVICES.*—Section 1701 of
3 title 38, United States Code, is amended—

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

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

8 “(10) The term ‘women’s health services’ means health
9 care services provided to women, including counseling and
10 services relating to the following:

11 “(A) Papanicolaou tests (pap smear).

12 “(B) Breast examinations and mammography.

13 “(C) Comprehensive reproductive health care, in-
14 cluding pregnancy-related care.

15 “(D) The management of infertility.

16 “(E) The management and prevention of sexu-
17 ally-transmitted diseases.

18 “(F) Menopause.

19 “(G) Physical or psychological conditions arising
20 out of acts of sexual violence.”.

21 (b) *CONTRACTS FOR WOMEN'S HEALTH SERVICES.*—
22 Section 1703(a) of such title is amended by adding at the
23 end the following:

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

1 (c) *REPEAL OF SUPERSEDED AUTHORITY.*—Section
2 *106 of the Veterans Health Care Act of 1992 (Public Law*
3 *102–585; 38 U.S.C. 1710 note) is amended—*

4 (1) *by striking out subsection (a); and*

5 (2) *by striking out “(b) RESPONSIBILITIES OF*
6 *DIRECTORS OF FACILITIES.—” before “The Sec-*
7 *retary”.*

8 (d) *REPORT ON HEALTH CARE AND RESEARCH.*—Sec-
9 *tion 107(b) of such Act (38 U.S.C. 1710 note) is amended—*

10 (1) *in paragraph (1), by inserting “and women’s*
11 *health services (as such term is defined in section*
12 *1701(10) of title 38, United States Code)” after “sec-*
13 *tion 106 of this Act”;*

14 (2) *in paragraph (2), by striking out “and (B)”*
15 *and inserting in lieu thereof “(B) the type and*
16 *amount of services provided by such personnel, in-*
17 *cluding information on the numbers of inpatient*
18 *stays and the number of outpatient visits through*
19 *which such services were provided, and (C)”;*

20 (3) *by redesignating paragraph (4) as para-*
21 *graph (7);*

22 (4) *by adding after paragraph (3) the following*
23 *new paragraphs:*

24 “(4) *A description of the personnel of the De-*
25 *partment who provided such services to women veter-*

1 *ans, including the number of employees (including*
2 *both the number of individual employees and the*
3 *number of full-time employee equivalents) and the*
4 *professional qualifications or specialty training of*
5 *such employees and the Department facilities to which*
6 *such personnel were assigned.*

7 “(5) A description of any actions taken by the
8 *Secretary to ensure the retention of the personnel de-*
9 *scribed in paragraph (4), and any actions undertaken*
10 *to recruit additional such personnel or personnel to*
11 *replace such personnel.*

12 “(6) An assessment by the Secretary of any dif-
13 *iculties experienced by the Secretary in the furnish-*
14 *ing of such services and the actions taken by the Sec-*
15 *retary to resolve such difficulties.”; and*

16 (5) by adding after paragraph (7), as redesign-
17 *ated by paragraph (3) of this subsection, the follow-*
18 *ing:*

19 “(8) A description of the actions taken by the
20 *Secretary to foster and encourage the expansion of*
21 *such research.”.*

1 **SEC. 105. EXPANSION OF RESEARCH RELATING TO WOMEN**
2 **VETERANS.**

3 (a) *HEALTH RESEARCH.*—Section 109(a) of the Veter-
4 ans Health Care Act of 1992 (Public Law 102–585; 38
5 U.S.C. 7303 note) is amended—

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

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

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

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

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

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

17 “(C) The members of the Advisory Committee on
18 Women Veterans established under section 542 of title
19 38, United States Code.

20 “(D) Members of appropriate task forces and
21 working groups within the Department of Veterans
22 Affairs (including the Women Veterans Working
23 Group and the Task Force on Treatment of Women
24 Who Suffer Sexual Abuse).

