

109TH CONGRESS
2^D SESSION

H. R. 6049

To amend section 1729 of title 38, United States Code, to eliminate the authorization for the United States to recover or collect from health plans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2006

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

A BILL

To amend section 1729 of title 38, United States Code, to eliminate the authorization for the United States to recover or collect from health plans, 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 AUTHORITY TO RECOVER OR**
4 **COLLECT FROM HEALTH PLANS.**

5 (a) AMENDMENTS IN GENERAL.—Section 1729 of
6 title 38, United States Code, is amended—

7 (1) in subsection (a), by striking paragraphs
8 (2)(D), (2)(E), and (3);

1 (2) in subsection (e), by striking paragraph
2 (2)(B);
3 (3) by striking subsection (h); and
4 (4) in subsection (i), by striking paragraphs (1)
5 and (3)(D).

6 (b) TECHNICAL AMENDMENTS.—

7 (1) Section 1729 of title 38, United States
8 Code, is amended—

9 (A) in subsection (a)(2)(B), by adding
10 “or” at the end;

11 (B) in subsection (a)(2)(C), by striking the
12 semicolon at the end and inserting a period;

13 (C) in subsection (e)(2), by redesignating
14 subparagraph (C) as subparagraph (B);

15 (D) in subsection (i)(3)(B), by adding “or”
16 at the end;

17 (E) in subsection (i)(3)(C) by striking the
18 semicolon at the end and inserting a period;

19 (F) in subsection (i), by redesignating
20 paragraphs (2) and (3) as paragraphs (1) and
21 (2), respectively; and

22 (G) by redesignating subsection (i) as sub-
23 section (g).

1 (2) Subsection (d)(4)(B) of section 1781 of title
2 38, United States Code, is amended to read as fol-
3 lows:

4 “(B) The term ‘third party’ means—

5 “(i) a State or political subdivision of a State;

6 “(ii) an employer or an employer’s insurance
7 carrier;

8 “(iii) an automobile accident reparations insur-
9 ance carrier; or

10 “(iv) a person obligated to provide, or to pay
11 the expenses of, health services under a health-plan
12 contract.”.

13 (3) Subsection (d)(4) of section 1781 of title
14 38, United States Code, is amended by adding at
15 the end the following new subparagraph:

16 “(C)(i) For purposes of subparagraph (B),
17 the term ‘health-plan contract’ means an insur-
18 ance policy or contract, medical or hospital
19 service agreement, membership or subscription
20 contract, or similar arrangement, under which
21 health services for individuals are provided or
22 the expenses of such services are paid.

23 “(ii) Such term does not include—

24 “(I) an insurance program de-
25 scribed in section 1811 of the Social

1 Security Act (42 U.S.C. 1395c) or es-
2 tablished by section 1831 of such Act
3 (42 U.S.C. 1395j);

4 “(II) a State plan for medical as-
5 sistance approved under title XIX of
6 such Act (42 U.S.C. 1396 et seq.);

7 “(III) a workers’ compensation
8 law or plan described in subparagraph
9 (A) of subsection (a)(2) of section
10 1729 of this title; or

11 “(IV) a program, plan, or policy
12 under a law described in subpara-
13 graph (B) or (C) of such subsection.”.

14 **SEC. 2. ABILITY TO RECOVER OR COLLECT ON EXISTING**
15 **CLAIMS.**

16 The amendments made by this Act shall not effect
17 the right of the United States to recover or collect reason-
18 able charges for care or services provided before the date
19 of enactment of this Act if such care or services were re-
20 coverable or collectable when performed.

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