

**Union Calendar No. 188**

103D CONGRESS  
1ST SESSION

**H. R. 3313**

**[Report No. 103-349]**

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**A BILL**

To amend title 38, United States Code, to improve health care services of the Department of Veterans Affairs relating to women veterans, 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, to expand the scope of services that may be provided to veterans through Vet Centers, and for other purposes.

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NOVEMBER 10, 1993

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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**IN THE HOUSE OF REPRESENTATIVES**

OCTOBER 19, 1993

Mr. ROWLAND (for himself, Mr. MONTGOMERY, Mr. STUMP, Mr. EDWARDS of Texas, Mr. SMITH of New Jersey, Mr. FILNER, Mr. BILIRAKIS, Mr. BISHOP, Mr. HUTCHINSON, Mr. KREIDLER, Mr. EVERETT, Mr. BUYER, and Mr. LINDER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

NOVEMBER 10, 1993

Additional sponsors: Mr. STEARNS, Mr. QUINN, Mr. SPENCE, Mr. RIDGE, Mr. KING, Mr. HEFNER, Mr. RICHARDSON, Mr. STENHOLM, Mr. PAYNE of Virginia, Mr. PARKER, and Ms. WOOLSEY

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[Omit the part struck through and insert the part printed in italic]

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**A BILL**

To amend title 38, United States Code, to improve health care services of the Department of Veterans Affairs relat-

ing to women veterans, 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, to expand the scope of services that may be provided to veterans through Vet Centers, 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 “Veterans Health Im-  
5 provements Act of 1993”.

6 **TITLE I—WOMEN VETERANS**  
7 **HEALTH IMPROVEMENTS**

8 **SEC. 101. SHORT TITLE.**

9 This title may be cited as the “Women Veterans  
10 Health Improvements Act of 1993”.

11 **SEC. 102. HEALTH CARE SERVICES FOR WOMEN.**

12 (a) ENSURED PROVISION OF SERVICES.—The Sec-  
13 retary of Veterans Affairs shall ensure that each health-  
14 care facility under the direct jurisdiction of the Secretary  
15 is able, through services made available either by individ-  
16 uals appointed to positions in the Veterans Health Admin-  
17 istration or under contracts or other agreements made  
18 under section 7409, 8111, or 8153 of title 38, United  
19 States Code, or title II of Public Law 102–585, to provide  
20 in a timely and appropriate manner women’s health serv-

1 ices (as defined in section 1701(10) of title 38, United  
2 States Code (as added by section 3)) to any veteran de-  
3 scribed in section 1710(a)(1) of title 38, United States  
4 Code, who is eligible for such services.

5 (b) ROUTINE HEALTH CARE SERVICES.—The Sec-  
6 retary shall ensure that each health-care facility under the  
7 direct jurisdiction of the Secretary that serves a catchment  
8 area in which the number of women veterans described  
9 in section 1710(a)(1) of title 38, United States Code,  
10 makes it cost effective to do so shall provide routine wom-  
11 en’s health services directly (rather than by contract or  
12 other agreement). The Secretary shall ensure that each  
13 such facility is provided appropriate equipment, facilities,  
14 and staff to carry out the preceding sentence and to en-  
15 sure that the quality of care provided under the preceding  
16 sentence is in accordance with professional standards.

17 (c) CONFORMING REPEAL.—Section 302 of the Vet-  
18 erans’ Health Care Amendments of 1983 (Public Law 98-  
19 160; 97 Stat. 1004; 38 U.S.C. 1701 note) is repealed.

20 **SEC. 103. WOMEN’S HEALTH SERVICES.**

21 (a) WOMEN’S HEALTH SERVICES.—Section 1701 of  
22 title 38, United States Code, is amended—

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

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

2 “(10) The term ‘women’s health services’ means the  
3 following health care services provided to women:

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

5 “(B) Breast examinations and mammography.

6 “(C) General reproductive health care (includ-  
7 ing the management of menopause), but not includ-  
8 ing infertility services (other than infertility counsel-  
9 ing), abortions, or pregnancy care (including  
10 prenatal and delivery care), except for such care re-  
11 lating to a pregnancy that is complicated or in which  
12 the risks of complication are increased by a service-  
13 connected condition.