1 “(3) *The Secretary shall foster and encourage research*
2 *under this section on the following matters as they relate*
3 *to women:*

4 “(A) *Breast cancer.*

5 “(B) *Gynecological and reproductive health, in-*
6 *cluding gynecological cancer, infertility, sexually-*
7 *transmitted diseases, and pregnancy.*

8 “(C) *Human Immunodeficiency Virus and Ac-*
9 *quired Immune Deficiency Syndrome.*

10 “(D) *Mental health, including post-traumatic*
11 *stress disorder and depression.*

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

14 “(F) *Substance abuse.*

15 “(G) *Sexual violence and related trauma.*

16 “(H) *Exposure to toxic chemicals and other envi-*
17 *ronmental hazards.*

18 “(4) *The Secretary shall, to the maximum extent prac-*
19 *ticable, ensure that personnel of the Department of Veterans*
20 *Affairs engaged in the research referred to in paragraph*
21 *(1) include the following:*

22 “(A) *Personnel of the geriatric research, edu-*
23 *cation, and clinical centers designated pursuant to*
24 *section 7314 of title 38, United States Code.*

1 “(B) Personnel of the National Center for Post-
2 Traumatic Stress Disorder established pursuant to
3 section 110(c) of the Veterans Health Care Act of
4 1984 (Public Law 98–528; 98 Stat. 2692).

5 “(5) The Secretary shall, to the maximum extent prac-
6 ticable, ensure that personnel of the Department engaged
7 in research relating to the health of women veterans are
8 advised and informed of such research engaged in by other
9 personnel of the Department.”.

10 (b) POPULATION STUDY.—Section 110(a) of such Act
11 (38 U.S.C. 1710 note) is amended—

12 (1) in paragraph (1), by striking out the second
13 sentence; and

14 (2) by amending paragraph (3) to read as fol-
15 lows:

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

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

21 “(ii) an examination of the medical and demo-
22 graphic histories of the women comprising such sam-
23 ple.

24 “(B) The sample referred to in subparagraph (A) shall,
25 to the maximum extent practicable, constitute a representa-

1 *tive sampling (as determined by the Secretary) of the ages,*
2 *the ethnic, social and economic backgrounds, the enlisted*
3 *and officer grades, and the branches of service of all veterans*
4 *who are women and women who are serving on such duty.*

5 “(C) *In carrying out the examination referred to in*
6 *subparagraph (A)(ii), the Secretary shall determine the*
7 *number of women of the sample who have used medical fa-*
8 *cilities of the Department, nursing home facilities of or*
9 *under the jurisdiction of the Department, and outpatient*
10 *care facilities of or under the jurisdiction of the Depart-*
11 *ment.”.*

12 **SEC. 106. MAMMOGRAPHY QUALITY STANDARDS.**

13 (a) *PERFORMANCE OF MAMMOGRAMS.*—*Mammograms*
14 *may not be performed at a Department of Veterans Affairs*
15 *facility unless that facility is accredited for that purpose*
16 *by a private nonprofit organization designated by the Sec-*
17 *retary of Veterans Affairs. The organization designated by*
18 *the Secretary under this subsection shall meet the standards*
19 *for accrediting bodies established by the Secretary of Health*
20 *and Human Services under section 354(e) of the Public*
21 *Health Service Act (42 U.S.C. 263b(e)).*

22 (b) *QUALITY STANDARDS.*—(1)(A) *The Secretary of*
23 *Veterans Affairs shall prescribe quality assurance and qual-*
24 *ity control standards relating to the performance and inter-*
25 *pretation of mammograms and use of mammogram equip-*

1 *ment and facilities by personnel of the Department of Veter-*
2 *ans Affairs. Such standards shall be no less stringent than*
3 *the standards prescribed by the Secretary of Health and*
4 *Human Services under section 354(f) of the Public Health*
5 *Service Act.*

6 *(B) In prescribing such standards, the Secretary of*
7 *Veterans Affairs shall consult with the Secretary of Health*
8 *and Human Services.*

9 *(2) The Secretary of Veterans Affairs shall prescribe*
10 *such standards not later than 120 days after the Secretary*
11 *of Health and Human Services prescribes quality standards*
12 *under such section 354(f).*

13 *(c) INSPECTION OF DEPARTMENT EQUIPMENT.—(1)*
14 *The Secretary of Veterans Affairs shall, on an annual basis,*
15 *inspect the equipment and facilities utilized by and in De-*
16 *partment of Veterans Affairs health-care facilities for the*
17 *performance of mammograms in order to ensure the compli-*
18 *ance of such equipment and facilities with the standards*
19 *prescribed under subsection (b). Such inspection shall be*
20 *carried out in a manner consistent with the inspection of*
21 *certified facilities by the Secretary of Health and Human*
22 *Services under section 354(g) of the Public Health Services*
23 *Act.*

1 (2) *The Secretary of Veterans Affairs may not delegate*
2 *the responsibility of such secretary under paragraph (1) to*
3 *a State agency.*

