

118TH CONGRESS
2D SESSION

H. R. 9943

To amend title 10, United States Code, to authorize certain claims for personal injury or death caused by medical malpractice onboard certain naval vessels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2024

Mr. GARAMENDI (for himself and Mr. DESAULNIER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize certain claims for personal injury or death caused by medical malpractice onboard certain naval vessels, 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 “Seaman Danyelle
5 Luckey Military Medical Accountability Amendment Act
6 of 2024”.

1 **SEC. 2. AUTHORIZATION OF CERTAIN CLAIMS FOR PER-**
2 **SONAL INJURY OR DEATH CAUSED BY MED-**
3 **ICAL MALPRACTICE ONBOARD CERTAIN**
4 **NAVAL VESSELS.**

5 (a) AUTHORIZATION.—Section 2733a of title 10,
6 United States Code, is amended—

7 (1) in subsection (b)(3), by inserting “or on-
8 board a covered naval vessel of the United States
9 that, at the time of such occurrence, was not en-
10 gaged in combat operations” after “facility”; and

11 (2) in subsection (j)—

12 (A) by redesignating paragraphs (2) and
13 (3) as paragraphs (3) and (4), respectively; and

14 (B) by inserting after paragraph (1) the
15 following new paragraph:

16 “(2) COVERED NAVAL VESSEL.—The term ‘cov-
17 ered naval vessel’ means an aircraft carrier, landing
18 helicopter assault ship, or landing helicopter dock
19 ship.”.

20 (b) APPLICABILITY; FILING PERIOD FOR CERTAIN
21 CLAIMS.—

22 (1) APPLICABILITY.—The amendments made
23 by subsection (a) shall apply with respect to claims
24 that accrue—

25 (A) during the period described in para-
26 graph (2)(B); or

1 (B) on or after the date of the enactment
2 of this Act.

3 (2) FILING PERIOD.—

4 (A) IN GENERAL.—Any claim regarding an
5 act or omission constituting medical malpractice
6 onboard a navel vessel as specified in section
7 2733a(b)(3) of title 10, United States Code (as
8 amended by subsection (a)) that accrues during
9 the period described in subparagraph (B) and is
10 filed not later than 90 days after the date of
11 the enactment of this Act—

12 (i) shall be deemed to be filed within
13 the time period specified in section
14 2733a(b)(4) of such title; and

15 (ii) notwithstanding section 2735 of
16 such title, may be allowed, settled, and
17 paid under section 2733a(a) of such title.

18 (B) PERIOD DESCRIBED.—The period de-
19 scribed in this subparagraph is the period be-
20 ginning on October 1, 2016, and ending on the
21 day before the date of the enactment of this
22 Act.

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