14 “(D) The management and prevention of sexu-  
15 ally-transmitted diseases.

16 “(E) The management and treatment of  
17 osteoporosis.

18 “(F) Counseling and treatment for physical or  
19 psychological conditions arising out of acts of sexual  
20 violence.”.

21 “(G) *Early detection, management, and treat-*  
22 *ment for cardiac disease, in the case of women who*  
23 *are determined to be at risk of cardiac disease.”.*

1 (b) 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 (c) EXTENSION OF ANNUAL REPORT REQUIRE-  
9 MENT.—Section 107(a) of such Act is amended by strik-  
10 ing out “Not later than January 1, 1993, January 1,  
11 1994, and January 1, 1995” and inserting in lieu thereof  
12 “Not later than January 1 of 1993 and each year there-  
13 after through 1998”.

14 (d) REPORT ON HEALTH CARE AND RESEARCH.—  
15 Section 107(b) of such Act is amended—

16 (1) in paragraph (1), by striking out “services  
17 described in section 106 of this Act” and inserting  
18 in lieu thereof “women’s health services (as such  
19 term is defined in section 1701(10) of title 38,  
20 United States Code)”;

21 (2) in paragraph (2)(A), by inserting “(includ-  
22 ing information on the number of inpatient stays  
23 and the number of outpatient visits through which  
24 such services were provided)” after “facility”; and

1           (3) by adding at the end the following new  
2 paragraph:

3           “(5) A description of the actions taken by the  
4 Secretary to foster and encourage the expansion of  
5 such research.”.

6 **SEC. 104. MAMMOGRAPHY QUALITY STANDARDS.**

7           (a) IN GENERAL.—(1) Subchapter II of chapter 73  
8 of title 38, United States Code, is amended by adding at  
9 the end the following new section:

10 **“§ 7318 7319. Mammography quality standards**

11           “(a) A mammogram may not be performed at a De-  
12 partment facility unless that facility is accredited for that  
13 purpose by a private nonprofit organization designated by  
14 the Secretary. An organization designated by the Sec-  
15 retary under this subsection shall meet the standards for  
16 accrediting bodies established under section 354(e) of the  
17 Public Health Service Act (42 U.S.C. 263b(e)).

18           “(b) The Secretary, in consultation with the Sec-  
19 retary of Health and Human Services, shall prescribe  
20 quality assurance and quality control standards relating  
21 to the performance and interpretation of mammograms  
22 and use of mammogram equipment and facilities of the  
23 Department of Veterans Affairs consistent with the re-  
24 quirements of section 354(f)(1) of the Public Health Serv-  
25 ice Act. Such standards shall be no less stringent than

1 the standards prescribed by the Secretary of Health and  
2 Human Services under section 354(f) of the Public Health  
3 Service Act and shall be prescribed during the 120-day  
4 period beginning on the date on which the Secretary of  
5 Health and Human Services prescribes quality standards  
6 under section 354(f) of the Public Health Service Act (42  
7 U.S.C. 263b(f)).

8       “(c)(1) The Secretary, to ensure compliance with the  
9 standards prescribed under subsection (b), shall provide  
10 for an annual inspection of the equipment and facilities  
11 used by and in Department health care facilities for the  
12 performance of mammograms. Such inspections shall be  
13 carried out in a manner consistent with the inspection of  
14 certified facilities by the Secretary of Health and Human  
15 Services under section 354(g) of the Public Health Service  
16 Act.

17       “(2) The Secretary may not provide for an inspection  
18 under paragraph (1) to be performed by a State agency.

19       “(d) The Secretary shall ensure that mammograms  
20 performed for the Department under contract with any  
21 non-Department facility or provider conform to the quality  
22 standards prescribed by the Secretary of Health and  
23 Human Services under section 354 of the Public Health  
24 Service Act.

1       “(e) For the purposes of this section, the term ‘mam-  
2 mogram’ has the meaning given such term in section  
3 354(a)(5) of the Public Health Service Act (42 U.S.C.  
4 263b(a)).”.