4 (d) *APPLICATION OF STANDARDS TO CONTRACT PRO-*
5 *VIDERS.—The Secretary of Veterans Affairs shall ensure*
6 *that mammograms performed for the Department of Veter-*
7 *ans Affairs under contract with any non-Department facil-*
8 *ity or provider conform to the quality standards prescribed*
9 *by the Secretary of Health and Human Services under sec-*
10 *tion 354 of the Public Health Service Act.*

11 (e) *REPORT.—(1) The Secretary shall submit to the*
12 *Committees on Veterans' Affairs of the Senate and House*
13 *of Representatives a report on the quality standards pre-*
14 *scribed by the Secretary under subsection (b)(1).*

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

18 (f) *DEFINITION.—In this section, the term “mammo-*
19 *gram” shall have the meaning given such term in section*
20 *354(a)(5) of the Public Health Service Act (42 U.S.C.*
21 *263b(a)).*

1 **TITLE II—GENERAL HEALTH**
2 **CARE SERVICES**

3 **SEC. 201. EXTENSION OF PERIOD OF ELIGIBILITY FOR MED-**
4 **ICAL CARE FOR EXPOSURE TO DIOXIN OR**
5 **IONIZING RADIATION.**

6 *Section 1710(e)(3) of title 38, United States Code, is*
7 *amended by striking out “December 31, 1993” and insert-*
8 *ing in lieu thereof “December 31, 2003”.*

9 **SEC. 202. AUTHORITY TO PROVIDE PRIORITY HEALTH CARE**
10 **TO VETERANS OF THE PERSIAN GULF WAR.**

11 *(a) AUTHORIZED INPATIENT CARE.—(1) Section*
12 *1710(a)(1)(G) of title 38, United States Code, is amended*
13 *by striking out “or radiation” and inserting in lieu thereof*
14 *“, radiation, or environmental hazard”.*

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

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

18 *“(C) Subject to paragraphs (2) and (3) of this sub-*
19 *section, a veteran who the Secretary finds may have been*
20 *exposed while serving on active duty in the Southwest Asia*
21 *theater of operations during the Persian Gulf War to a toxic*
22 *substance or environmental hazard (including petrochemi-*
23 *cals, the fumes of burning landfills or petrochemicals, phar-*
24 *maceuticals or other chemical agents administered by the*
25 *Department of Defense, indigenous diseases, pesticides, and*

1 *inhalation or ingestion of depleted uranium or wounds*
2 *caused by depleted uranium) is eligible for hospital care*
3 *and nursing home care under subsection (a)(1)(G) of this*
4 *section for any disability, notwithstanding that there is in-*
5 *sufficient medical evidence to conclude that such disability*
6 *may be associated with such exposure.”;*

7 *(B) in paragraph (2), by striking out “subpara-*
8 *graph (A) or (B)” and inserting in lieu thereof “sub-*
9 *paragraph (A), (B), or (C)”;* and

10 *(C) in paragraph (3), by striking out the period*
11 *at the end and inserting in lieu thereof “, or, in the*
12 *case of care for a veteran described in paragraph*
13 *(1)(C), after September 30, 2003.”.*

14 **(b) AUTHORIZED OUTPATIENT CARE.**—Section
15 *1712(a) of such title is amended—*

16 *(1) in paragraph (1)—*

17 *(A) by striking out “and” at the end of sub-*
18 *paragraph (B);*

19 *(B) by striking out the period at the end of*
20 *subparagraph (C) and inserting in lieu thereof “;*
21 *and”;* and

22 *(C) by adding at the end the following:*

23 *“(D) during the period before October 1, 2003,*
24 *for any disability in the case of a veteran who served*
25 *on active duty in the Southwest Asia theater of oper-*

1 *ations during the Persian Gulf War and who the Sec-*
2 *retary finds may have been exposed to a toxic sub-*
3 *stance or environmental hazard (including petro-*
4 *chemicals, the fumes of burning landfills or petro-*
5 *chemicals, pharmaceuticals or other chemical agents*
6 *administered by the Department of Defense, indige-*
7 *nous diseases, pesticides, and inhalation or ingestion*
8 *of depleted uranium or wounds caused by depleted*
9 *uranium) during such service, notwithstanding that*
10 *there is insufficient medical evidence to conclude that*
11 *the disability may be associated with such exposure.”;*
12 *and*

13 *(2) by adding at the end the following new para-*
14 *graph:*

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

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

22 *(2) The Secretary of Veterans Affairs shall, upon re-*
23 *quest, reimburse any veteran who paid the United States*
24 *an amount under section 1710(f) or 1712(f) of title 38,*
25 *United States Code, as the case may be, for hospital care,*

