

103^D CONGRESS
1ST SESSION

H. R. 3081

To amend title 38, United States Code, to extend and expand authority for the Secretary of Veterans Affairs to provide priority health care to veterans who were exposed to ionizing radiation or to Agent Orange.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 1993

Mr. ROWLAND (for himself and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to extend and expand authority for the Secretary of Veterans Affairs to provide priority health care to veterans who were exposed to ionizing radiation or to Agent Orange.

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. AUTHORITY TO PROVIDE HEALTH CARE.**

4 (a) AUTHORIZED INPATIENT CARE.—Section
5 1710(e) of title 38, United States Code, is amended to
6 read as follows:

7 “(e)(1)(A) Subject to paragraph (2), a herbicide-ex-
8 posed veteran is eligible for hospital care and nursing

1 home care under subsection (a)(1)(G) for any disease
2 specified in subparagraph (B).

3 “(B) The diseases referred to in subparagraph (A)
4 are those for which the National Academy of Sciences, in
5 a report issued in accordance with section 2 of the Agent
6 Orange Act of 1991, has determined—

7 “(i) that there is sufficient evidence to conclude
8 that there is a positive association between occur-
9 rence of the disease in humans and exposure to a
10 herbicide agent;

11 “(ii) that there is evidence which is suggestive
12 of an association between occurrence of the disease
13 in humans and exposure to a herbicide agent, but
14 such evidence is limited in nature; or

15 “(iii) that available studies are insufficient to
16 permit a conclusion about the presence or absence of
17 an association between occurrence of the disease in
18 humans and exposure to a herbicide agent.

19 “(C) A radiation-exposed veteran is eligible for hos-
20 pital care and nursing home care under subsection
21 (a)(1)(G) for—

22 “(i) any disease listed in section 1112(c)(2) of
23 this title; and

24 “(ii) any other disease for which the Secretary,
25 based on the advice of the Advisory Committee on

1 Environmental Hazards, determines that there is
2 credible evidence of a positive association between
3 occurrence of the disease in humans and exposure to
4 ionizing radiation.

5 “(2) Hospital and nursing home care may not be pro-
6 vided under or by virtue of paragraph (1)(A) after Sep-
7 tember 30, 1996.

8 “(3) For purposes of this subsection and section
9 1712 of this title:

10 “(A) the term ‘herbicide-exposed veteran’
11 means a veteran (i) who served on active duty in the
12 Republic of Vietnam during the Vietnam era, and
13 (ii) who the Secretary finds may have been exposed
14 during such service to a herbicide agent.

15 “(B) the term ‘herbicide agent’ has the mean-
16 ing given that term in section 1116(a)(4) of this
17 title.

18 “(C) the term ‘radiation-exposed veteran’ has
19 the meaning given that term in section 1112(c)(4) of
20 this title.”.

21 (b) AUTHORIZED OUTPATIENT CARE.—Section 1712
22 of such title is amended—

23 (1) in subsection (a)(1)—

24 (A) by striking out “and” at the end of
25 subparagraph (B);

1 (B) by striking out the period at the end
2 of subparagraph (C) and inserting in lieu there-
3 of a semicolon; and

4 (C) by adding at the end the following:

5 “(D) during the period before October 1,
6 1996, to any herbicide-exposed veteran for any
7 disease listed in section 1710(e)(1)(B) of this
8 title; and

9 “(E) to any radiation-exposed veteran for
10 any disease covered under section
11 1710(e)(1)(C) of this title.”; and

12 (2) in subsection (i)(3)—

13 (A) by striking out “(A)”; and

14 (B) by striking out “, or (B)” and all that
15 follows through “title”.

○