

103^D CONGRESS
1ST SESSION

H. R. 2797

To improve programs of the Department of Veterans Affairs relating to women's health, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1993

Mrs. SCHROEDER (for herself, Mrs. LLOYD, Mr. EVANS, Mr. FILNER, Mr. EDWARDS of California, Mr. KENNEDY, Mrs. MEEK, Mr. McDERMOTT, Ms. DELAURO, Ms. DANNER, Mr. DELLUMS, Mr. LIPINSKI, Ms. KAPTUR, Mr. PETERSON of Minnesota, Mr. WAXMAN, Ms. NORTON, Ms. SLAUGHTER, Mr. BILBRAY, Mr. KOPETSKI, Mr. TORRES, Mr. DEUTSCH, Ms. MARGOLIES-MEZVINSKY, Ms. VELÁZQUEZ, Mrs. MORELLA, Mr. GENE GREEN of Texas, Mr. HUGHES, Mr. SLATTERY, Mr. BOUCHER, Ms. PELOSI, Ms. WOOLSEY, and Mr. INSLEE) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To improve programs of the Department of Veterans Affairs relating to women's health, 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 "Veteran Women's
5 Health Improvement Act of 1993".

1 **SEC. 2. WOMEN'S HEALTH SERVICES.**

2 (a) **WOMEN'S HEALTH SERVICES.**—Section 1701 of
3 title 38, United States Code, is amended—

4 (1) in paragraph (6)(A)(i), by inserting “wom-
5 en’s health services,” after “preventive health serv-
6 ices,”; and

7 (2) by adding at the end the following:

8 “(10) The term ‘women’s health services’ means
9 health care services provided to women, including counsel-
10 ing and services relating to the following:

11 “(A) Papanicolaou tests (pap smear).

12 “(B) Breast examinations and mammography.

13 “(C) Comprehensive reproductive health care,
14 including pregnancy-related care.

15 “(D) The management of infertility.

16 “(E) The management and prevention of sexu-
17 ally-transmitted diseases.

18 “(F) Menopause, osteoporosis, and other condi-
19 tions relating to aging.

20 “(G) Physical or psychological conditions aris-
21 ing out of acts of sexual violence.”.

22 (b) **CONTRACTS FOR WOMEN'S HEALTH SERVICES.**—
23 Section 1703(a) of such title is amended by adding at the
24 end the following:

25 “(9) Women’s health services for veterans on
26 an ambulatory or outpatient basis.”.

1 (c) REPEAL OF SUPERSEDED AUTHORITY.—Section
2 106 of the Veterans Health Care Act of 1992 (Public Law
3 102–585; 38 U.S.C. 1710 note) is amended—

4 (1) by striking out subsection (a); and

5 (2) by striking out “(b) RESPONSIBILITIES OF
6 DIRECTORS OF FACILITIES.—” before “The Sec-
7 retary”.

8 (d) REPORT ON HEALTH CARE AND RESEARCH.—
9 Section 107(b) of such Act (38 U.S.C. 1710 note) is
10 amended—

11 (1) in paragraph (1), by inserting “and wom-
12 en’s health services (as such term is defined in sec-
13 tion 1701(10) of title 38, United States Code)” after
14 “section 106 of this Act”;

15 (2) in paragraph (2), by striking out “and (B)”
16 and inserting in lieu thereof “(B) the type and
17 amount of services provided by such personnel, in-
18 cluding information on the numbers of inpatient
19 stays and the number of outpatient visits through
20 which such services were provided, and (C)”;

21 (3) by redesignating paragraph (4) as para-
22 graph (7);

23 (4) by adding after paragraph (3) the following
24 new paragraphs:

1 “(4) A description of the personnel of the De-
2 partment who provided such services to women vet-
3 erans, including the number of employees (including
4 both the number of individual employees and the
5 number of full-time employee equivalents) and the
6 professional qualifications or specialty training of
7 such employees and the Department facilities to
8 which such personnel were assigned.

9 “(5) A description of any actions taken by the
10 Secretary to ensure the retention of the personnel
11 described in paragraph (4) and any actions under-
12 taken to recruit additional such personnel or person-
13 nel to replace such personnel.

14 “(6) An assessment by the Secretary of any dif-
15 ficulties experienced by the Secretary in the furnish-
16 ing of such services and the actions taken by the
17 Secretary to resolve such difficulties.”; and

18 (5) by adding after paragraph (7), as redesign-
19 ated by paragraph (3) of this subsection, the fol-
20 lowing:

21 “(8) A description of the actions taken by the
22 Secretary to foster and encourage the expansion of
23 such research.”.

1 **SEC. 3. EXPANSION OF RESEARCH RELATING TO WOMEN**
2 **VETERANS.**

3 (a) HEALTH RESEARCH.—Section 109(a) of the Vet-
4 erans Health Care Act of 1992 (Public Law 102–585; 38
5 U.S.C. 7303 note) is amended—

6 (1) by inserting “(1)” before “The Secretary”;

7 (2) in paragraph (1), as so designated, by strik-
8 ing out “veterans who are women” and inserting in
9 lieu thereof “women veterans”; and

10 (3) by adding at the end the following:

11 “(2) In carrying out this section, the Secretary shall
12 consult with the following:

13 “(A) The Director of the Nursing Service.

14 “(B) Officials of the Central Office assigned re-
15 sponsibility for women’s health programs and sexual
16 trauma services.

17 “(C) The members of the Advisory Committee
18 on Women Veterans established under section 542 of
19 title 38, United States Code.