5       (2) The table of sections at the beginning of such  
6 chapter is amended by inserting after the item relating  
7 to section ~~7317~~ *7318* the following new item:

“~~7318~~ *7319*. Mammography quality standards.”.

8       (b) TRANSITION.—(1) Subsection (a) of section ~~7318~~  
9 *7319* of title 38, United States Code, as added by sub-  
10 section (a), shall take effect on the date on which stand-  
11 ards are prescribed by the Secretary of Veterans Affairs  
12 under subsection (b) of such section.

13       (2) During the transition period, the Secretary may  
14 waive the requirement of subsection (a) of section ~~7318~~  
15 *7319* of title 38, United States Code, as added by sub-  
16 section (a), to any facility of the Department. The Sec-  
17 retary may provide such a waiver in the case of any facility  
18 only if the Secretary determines, based upon the rec-  
19 ommendation of the Under Secretary for Health, that dur-  
20 ing the period such a waiver is in effect for such facility  
21 (including any extension of the waiver under paragraph  
22 (3)) the facility will be operated in accordance with stand-  
23 ards prescribed by the Secretary under subsection (b) of  
24 such section to assure the safety and accuracy of mam-  
25 mography services provided.

1           (3) The transition period for purposes of this section  
2 is the six-month period beginning on the date specified in  
3 paragraph (1). The Secretary may extend such period for  
4 a period not to exceed 90 days in the case of any Depart-  
5 ment facility. Any such extension may be made only if the  
6 Under Secretary for Health determines that—

7           (A) without the extension access of veterans to  
8 mammography services in the geographic area  
9 served by the facility would be significantly reduced;  
10 and

11           (B) appropriate steps will be taken before the  
12 end of the transition period (as extended) to obtain  
13 accreditation of the facility as required by subsection  
14 (a) of section ~~7318~~ 7319 of title 38, United States  
15 Code, as added by subsection (a).

16           (c) IMPLEMENTATION REPORT.—The Secretary of  
17 Veterans Affairs shall submit to the Committees on Veter-  
18 ans' Affairs of the Senate and House of Representatives  
19 a report on the Secretary's implementation of section  
20 ~~7318~~ 7319 of title 38, United States Code, as added by  
21 subsection (a). The report shall be submitted not later  
22 than 120 days after the date on which the Secretary pre-  
23 scribes the quality standards required under subsection  
24 (b) of that section.

1 **SEC. 105. RESEARCH RELATING TO WOMEN VETERANS.**

2 (a) INCLUSION OF WOMEN AND MINORITIES IN  
3 CLINICAL RESEARCH PROJECTS.—(1) In conducting or  
4 supporting clinical research, the Secretary of Veterans Af-  
5 fairs shall ensure that, whenever possible and appro-  
6 priate—

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

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

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

20 (b) POPULATION STUDY.—Section 110(a) of the Vet-  
21 erans Health Care Act of 1992 (Public Law 102–585; 106  
22 Stat. 4948) is amended by adding at the end of paragraph  
23 (3) the following: “If it is feasible to do so within the  
24 amounts available for the conduct of the study, the Sec-  
25 retary shall ensure that the sample referred to in sub-  
26 section (a) constitutes a representative sampling (as deter-

1 mined by the Secretary) of the ages, the ethnic, social and  
2 economic backgrounds, the enlisted and officer grades,  
3 and the branches of service of all veterans who are  
4 women.”.

5 **SEC. 106. SEXUAL TRAUMA COUNSELING.**

6 (a) EXTENSION OF PERIOD OF AUTHORITY TO PRO-  
7 VIDE SEXUAL TRAUMA COUNSELING.—Subsection (a) of  
8 section 1720D of title 38, United States Code, is amend-  
9 ed—

10 (1) by striking out “December 31, 1995,” in  
11 paragraph (1) and inserting in lieu thereof “Decem-  
12 ber 31, 1998,”; and

13 (2) by striking out “December 31, 1994,” in  
14 paragraph (3) and inserting in lieu thereof “Decem-  
15 ber 31, 1998,”.

