

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5856

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2008

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

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## AN ACT

To authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Department of Vet-  
3 erans Affairs Medical Facility Authorization and Lease  
4 Act of 2008”.

5 **SEC. 2. AUTHORIZATION FOR FISCAL YEAR 2009 MAJOR**  
6 **MEDICAL FACILITY PROJECTS.**

7 The Secretary of Veterans Affairs may carry out the  
8 following major medical facility projects in fiscal year  
9 2009 in the amount specified for each project:

10 (1) Seismic corrections, Building 2, at the De-  
11 partment of Veterans Affairs Palo Alto Health care  
12 System, Palo Alto Division Palo Alto, California, in  
13 an amount not to exceed \$54,000,000.

14 (2) Construction of a polytrauma healthcare  
15 and rehabilitation center at the Department of Vet-  
16 erans Affairs Medical Center, San Antonio, Texas,  
17 in an amount not to exceed \$66,000,000.

18 (3) Seismic corrections, Building 1, at the De-  
19 partment of Veterans Affairs Medical Center, San  
20 Juan, Puerto Rico, in an amount not to exceed  
21 \$225,900,000.

1 **SEC. 3. MODIFICATION OF AUTHORIZATION AMOUNTS FOR**  
2 **CERTAIN MAJOR MEDICAL FACILITY CON-**  
3 **STRUCTION PROJECTS PREVIOUSLY AU-**  
4 **THORIZED.**

5 (a) MODIFICATION OF MAJOR MEDICAL FACILITY  
6 AUTHORIZATIONS.—Section 801(a) of the Veterans Bene-  
7 fits, Health Care, and Information Technology Act of  
8 2006 (Public Law 109–461) is amended—

9 (1) in paragraph (1)—

10 (A) by striking “\$300,000,000” and in-  
11 serting “\$625,000,000”; and

12 (B) by striking the second sentence; and

13 (2) in paragraph (3), by striking  
14 “\$98,000,000” and inserting “\$769,200,000”.

15 (b) MODIFICATION OF AUTHORIZATION FOR CER-  
16 TAIN MAJOR MEDICAL FACILITY CONSTRUCTION  
17 PROJECTS PREVIOUSLY AUTHORIZED IN CONNECTION  
18 WITH CAPITAL ASSET REALIGNMENT INITIATIVE.—

19 (1) CORRECTION OF PATIENT PRIVACY DEFICI-  
20 CIENCIES AT THE DEPARTMENT OF VETERANS AF-  
21 FAIRS MEDICAL CENTER, GAINESVILLE, FLORIDA.—

22 Paragraph (5) of section 802 of the Veterans Bene-  
23 fits, Health Care, and Information Technology Act  
24 of 2006 (Public Law 109–461) is amended by strik-  
25 ing “\$85,200,000” and inserting “\$136,700,000”.

1           (2) CONSTRUCTION OF A NEW MEDICAL CEN-  
2           TER FACILITY AT THE DEPARTMENT OF VETERANS  
3           AFFAIRS MEDICAL CENTER, LAS VEGAS, NEVADA.—  
4           Paragraph (7) of such section is amended by strik-  
5           ing “\$406,000,000” and inserting “\$600,400,000”.

6           (3) CONSTRUCTION OF A NEW OUTPATIENT  
7           CLINIC, LEE COUNTY, FLORIDA.—Paragraph (8) of  
8           such section is amended—

9                   (A) by striking “ambulatory” and all that  
10                  follows through “purchase,” and inserting “out-  
11                  patient clinic in”; and

12                   (B) by striking “\$65,100,000” and insert-  
13                  ing “\$131,800,000”.

14           (4) CONSTRUCTION OF A NEW MEDICAL CEN-  
15           TER FACILITY, ORLANDO, FLORIDA.—Paragraph  
16           (11) of such section is amended by striking  
17           “\$377,700,000” and inserting “\$656,800,000”.

