

Union Calendar No. 118

104TH CONGRESS
1ST SESSION

H. R. 1384

[Report No. 104-226]

A BILL

To amend title 38, United States Code, to exempt certain full-time health-care professionals of the Department of Veterans Affairs from restrictions on remunerated outside professional activities.

AUGUST 2, 1995

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 1995

Mr. HUTCHINSON (for himself, Mr. EDWARDS, and Mr. SENSENBRENNER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

AUGUST 2, 1995

Additional sponsors: Mr. KLECZKA, Mr. STUMP, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. STEARNS, Mr. BARR, Mr. COOLEY, Mr. EVANS, Mr. FILNER, Ms. BROWN of Florida, Mr. DOYLE, Mr. MASCARA, Mr. FLANAGAN, Mr. QUINN, Mr. HALL of Ohio, Mrs. THURMAN, Ms. RIVERS, Mr. WARD, Mr. RAHALL, and Mr. PASTOR

AUGUST 2, 1995

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[Insert the part printed in italic]

A BILL

To amend title 38, United States Code, to exempt certain full-time health-care professionals of the Department of

Veterans Affairs from restrictions on remunerated outside professional activities.

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 PERSON-**
4 **NEL ADMINISTRATION.**

5 *(a) EXEMPTION OF CERTAIN HEALTH-CARE PROFES-*
6 *SIONALS FROM RESTRICTIONS ON REMUNERATED OUTSIDE*
7 *PROFESSIONAL ACTIVITIES.*—Section 7423 of title 38,
8 United States Code, is amended—

9 (1) in subsection (b), by striking out paragraph
10 (1) and redesignating paragraphs (2), (3), (4), (5),
11 and (6) as paragraphs (1), (2), (3), (4), and (5), re-
12 spectively;

13 (2) by redesignating subsections (c), (d), (e),
14 and (f) as subsections (d), (e), (f), and (g), respec-
15 tively; and

16 (3) by inserting after subsection (b) the follow-
17 ing new subsection (c):

18 “(c)(1) An employee of the Veterans Health Adminis-
19 tration who is covered by subsection (a) (other than a reg-
20 istered nurse, a physician’s assistant, or an expanded-duty
21 dental auxiliary) may not assume responsibility for the
22 medical care of any patient other than a patient admitted
23 for treatment at a Department facility.

1 “(2) The limitation in paragraph (1) shall not apply
2 in a case in which the employee, upon request and with
3 the approval of the Under Secretary for Health, assumes
4 such responsibilities to assist communities or medical
5 practice groups to meet medical needs which would not
6 otherwise be available. The approval of the Under Sec-
7 retary may not be for a period in excess of 180 days, which
8 may be extended by the Under Secretary for additional
9 periods of not to exceed 180 days.”.

10 **(b) CROSS REFERENCE AMENDMENTS.**—*Subsection*
11 *(d) of such section, as redesignated by subsection (a)(2), is*
12 *amended—*

13 *(1) in the matter preceding paragraph (1), by*
14 *striking out “subsection (b)(6)” and inserting in lieu*
15 *thereof “subsection (b)(5)”;* and

16 *(2) in paragraph (2), by striking out “para-*
17 *graph (1)(B)” and inserting in lieu thereof “section*
18 *7421(b) of this title”.*