1 *nursing home care, or outpatient services, as the case may*
 2 *be, furnished by the Secretary to the veteran before the date*
 3 *of the enactment of this Act as a result of the exposure of*
 4 *the veteran to a toxic substance or environmental hazards*
 5 *during the Persian Gulf War. The amount of the reimburse-*
 6 *ment shall be the amount paid by the veteran for such care*
 7 *or services under such section 1710(f) or 1712(f).*

8 **SEC. 203. PROGRAMS FOR FURNISHING HOSPICE CARE TO**
 9 **VETERANS.**

10 (a) *ESTABLISHMENT OF PROGRAMS.*—Chapter 17 of
 11 *title 38, United States Code, is amended by adding at the*
 12 *end the following:*

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

15 “§ 1761. **Definitions**

16 “For the purposes of this subchapter—

17 “(1) The term ‘terminally ill veteran’ means any
 18 veteran—

19 “(A) who is (i) entitled to receive hospital
 20 care in a medical facility of the Department
 21 under section 1710(a)(1) of this title, (ii) eligible
 22 for hospital or nursing home care in such a fa-
 23 cility and receiving such care, (iii) receiving
 24 care in a State home facility for which care the
 25 Secretary is paying per diem under section 1741
 26 of this title, or (iv) transferred to a non-Depart-

1 *ment nursing home for nursing home care under*
2 *section 1720 of this title and receiving such care;*
3 *and*

4 *“(B) who has a medical prognosis (as cer-*
5 *tified by a Department physician) of a life ex-*
6 *pectancy of six months or less.*

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

12 *“(3) The term ‘hospice program’ means any pro-*
13 *gram that satisfies the requirements of section*
14 *1861(dd)(2) of the Social Security Act (42 U.S.C.*
15 *1395x(dd)(2)).*

16 *“(4) The term ‘medical facility of the Depart-*
17 *ment’ means a facility referred to in section*
18 *1701(4)(A) of this title.*

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

1 “(6) The term ‘personal care services’ means any
2 care or service furnished to a person that is necessary
3 to maintain a person’s health and safety within the
4 home or nursing home of the person, including care
5 or services related to dressing and personal hygiene,
6 feeding and nutrition, and environmental support.

7 **“§ 1762. Hospice care: pilot program requirements**

8 “(a)(1) During the period beginning on October 1,
9 1993, and ending on December 31, 1998, the Secretary shall
10 conduct a pilot program in order—

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

14 “(B) to determine the most efficient and effective
15 means of furnishing such services to such veterans.

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

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

19 “(A) designate not less than 15 nor more than
20 30 medical facilities of the Department at or through
21 which to conduct hospice care services demonstration
22 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 resources*
4 *of the Department as the Secretary considers nec-*
5 *essary to ensure that services are provided to termi-*
6 *nally ill veterans by the designated means under each*
7 *demonstration project; and*

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

12 *“(2) In carrying out the responsibilities referred to in*
13 *paragraph (1) the Secretary shall take into account the need*
14 *to provide for and conduct the demonstration projects so*
15 *as to provide the Secretary with such information as is nec-*
16 *essary for the Secretary to evaluate and assess the furnish-*
17 *ing of hospice care services to terminally ill veterans by a*
18 *variety of means and in a variety of circumstances.*

19 *“(3) In carrying out the requirement described in*
20 *paragraph (2), the Secretary shall ensure, to the maximum*
21 *extent feasible, that—*

22 *“(A) the medical facilities of the Department se-*
23 *lected to conduct demonstration projects under the*
24 *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 termi-*
18 *nally ill veterans shall be furnished under a demonstration*
19 *project by one or more of the following means designated*
20 *by the Secretary:*

21 *“(A) By the personnel of a medical facility of the*
22 *Department providing hospice care services pursuant*
23 *to a hospice program established by the Secretary at*
24 *that facility.*

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

6 “(C) By a hospice program providing hospice
7 care services under a contract with that program and
8 pursuant to which contract any necessary inpatient
9 services are provided at a non-Department medical
10 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 in
16 subparagraphs (B) and (C) of paragraph (1) in con-
17 nection with not less than five such facilities for each
18 such means.

19 “(B) The Secretary shall provide in any contract
20 under subparagraph (B) or (C) of paragraph (1) that inpa-
21 tient care may be provided to terminally ill veterans at a
22 medical facility other than that designated in the contract
23 if the provision of such care at such other facility is nec-
24 essary 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 for
7 which payment would be made under part A of title XVIII
8 of such Act.