20 “(D) Members of appropriate task forces and
21 working groups within the Department of Veterans
22 Affairs (including the Women Veterans Working
23 Group and the Task Force on Treatment of Women
24 Who Suffer Sexual Abuse).

1 “(3) The Secretary shall foster and encourage re-
2 search under this section on the following matters as they
3 relate to women:

4 “(A) Breast cancer.

5 “(B) Gynecological and reproductive health, in-
6 cluding gynecological cancer, infertility, sexually-
7 transmitted diseases, and pregnancy.

8 “(C) Human Immunodeficiency Virus and Ac-
9 quired Immune Deficiency Syndrome.

10 “(D) Mental health, including post-traumatic
11 stress disorder, depression, combat related stress,
12 and trauma.

13 “(E) Diseases related to aging, including meno-
14 pause, osteoporosis, and Alzheimer’s Disease.

15 “(F) Substance abuse.

16 “(G) Sexual violence and related trauma.

17 “(H) Exposure to toxic chemicals and other en-
18 vironmental hazards.

19 “(4) The Secretary shall, to the maximum extent
20 practicable, ensure that personnel of the Department of
21 Veterans Affairs engaged in the research referred to in
22 paragraph (1) include the following:

23 “(A) Personnel of the geriatric research, edu-
24 cation, and clinical centers designated pursuant to
25 section 7314 of title 38, United States Code.

1 “(B) Personnel of the National Center for Post-
2 Traumatic Stress Disorder established pursuant to
3 section 110(c) of the Veterans Health Care Act of
4 1984 (Public Law 98–528; 98 Stat. 2692).

5 “(5) The Secretary shall ensure that personnel of the
6 Department engaged in research relating to the health of
7 women veterans are advised and informed of such research
8 engaged in by other personnel of the Department.”.

9 (b) INCLUSION OF WOMEN AND MINORITIES IN
10 CLINICAL RESEARCH PROJECTS.—(1) In conducting or
11 supporting clinical research, the Secretary of Veterans Af-
12 fairs shall ensure that—

13 (A) women who are veterans are included as
14 subjects in each project of such research; and

15 (B) members of minority groups who are veter-
16 ans are included as subjects of such research.

17 (2) The requirement in paragraph (1) regarding
18 women and members of minority groups who are veterans
19 may be waived by the Secretary of Veterans Affairs with
20 respect to a project of clinical research if the Secretary
21 determines that the inclusion, as subjects in the project,
22 of women and members of minority groups, respectively—

23 (A) is inappropriate with respect to the health
24 of the subjects;

1 (B) is inappropriate with respect to the purpose
2 of the research; or

3 (C) is inappropriate under such other cir-
4 cumstances as the Secretary of Veterans Affairs may
5 designate.

6 (3) In the case of a project of clinical research in
7 which women or members of minority groups will under
8 paragraph (1) be included as subjects of the research, the
9 Secretary of Veterans Affairs shall ensure that the project
10 is designed and carried out so as to provide for a valid
11 analysis of whether the variables being tested in the re-
12 search affect women or members of minority groups, as
13 the case may be, differently than other persons who are
14 subjects of the research.

15 (c) POPULATION STUDY.—Section 110(a) of such Act
16 (38 U.S.C. 1710 note) is amended—

17 (1) in paragraph (1), by striking out the second
18 sentence; and

19 (2) by amending paragraph (3) to read as fol-
20 lows:

21 “(3)(A) Subject to subparagraph (B), the study shall
22 be based on—

23 “(i) an appropriate sample of veterans who are
24 women; and

1 “(ii) an examination of the medical and demo-
2 graphic histories of the women comprising such sam-
3 ple.

4 “(B) The sample referred to in subparagraph (A)
5 shall constitute a representative sampling (as determined
6 by the Secretary) of the ages, the ethnic, social and eco-
7 nomic backgrounds, the enlisted and officer grades, and
8 the branches of service of all veterans who are women.

9 “(C) In carrying out the examination referred to in
10 subparagraph (A)(ii), the Secretary shall determine the
11 number of women of the sample who have used medical
12 facilities of the Department, nursing home facilities of or
13 under the jurisdiction of the Department, and outpatient
14 care facilities of or under the jurisdiction of the Depart-
15 ment.”.

16 **SEC. 4. MAMMOGRAPHY QUALITY STANDARDS.**

17 (a) **APPLICABILITY TO DEPARTMENT OF VETERANS**
18 **AFFAIRS OF MAMMOGRAPHY QUALITY STANDARDS ACT**
19 **OF 1992.**—Subsections (a) through (k) of section 354 of
20 the Public Health Service Act (42 U.S.C. 263b) shall
21 apply with respect to facilities of the Department of Veter-
22 ans Affairs without regard to the last sentence of subpara-
23 graph (A) of subsection (a)(3) of such section.

24 (b) **EXTENSION OF DEADLINES.**—Any deadline for
25 the completion of any action prescribed under any provi-

1 sion referred to in subsection (a) shall be applied with re-
2 spect to facilities of the Department of Veterans Affairs
3 by extending such deadline so as to be two years after
4 the date of the enactment of this Act or two years after
5 the date which would otherwise be applicable under such
6 provision, whichever is later.

7 (c) INTERAGENCY COOPERATION.—The Secretary of
8 Veterans Affairs shall take appropriate steps to cooperate
9 with the Secretary of Health and Human Services in the
10 implementation of this section.

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