

115TH CONGRESS
2D SESSION

S. 899

AN ACT

To amend title 38, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration, 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. APPLICATION OF FEDERAL LEAVE POLICY FOR**
 4 **DISABLED VETERANS TO EMPLOYEES OF**
 5 **VETERANS HEALTH ADMINISTRATION AND**
 6 **RESTATEMENT OF EXISTING LEAVE TRANS-**
 7 **FER PROGRAM.**

8 (a) IN GENERAL.—Subchapter II of chapter 74 of
 9 title 38, United States Code, is amended by inserting after
 10 section 7423 the following new section:

11 **“§ 7423A. Personnel administration: leave**

12 “(a) LEAVE TRANSFER PROGRAM.—(1) The Sec-
 13 retary shall establish a leave transfer program for the ben-
 14 efit of health-care professionals in positions listed in sec-
 15 tion 7401(1) of this title. The Secretary may also establish
 16 a leave bank program for the benefit of such health-care
 17 professionals.

18 “(2) To the maximum extent feasible—

19 “(A) the leave transfer program shall provide
 20 the same or similar requirements and conditions as
 21 are provided for the program established by the Di-
 22 rector of the Office of Personnel Management under
 23 subchapter III of chapter 63 of title 5; and

24 “(B) any leave bank program established pur-
 25 suant to paragraph (1) shall be consistent with the

1 requirements and conditions provided for agency
2 leave bank programs in subchapter IV of such chap-
3 ter.

4 “(3) Participation by a health-care professional in the
5 leave transfer program established pursuant to paragraph
6 (1), and in any leave bank program established pursuant
7 to such paragraph, shall be voluntary. The Secretary may
8 not require any health-care professional to participate in
9 such a program.

10 “(4)(A) The Secretary and the Director of the Office
11 of Personnel Management may enter into an agreement
12 that permits health-care professionals referred to in para-
13 graph (1) to participate in the leave transfer program es-
14 tablished by the Director of the Office of Personnel Man-
15 agement under subchapter III of chapter 63 of title 5 or
16 in any leave bank program established for other employees
17 of the Department pursuant to subchapter IV of chapter
18 63 of title 5, or both.

19 “(B) Participation of such health-care professionals
20 in a leave transfer program or a leave bank program pur-
21 suant to an agreement entered into under subparagraph
22 (A) shall be subject to such requirements and conditions
23 as may be prescribed in such agreement.

24 “(5) The Secretary is not required to establish a leave
25 transfer program for any personnel permitted to partici-

1 pate in a leave transfer program pursuant to an agree-
 2 ment referred to in paragraph (4).

3 “(b) APPLICATION OF FEDERAL LEAVE POLICY FOR
 4 DISABLED VETERANS.—Section 6329 of title 5 shall apply
 5 to all health-care professionals in positions listed in section
 6 7401(1) of this title.”.

7 (b) REPEAL OF TRANSFERRED AUTHORITY.—Sec-
 8 tion 7423 of such title is amended—

9 (1) by striking subsection (e); and

10 (2) by redesignating subsection (f) as sub-
 11 section (e).

12 (c) CLERICAL AMENDMENT.—The table of sections
 13 at the beginning of chapter 74 of such title is amended
 14 by inserting after the item relating to section 7423 the
 15 following new item:

“7423A. Personnel administration; leave.”.

Passed the Senate March 20, 2018.

Attest:

Secretary.

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