9 “(2) The Secretary may pay an amount in excess of
10 the amount referred to in paragraph (1) (or furnish services
11 whose value, together with any payment by the Secretary,
12 exceeds such amount) to a hospice program for furnishing
13 care to a terminally ill veteran pursuant to subparagraph
14 (B) or (C) of subsection (c)(1) if the Secretary determines,
15 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 pro-
19 gram under section 1814(i) of the Social Security Act
20 would not compensate the program for the cost of fur-
21 nishing 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 at*
8 *or through medical facilities of the Department.*

9 *“(B) By personnel of the Department monitoring*
10 *the furnishing of one or more of such services to such*
11 *veterans at or through non-Department facilities.*

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

16 **“§ 1764. Information relating to hospice care services**

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

23 **“§ 1765. Evaluation and reports**

24 *“(a) Not later than September 30, 1994, and on an*
25 *annual basis thereafter until October 1, 1999, the Secretary*

1 *shall submit a written report to the Committees on Veter-*
2 *ans' Affairs of the Senate and House of Representatives re-*
3 *lating to the conduct of the pilot program under section*
4 *1762 of this title and the furnishing of hospice care services*
5 *under section 1763 of this title. Each report shall include*
6 *the following information:*

7 “(1) *The location of the sites of the demonstra-*
8 *tion projects provided for under the pilot program.*

9 “(2) *The location of the medical facilities of the*
10 *Department at or through which hospice care services*
11 *are being furnished under section 1763 of this title.*

12 “(3) *The means by which care to terminally ill*
13 *veterans is being furnished under each such project*
14 *and at or through each such facility.*

15 “(4) *The number of veterans being furnished*
16 *such care under each such project and at or through*
17 *each such facility.*

18 “(5) *An assessment by the Secretary of any dif-*
19 *ficulties in furnishing such care and the actions taken*
20 *to resolve such difficulties.*

21 “(b) *Not later than August 1, 1997, the Secretary shall*
22 *submit to the committees referred to in subsection (a) a re-*
23 *port containing an evaluation and assessment by the Direc-*
24 *tor of the Health Services Research and Development Serv-*
25 *ice of the hospice care pilot program under section 1762*

1 *of this title and the furnishing of hospice care services under*
2 *section 1763 of this title. The report shall contain such in-*
3 *formation (and shall be presented in such form) as will en-*
4 *able the committees to evaluate fully the feasibility and de-*
5 *sirability of furnishing hospice care services to terminally*
6 *ill veterans.*

7 “(c) *The report shall include the following:*

8 “(1) *A description and summary of the pilot*
9 *program.*

10 “(2) *With respect to each demonstration project*
11 *conducted under the pilot program—*

12 “(A) *a description and summary of the*
13 *project;*

14 “(B) *a description of the facility conducting*
15 *the demonstration project and a discussion of*
16 *how such facility was selected in accordance with*
17 *the criteria set out in, or prescribed by the Sec-*
18 *retary pursuant to, subparagraphs (A) through*
19 *(D) of section 1762(b)(3) of this title;*

20 “(C) *the means by which hospice care serv-*
21 *ices care are being furnished to terminally ill*
22 *veterans under the demonstration project;*

23 “(D) *the personnel used to furnish such*
24 *services under the demonstration project;*

1 “(E) a detailed factual analysis with re-
2 spect to the furnishing of such services, including
3 (i) the number of veterans being furnished such
4 services, (ii) the number, if any, of inpatient ad-
5 missions for each veteran being furnished such
6 services and the length of stay for each such ad-
7 mission, (iii) the number, if any, of outpatient
8 visits for each such veteran, and (iv) the number,
9 if any, of home-care visits provided to each such
10 veteran;

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

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

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

5 “(3) An analysis of the level of the following per-
6 sons’ satisfaction with the services furnished to termi-
7 nally ill veterans under each demonstration project:

8 “(A) Terminally ill veterans who receive
9 such services, members of the families of such vet-
10 erans, and other individuals in close relation-
11 ships with such veterans.

12 “(B) Personnel of the Department respon-
13 sible for furnishing such services under the
14 project.

15 “(C) Personnel of non-Department facilities
16 responsible for furnishing such services under the
17 project.

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

22 “(5) With respect to each such means, the infor-
23 mation referred to in paragraphs (2) and (3).