18           (5) CONSOLIDATION OF CAMPUSES AT THE UNI-  
19           VERSITY DRIVE AND H. JOHN HEINZ III DIVISIONS,  
20           PITTSBURGH, PENNSYLVANIA.—Paragraph (12) of  
21           such section is amended by striking “\$189,205,000”  
22           and inserting “\$295,600,000”.

1 **SEC. 4. AUTHORIZATION OF FISCAL YEAR 2009 MAJOR MED-**  
2 **ICAL FACILITY LEASES.**

3 The Secretary of Veterans Affairs may carry out the  
4 following major medical facility leases in fiscal year 2009  
5 at the locations specified, and in an amount for each lease  
6 not to exceed the amount shown for such location:

7 (1) For an outpatient clinic, Brandon, Florida,  
8 \$4,326,000.

9 (2) For an outpatient clinic, Colorado Springs,  
10 Colorado, \$3,995,000.

11 (3) For an outpatient clinic, Eugene, Oregon,  
12 \$5,826,000.

13 (4) For the expansion of an outpatient clinic,  
14 Green Bay, Wisconsin, \$5,891,000.

15 (5) For an outpatient clinic, Greenville, South  
16 Carolina, \$3,731,000.

17 (6) For an outpatient clinic, Mansfield, Ohio,  
18 \$2,212,000.

19 (7) For an outpatient clinic, Mayaguez, Puerto  
20 Rico, \$6,276,000.

21 (8) For an outpatient clinic, Mesa, Arizona,  
22 \$5,106,000.

23 (9) For interim research space, Palo Alto, Cali-  
24 fornia, \$8,636,000.

25 (10) For the expansion of an outpatient clinic,  
26 Savannah, Georgia, \$3,168,000.

1           (11) For an outpatient clinic, Sun City, Ari-  
2           zona, \$2,295,000.

3           (12) For a primary care annex, Tampa, Flor-  
4           ida, \$8,652,000.

5 **SEC. 5. AUTHORIZATION OF CONSTRUCTION OF MAJOR**  
6                   **MEDICAL FACILITY, OKALOOSA COUNTY,**  
7                   **FLORIDA.**

8           (a) AUTHORIZATION.—The Secretary of Veterans Af-  
9           fairs shall carry out a major medical facility project to  
10          construct a new medical facility of the Department of Vet-  
11          erans Affairs in Okaloosa County, Florida, in an amount  
12          not to exceed \$54,475,000.

13          (b) FACILITY LOCATION.—The facility authorized to  
14          be constructed pursuant to subsection (a) shall be built  
15          in accordance with option 2 of the report to Congress  
16          dated June 26, 2007, required to be submitted under sec-  
17          tion 823 of the Veterans Benefits, Health Care, and Infor-  
18          mation Technology Act of 2006 (Public Law 109–461;  
19          120 Stat. 3449).

20          (c) PLAN FOR SHARING OF INPATIENT AND OUT-  
21          PATIENT SERVICES.—Not later than 180 days after the  
22          date of the enactment of the Act, the Secretary of Vet-  
23          erans Affairs shall submit to the Committees on Veterans’  
24          Affairs of the Senate and House of Representatives a plan  
25          that sets forth terms and conditions for the sharing of in-

1 patient and outpatient services at the medical facility au-  
2 thorized to be constructed pursuant to subsection (a).

3 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AUTHORIZATION OF APPROPRIATIONS FOR FIS-  
5 CAL YEAR 2009 MAJOR MEDICAL FACILITY PROJECTS.—

6 There is authorized to be appropriated for the Secretary  
7 of Veterans Affairs for fiscal year 2009 for the Construc-  
8 tion, Major Projects, account—

9 (1) \$345,900,000 for the projects authorized in  
10 section 2;

11 (2) \$1,694,295,000 for the increased amounts  
12 authorized for projects whose authorizations are  
13 modified by section 3; and

14 (3) \$54,475,000 for the project authorized in  
15 section 5.

