

Union Calendar No. 36

115TH CONGRESS
1ST SESSION

H. R. 369

[Report No. 115–65]

To eliminate the sunset of the Veterans Choice Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2017

Mr. ROE of Tennessee introduced the following bill; which was referred to the
Committee on Veterans' Affairs

MARCH 29, 2017

Additional sponsors: Mr. MEEHAN, Mr. KNIGHT, Mr. McCLINTOCK, Mr.
TIPTON, Mr. BILIRAKIS, and Ms. SINEMA

MARCH 29, 2017

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

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

[For text of introduced bill, see copy of bill as introduced on January 9, 2017]

A BILL

To eliminate the sunset of the Veterans Choice 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. ELIMINATION OF SUNSET OF THE VETERANS**
 4 **CHOICE PROGRAM.**

5 *Section 101(p)(2) of the Veterans Access, Choice, and*
 6 *Accountability Act of 2014 (Public Law 113–146; 38 U.S.C.*
 7 *1701 note) is amended by striking all that follows “section*
 8 *802” and inserting a period.*

9 **SEC. 2. ELIMINATION OF REQUIREMENT TO ACT AS SEC-**
 10 **ONDARY PAYER FOR CARE RELATING TO**
 11 **NON-SERVICE-CONNECTED DISABILITIES AND**
 12 **RECOVERY OF COSTS FOR CERTAIN CARE**
 13 **UNDER CHOICE PROGRAM.**

14 *(a) IN GENERAL.—Section 101(e) of the Veterans Ac-*
 15 *cess, Choice, and Accountability Act of 2014 (Public Law*
 16 *113–146; 38 U.S.C. 1701 note) is amended—*

17 *(1) in the subsection heading, by striking*
 18 *“OTHER HEALTH-CARE PLAN” and inserting “RE-*
 19 *SPONSIBILITY FOR COSTS OF CERTAIN CARE”;*

20 *(2) in paragraph (1), in the paragraph heading,*
 21 *by striking “TO SECRETARY” and inserting “ON*
 22 *HEALTH-CARE PLANS”;*

23 *(3) by striking paragraphs (2) and (3);*

24 *(4) by redesignating paragraph (4) as para-*
 25 *graph (2); and*

1 (5) *by adding at the end the following new para-*
2 *graph:*

3 “(3) *RECOVERY OF COSTS FOR CERTAIN CARE.—*

4 “(A) *IN GENERAL.—In any case in which*
5 *an eligible veteran is furnished hospital care or*
6 *medical services under this section for a non-*
7 *service-connected disability described in sub-*
8 *section (a)(2) of section 1729 of title 38, United*
9 *States Code, or for a condition for which recov-*
10 *ery is authorized or with respect to which the*
11 *United States is deemed to be a third party ben-*
12 *eficiary under Public Law 87–693, commonly*
13 *known as the ‘Federal Medical Care Recovery*
14 *Act’ (42 U.S.C. 2651 et seq.), the Secretary shall*
15 *recover or collect from a third party (as defined*
16 *in subsection (i) of such section 1729) reasonable*
17 *charges for such care or services to the extent*
18 *that the veteran (or the provider of the care or*
19 *services) would be eligible to receive payment for*
20 *such care or services from such third party if the*
21 *care or services had not been furnished by a de-*
22 *partment or agency of the United States.*

23 “(B) *USE OF AMOUNTS.—Amounts collected*
24 *by the Secretary under subparagraph (A) shall*
25 *be deposited in the Medical Community Care ac-*

1 *count of the Department. Amounts so deposited*
2 *shall remain available until expended.”.*

3 **(b) CONFORMING AMENDMENT.**—*Paragraph (1) of*
4 *such section is amended by striking “paragraph (4)” and*
5 *inserting “paragraph (2)”.*

6 **SEC. 3. AUTHORITY TO DISCLOSE CERTAIN MEDICAL**
7 **RECORDS OF VETERANS WHO RECEIVE NON-**
8 **DEPARTMENT OF VETERANS AFFAIRS**
9 **HEALTH CARE.**

10 *Section 7332(b)(2) of title 38, United States Code, is*
11 *amended by adding at the end the following new subpara-*
12 *graph:*

13 “(H)(i) *To a non-Department entity (including*
14 *private entities and other Federal agencies) that pro-*
15 *vides hospital care or medical services to veterans.*

16 “(ii) *An entity to which a record is disclosed*
17 *under this subparagraph may not redisclose or use*
18 *such record for a purpose other than that for which*
19 *the disclosure was made.”.*

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