24 “(6) A comparative analysis by the Director of
25 the services furnished to terminally ill veterans under

1 *the various demonstration projects referred to in sec-*
2 *tion 1762 of this title and at or through the des-*
3 *ignated facilities referred to in section 1763 of this*
4 *title, with an emphasis in such analysis on a com-*
5 *parison relating to—*

6 *“(A) the management of pain and health*
7 *symptoms of terminally ill veterans by such*
8 *projects and facilities;*

9 *“(B) the number of inpatient admissions of*
10 *such veterans and the length of inpatient stays*
11 *for such admissions under such projects and fa-*
12 *cilities;*

13 *“(C) the number and type of medical proce-*
14 *dures employed with respect to such veterans by*
15 *such projects and facilities; and*

16 *“(D) the effectiveness of such projects and*
17 *facilities in providing care to such veterans at*
18 *the homes of such veterans or in nursing homes.*

19 *“(7) An assessment by the Director of the fea-*
20 *sibility and desirability of furnishing hospice care*
21 *services by various means to terminally ill veterans,*
22 *including an assessment by the Director of the opti-*
23 *mal means of furnishing such services to such veter-*
24 *ans.*

1 “(8) Any recommendations for additional legis-
 2 lation regarding the furnishing of care to terminally
 3 ill veterans that the Secretary considers appro-
 4 priate.”.

5 (b) *CLERICAL AMENDMENT.*—The table of sections at
 6 the beginning of such chapter is amended by adding at the
 7 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.”.

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

15 (d) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 16 authorized to be appropriated for the Department of Veter-
 17 ans Affairs for the purposes of carrying out the evaluation
 18 of the hospice care pilot programs under section 1765 of title
 19 38, United States Code (as added by subsection (a)), as fol-
 20 lows:

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

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

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

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

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

4 (a) PROGRAM.—(1) Chapter 17 of title 38, United
5 States Code, is amended by adding at the end of subchapter
6 II the following:

7 **“§ 1720E. Rural health-care clinics: pilot program**

8 “(a) During the three-year period beginning on Octo-
9 ber 1, 1993, the Secretary shall conduct a rural health-care
10 clinic program in States where significant numbers of vet-
11 erans reside in areas geographically remote from existing
12 health-care facilities (as determined by the Secretary). The
13 Secretary shall conduct the program in accordance with
14 this section.

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

18 “(A) mobile health-care clinics equipped, oper-
19 ated, and maintained by personnel of the Depart-
20 ment; and

21 “(B) other types of rural clinics, including part-
22 time stationary clinics for which the Secretary con-
23 tracts and part-time stationary clinics operated by
24 personnel of the Department.

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

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

5 “(B) that are less than 100 miles from such a fa-
6 cility, if the Secretary determines that the furnishing
7 of such services in such areas is appropriate.

8 “(c) A veteran eligible to receive medical services
9 through rural health-care clinics under the program is any
10 veteran eligible for medical services under section 1712 of
11 this title.

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

18 “(e) Not later than 120 days after the date of the enact-
19 ment of this Act, the Secretary shall submit to Congress a
20 report on the Secretary’s plans for the implementation of
21 the pilot program required under this section.

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

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

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

5 “(B) the States in which such clinics were
6 operated;

7 “(C) the medical services furnished under
8 the program, including a detailed specification
9 of the cost of such services;

10 “(D) the veterans who were furnished serv-
11 ices under the program, setting forth (i) the
12 numbers and percentages of the veterans who had
13 service-connected disabilities, (ii) of the veterans
14 having such disabilities, the numbers and per-
15 centages who were furnished care for such dis-
16 abilities, (iii) the ages of the veterans, (iv) taking
17 into account the veterans’ past use of Depart-
18 ment health-care facilities, an analysis of the ex-
19 tent to which the veterans would have received
20 medical services from the Department outside the
21 program and the types of services they would
22 have received, and (v) the financial cir-
23 cumstances of the veterans; and

24 “(E) the types of personnel who furnished
25 services to veterans under the program, including

1 *any difficulties in the recruitment or retention of*
2 *such personnel.*

3 “(2) *An assessment by the Secretary of the cost-*
4 *effectiveness and efficiency of furnishing medical serv-*
5 *ices to veterans through various types of rural clinics*
6 *(including mobile health-care clinics operated under*
7 *the pilot program conducted pursuant to section 113*
8 *of the Veterans’ Benefits and Services Act of 1988*
9 *(Public Law 100–322; 38 U.S.C. 1712 note)).*

10 “(3) *Any plans for administrative action, and*
11 *any recommendations for legislation, that the Sec-*
12 *retary considers appropriate.*

13 “(g) *For the purposes of this section, the term ‘Depart-*
14 *ment general health-care facility’ has the meaning given*
15 *such term in section 1712A(i)(2) of this title.’.*

16 (2) *The table of sections at the beginning of such chap-*
17 *ter is amended by inserting after the item relating to section*
18 *1720D the following new item:*

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

19 (b) *AUTHORIZATION OF APPROPRIATIONS.—(1) There*
20 *is authorized to be appropriated for the Department of Vet-*
21 *erans Affairs to carry out the rural health-care clinics pro-*
22 *gram provided for in section 1720E of title 38, United*
23 *States Code (as added by subsection (a)), the following:*

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

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

1 38, United States Code, is amended by inserting “adult day
2 health,” before “or hospital care”.