16 (b) AUTHORIZATION FOR APPROPRIATIONS FOR FIS-  
17 CAL YEAR 2009 MAJOR MEDICAL FACILITY LEASES.—

18 There is authorized to be appropriated for the Secretary  
19 of Veterans Affairs for fiscal year 2009 for the Medical  
20 Facilities account, \$60,114,000, for the leases authorized  
21 in section 4.

22 **SEC. 7. FACILITIES ADMINISTRATION.**

23 Not later than 60 days after the date of the enact-  
24 ment of this Act, the Secretary of Veterans Affairs shall  
25 submit to the Committees on Veterans' Affairs of the Sen-

1 ate and House of Representatives a report updating the  
2 progress of the Secretary in complying with section 312A  
3 of title 38, United States Code.

4 **SEC. 8. ANNUAL REPORT ON OUTPATIENT CLINICS.**

5 (a) ANNUAL REPORT REQUIRED.—Subchapter I of  
6 chapter 81 of title 38, United States Code, is amended  
7 by adding at the end the following new section:

8 **“§ 8119. Annual report on outpatient clinics**

9 “(a) ANNUAL REPORT REQUIRED.—The Secretary of  
10 Veterans Affairs shall submit to the Committees on Vet-  
11 erans’ Affairs of the Senate and House of Representatives  
12 an annual report on community-based outpatient clinics  
13 and other outpatient clinics. The report shall be submitted  
14 each year not later than the date on which the budget  
15 for the next fiscal year is submitted to the Congress under  
16 section 1105 of title 31.

17 “(b) CONTENTS OF REPORT.—Each report required  
18 under subsection (a) shall include the following:

19 “(1) A list of each community-based outpatient  
20 clinic and other outpatient clinic of the Department,  
21 and for each such clinic, the type of clinic, location,  
22 size, number of health professionals employed by the  
23 clinic, workload, whether the clinic is leased or con-  
24 structed and operated by the Secretary, and the an-  
25 nual cost of operating the clinic.

1           “(2) A list of community-based outpatient clin-  
2           ics and other outpatient clinics that the Secretary  
3           opened during the fiscal year preceding the fiscal  
4           year during which the report is submitted and a list  
5           of clinics the Secretary proposes opening during the  
6           fiscal year during which the report is submitted and  
7           the subsequent fiscal year, together with the cost of  
8           activating each such clinic and the information re-  
9           quired to be provided under paragraph (1) for each  
10          such clinic and proposed clinic.

11          “(3) A list of proposed community-based out-  
12          patient clinics and other outpatient clinics that are,  
13          as of the date of the submission of the report, under  
14          review by the National Review Panel and a list of  
15          possible locations for future clinics identified in the  
16          Department’s strategic planning process, including  
17          any identified locations in rural and underserved  
18          areas.

19          “(4) A prioritized list of sites of care identified  
20          by the Secretary that the Secretary could establish  
21          without carrying out construction or entering into a  
22          lease, including—

23                  “(A) any such sites that could be expanded  
24                  by hiring additional staff or allocating staff to

1 Federal facilities or facilities operating in col-  
2 laboration with the Federal Government; and

3 “(B) any sites established, or able to be es-  
4 tablished, under sections 8111 and 8153 of this  
5 title.”.

6 (b) DEADLINE FOR FIRST ANNUAL REPORT.—The  
7 Secretary of Veterans Affairs shall submit the first report  
8 required under section 8119(a) of title 38, United States  
9 Code, as added by subsection (a), by not later than 90  
10 days after the date of the enactment of this Act.

11 (c) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of such chapter is amended by adding  
13 at the end of the items relating to subchapter I the fol-  
14 lowing new item:

“8119. Annual report on outpatient clinics.”.

15 **SEC. 9. TECHNICAL CORRECTION.**

16 Section 807(e) of the Veterans Benefits, Health Care,  
17 and Information Technology Act of 2006 (Public Law  
18 109–461) is amended by striking “Medical Care” each  
19 place it appears and inserting “Medical Facilities”.

Passed the House of Representatives May 21, 2008.

Attest: LORRAINE C. MILLER,  
*Clerk.*