

108TH CONGRESS
1ST SESSION

S. 50

To amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

Mr. JOHNSON (for himself, Ms. COLLINS, Mr. REID, Mr. INOUE, Mr. DORGAN, Mr. HARKIN, Mr. KERRY, Mr. DASCHLE, and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care, 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.**

4 This Act may be cited as the “Veterans Health Care
5 Funding Guarantee Act of 2003”.

1 **SEC. 2. GUARANTEED ADEQUATE FUNDING FOR VETERANS**
2 **HEALTH CARE.**

3 (a) IN GENERAL.—Chapter 1 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 117. Guaranteed funding for veterans health care**

7 “(a) For each fiscal year, the Secretary of the Treas-
8 ury shall make available to the Secretary of Veterans Af-
9 fairs the amount determined under subsection (b) with re-
10 spect to that fiscal year. Each such amount is available,
11 without fiscal year limitation, for the programs, functions,
12 and activities of the Veterans Health Administration, as
13 specified in subsection (c).

14 “(b)(1) The amount applicable to fiscal year 2005
15 under this subsection is the amount equal to 120 percent
16 of the amount obligated by the Department during fiscal
17 year 2003 for the purposes specified in subsection (c).

18 “(2) The amount applicable to any fiscal year after
19 fiscal year 2005 under this subsection is the amount equal
20 to the product of the following:

21 “(A) The sum of—

22 “(i) the number of veterans enrolled in the
23 Department health care system under section
24 1705 of this title as of July 1 preceding the be-
25 ginning of such fiscal year; and

1 “(ii) the number of persons eligible for
2 health care under chapter 17 of this title who
3 are not covered by clause (i) and who were pro-
4 vided hospital care or medical services under
5 such chapter at any time during the fiscal year
6 preceding such fiscal year.

7 “(B) The per capita baseline amount, as in-
8 creased from time to time pursuant to paragraph
9 (3)(B).

10 “(3)(A) For purposes of paragraph (2)(B), the term
11 ‘per capita baseline amount’ means the amount equal to—

12 “(i) the amount specified in paragraph (1), di-
13 vided by

14 “(ii) the number of veterans enrolled in the De-
15 partment health care system under section 1705 of
16 this title as of September 30, 2003.

17 “(B) With respect to any fiscal year, the Secretary
18 shall provide a percentage increase (rounded to the near-
19 est dollar) in the per capita baseline amount equal to the
20 percentage by which—

21 “(i) the Consumer Price Index (all Urban Con-
22 sumers, United States city Average, Medical Care,
23 Not Seasonally Adjusted), published by the Bureau
24 of Labor Statistics of the Department of Labor for
25 the 12-month period ending on the June 30 pre-

1 ceding the beginning of the fiscal year for which the
2 increase is made, exceeds

3 “(ii) such Consumer Price Index for the 12-
4 month period preceding the 12-month period de-
5 scribed in clause (i).

6 “(c)(1) Except as provided in paragraph (2), the pur-
7 poses for which amounts made available pursuant to sub-
8 section (a) shall be all programs, functions, and activities
9 of the Veterans Health Administration.

10 “(2) Amounts made available pursuant to subsection
11 (a) are not available for grants under subchapter III of
12 chapter 81 of this title.”.

13 (b) REPEAL OF CONSTRUCTION AUTHORIZATION RE-
14 QUIREMENT.—Section 8104 of title 38, United States
15 Code, is amended to read as follows:

16 **“§ 8104. Additional authorities and limitations**

17 “(a) The Secretary may accept gifts or donations for
18 any of the purposes of this subchapter.

19 “(b)(1) The Secretary may not obligate funds in an
20 amount in excess of \$500,000 from the Advance Planning
21 Fund of the Department toward the design or develop-
22 ment of a major medical facility project until—

23 “(A) the Secretary submits to the committees a
24 report on the proposed obligation; and

1 “(B) a period of 30 days has passed after the
2 date on which the report is received by the commit-
3 tees.

4 “(2) In this subsection, the term ‘major medical facil-
5 ity project’ means a project for the construction, alter-
6 ation, or acquisition of a medical facility involving a total
7 expenditure of more than \$4,000,000, but such term does
8 not include an acquisition by exchange.”.

9 (c) CLERICAL AMENDMENTS.—(1) The table of sec-
10 tions at the beginning of chapter 1 of title 38, United
11 States Code, is amended by adding at the end the fol-
12 lowing new item:

 “117. Guaranteed funding for veterans health care.”.

13 (2) The table of sections at the beginning of chapter
14 81 of such title is amended by striking the item relating
15 to section 8104 and inserting the following new item:

 “8104. Additional authorities and limitations.”.

16 (d) EFFECTIVE DATES.—(1) The amendments made
17 by subsections (a) and (c)(1) shall take effect on the date
18 of the enactment of this Act.

19 (2) The amendments made by subsections (b) and
20 (c)(2) shall take effect on October 1, 2004.

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