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

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

6 (A) in paragraph (2)(C), by inserting “or adult
7 day health care facilities” after “domiciliary beds”;
8 and

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

12 **TITLE III—MISCELLANEOUS**

13 **Subtitle A—Education Debt**

14 **Reduction Program**

15 **SEC. 301. SHORT TITLE.**

16 This subtitle may be cited as the “Department of Veter-
17 ans Affairs Health Professionals Education Debt Reduction
18 Act”.

19 **SEC. 302. PROGRAM OF ASSISTANCE IN THE PAYMENT OF** 20 **EDUCATION DEBTS INCURRED BY CERTAIN** 21 **VETERANS HEALTH ADMINISTRATION EM-** 22 **PLOYEES.**

23 (a) PROGRAM.—(1) Chapter 76 of title 38, United
24 States Code, is amended by adding at the end the following:

1 “(1) serves in a position in the Veterans Health
2 Administration under an appointment under section
3 7402(b) of this title;

4 “(2) serves in an occupation, specialty, or geo-
5 graphic area for which the recruitment or retention of
6 an adequate supply of qualified health-care personnel
7 is especially difficult (as determined by the Sec-
8 retary);

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

11 “(A) a two-year or four-year course of edu-
12 cation or training at a qualifying undergraduate
13 institution which course qualified or will qual-
14 ify, as the case may be, the individual for ap-
15 pointment in a position referred to in paragraph
16 (1); or

17 “(B) a course of education at a qualifying
18 graduate institution which course qualified or
19 will qualify, as the case may be, the individual
20 for appointment in such a position; and

21 “(4) owes any amount of principal or interest
22 under a loan or other obligation the proceeds of which
23 were used or are being used, as the case may be, by
24 or on behalf of the individual to pay tuition or other
25 costs incurred by the individual in the pursuit of a

1 *course of education or training referred to in para-*
2 *graph (3).*

3 “(b) Any eligible individual seeking to participate in
4 *the Education Debt Reduction Program shall submit an ap-*
5 *plication to the Secretary relating to such participation.*

6 **“§ 7663. Agreement**

7 “(a) The Secretary shall enter into an agreement with
8 *each individual selected to participate in the Education*
9 *Debt Reduction Program. The Secretary and the individual*
10 *shall enter into such an agreement at the beginning of each*
11 *year for which the individual is selected to so participate.*

12 “(b) An agreement between the Secretary and an indi-
13 *vidual selected to participate in the Education Debt Reduc-*
14 *tion Program shall be in writing, shall be signed by the*
15 *individual, and shall include the following provisions:*

16 “(1) The Secretary’s agreement to provide assist-
17 *ance on behalf of the individual under the program*
18 *upon the completion by the individual of a one-year*
19 *period of service in a position referred to in section*
20 *7662(a) of this title which period begins on the date*
21 *of the signing of the agreement (or such later date as*
22 *is jointly agreed upon by the Secretary and the indi-*
23 *vidual).*

24 “(2) The individual’s agreement that the Sec-
25 *retary shall pay any assistance provided under the*

1 *program to the holder (as designated by the individ-*
2 *ual) of any loan or other obligation of the individual*
3 *referred to in section 7662(a)(4) of this title in order*
4 *to reduce or satisfy the unpaid balance (including*
5 *principal and interest) due on such loan or other obli-*
6 *gation.*

7 *“(3) The individual’s agreement that assistance*
8 *shall not be paid on behalf of the individual under the*
9 *program for a year unless and until the individual*
10 *completes the one-year period of service referred to in*
11 *paragraph (1).*

12 *“(4) The individual’s agreement that assistance*
13 *shall not be paid on behalf of the individual under the*
14 *program for a year unless the individual maintains*
15 *(as determined by the Secretary) an acceptable level*
16 *of performance during the service referred to in para-*
17 *graph (3).*

18 **“§ 7664. Amount of assistance**

19 *“(a) Subject to subsection (b), the amount of assistance*
20 *provided to an individual under the Education Debt Reduc-*
21 *tion Program for a year may not exceed \$4,000 (adjusted*
22 *in accordance with section 7631 of this title).*

23 *“(b) The total amount of assistance received by an in-*
24 *dividual under the Education Debt Reduction Program*
25 *may not exceed \$12,000 (as so adjusted).”.*

1 (2) *The table of sections at the beginning of such chap-*
 2 *ter 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.”.

3 **(b) CONFORMING AMENDMENTS.**—*Section 7631 of title*
 4 *38, United States Code, is amended—*

5 (1) *in subsection (a), by striking out “and the*
 6 *maximum Selected Reserve member stipend amount”*
 7 *and inserting in lieu thereof “the maximum Selected*
 8 *Reserve stipend amount, and the education debt re-*
 9 *duction amount and limitation”;* and

10 (2) *in subsection (b)—*

11 (A) *by redesignating paragraph (4) as*
 12 *paragraph (5); and*

13 (B) *by inserting after paragraph (3) the fol-*
 14 *lowing new paragraph (4):*

15 “*(4) The term ‘education debt reduction amount*
 16 *and limitation’ means the maximum amount of as-*
 17 *sistance, and the limitation applicable to such assist-*
 18 *ance, for a person receiving assistance under sub-*
 19 *chapter VI of this chapter, as specified in section*
 20 *7663 of this title and as previously adjusted (if at all)*
 21 *in accordance with this subsection.”.*

1 (c) *REGULATIONS.*—*The Secretary of Veterans Affairs*
2 *shall prescribe regulations necessary to carry out the Edu-*
3 *cation Debt Reduction Program established under sub-*
4 *chapter VI of chapter 76 of title 38, United States Code*
5 *(as added by subsection (a)). The Secretary shall prescribe*
6 *such regulations not later than 90 days after the date of*
7 *the enactment of this Act.*

8 (d) *REPORT.*—*Section 7632 of title 38, United States*
9 *Code, is amended—*

10 (1) *in the matter above paragraph (1), by insert-*
11 *ing “and the Education Debt Reduction Program”*
12 *before the period at the end;*

13 (2) *in paragraph (1)—*

14 (A) *by inserting “and the Education Debt*
15 *Reduction Program” after “Educational Assist-*
16 *ance Program”;*

17 (B) *by striking out “Program and” and in-*
18 *serting in lieu thereof “Program,”; and*

19 (C) *by inserting “, and the Education Debt*
20 *Reduction Program” before “separately”;*

21 (3) *in paragraph (3), by striking out “the Edu-*
22 *cational Assistance Program (or predecessor program)*
23 *has” and inserting in lieu thereof “each of the Edu-*
24 *cational Assistance Program (or predecessor program)*
25 *and the Education Debt Reduction Program have”;*

1 (4) in paragraph (4)—

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

4 (B) by inserting “, and per participant in
5 the Education Debt Reduction Program” before
6 the period at the end.

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

9 (1) by inserting “(a)” before “Notwithstanding”;
10 and

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

12 “(b) Notwithstanding any other law, any payment on
13 behalf of a participant in the Education Debt Reduction
14 Program for the tuition or other costs referred to in section
15 7662(a)(4) of this title shall be exempt from taxation.”.

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

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

24 (g) EXEMPTION FROM LIMITATION.—Section 523(b) of
25 the Veterans Health Care Act of 1992 (Public Law 102–

1 585; 38 U.S.C. 7601 note) shall not apply to the Education
2 Debt Reduction Program.

3 ***Subtitle B—Other Provisions***

4 ***SEC. 311. EXTENSION OF AUTHORITY OF ADVISORY COM-***
5 ***MITTEE ON EDUCATION.***

6 *Section 3692(c) of title 38, United States Code, is*
7 *amended by striking out “December 31, 1993” and insert-*
8 *ing in lieu thereof “December 31, 1997”.*

9 ***SEC. 312. EXTENSION OF AUTHORITY TO MAINTAIN RE-***
10 ***GIONAL OFFICE IN THE PHILIPPINES.***

11 *Section 315(b) of title 38, United States Code, is*
12 *amended by striking out “March 31, 1994” and inserting*
13 *in lieu thereof “September 30, 1995”.*

Amend the title so as to read: “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 estab-

lish an education debt reduction program, and for other purposes.”.

S 1030 RS—2

S 1030 RS—3

S 1030 RS—4

S 1030 RS—5