16 (b) PERIOD OF ELIGIBILITY TO SEEK COUNSEL-  
17 ING.—(1) Such subsection is further amended—

18 (A) by striking out paragraph (2); and

19 (B) by redesignating paragraph (3) (as amend-  
20 ed by subsection (a)(2)) as paragraph (2).

21 (2) Section 102(b) of the Veterans Health Care Act  
22 of 1992 (Public Law 102–585; 106 Stat. 4946; 38 U.S.C.  
23 1720D note) is repealed.

1 (c) REPEAL OF LIMITATION ON PERIOD OF RECEIPT  
2 OF COUNSELING.—Section 1720D of title 38, United  
3 States Code, is further amended—

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

5 (2) by redesignating subsections (c), (d), and  
6 (e) as subsections (b), (c), and (d), respectively.

7 (d) INCREASED PRIORITY OF CARE.—Section 1712(i)  
8 of title 38, United States Code, is amended—

9 (1) in paragraph (1)—

10 (A) by inserting “(A)” after “To a vet-  
11 eran”; and

12 (B) by inserting “, or (B) who is eligible  
13 for counseling under section 1720D of this title,  
14 for the purposes of such counseling” before the  
15 period at the end; and

16 (2) in paragraph (2)—

17 (A) by striking out “, (B)” and inserting  
18 in lieu thereof “or (B)”; and

19 (B) by striking out “, or (C)” and all that  
20 follows through “such counseling”.

21 (e) PROGRAM REVISION.—(1) Section 1720D of title  
22 38, United States Code, is further amended—

23 (A) by striking out “woman” in subsection  
24 (a)(1);

1 (B) by striking out “women” in subsection  
2 (b)(2)(C) and in the first sentence of subsection (c),  
3 as redesignated by subsection (c); and

4 (C) by striking out “women” in subsection  
5 (c)(2), as so redesignated, and inserting in lieu  
6 thereof “individuals”.

7 (2)(A) The heading of such section is amended to  
8 read as follows:

9 **“§ 1720D. Counseling for sexual trauma”.**

10 (B) The item relating to such section in the table of  
11 sections at the beginning of chapter 17 of such title is  
12 amended to read as follows:

“1720D. Counseling for sexual trauma.”.

13 (f) INFORMATION BY TELEPHONE.—(1) Paragraph  
14 (1) of section 1720D(c) of title 38, United States Code,  
15 as redesignated by subsection (c) of this section, is amend-  
16 ed to read as follows:

17 “(1) shall include availability of a toll-free tele-  
18 phone number (commonly referred to as an 800  
19 number), and”.

20 (2) In providing information on counseling available  
21 to veterans as required under section 1720D(c)(1) of title  
22 38, United States Code (as amended by this section), the  
23 Secretary of Veterans Affairs shall ensure that the De-  
24 partment of Veterans Affairs personnel who provide as-  
25 sistance under such section are trained in the provision

1 to persons who have experienced sexual trauma of infor-  
2 mation about the care and services relating to sexual trau-  
3 ma that are available to veterans in the communities in  
4 which such veterans reside, including care and services  
5 available under programs of the Department (including  
6 the care and services available under section 1720D of  
7 such title) and from non-Department agencies or organi-  
8 zations.

9 (3) Not later than 18 months after the date of the  
10 enactment of this Act, the Secretary shall submit to Con-  
11 gress a report on the operation of the telephone assistance  
12 service required under section 1720D(c)(1) of title 38,  
13 United States Code (as so amended). The report shall set  
14 forth the following:

15 (A) The number of persons who sought infor-  
16 mation during the period covered by the report  
17 through a toll free telephone number regarding serv-  
18 ices available to veterans relating to sexual trauma,  
19 with a separate display of the number of such per-  
20 sons arrayed by State (as such term is defined in  
21 section 101(20) of title 38, United States Code).

22 (B) A description of the training provided to  
23 the personnel who provide such assistance.

24 (C) The recommendations and plans of the Sec-  
25 retary for the improvement of the service.

1 **SEC. 107. COORDINATORS OF WOMEN'S SERVICES.**

2 (a) FULL-TIME STATUS.—Section 108 of the Veter-  
3 ans Health Care Act of 1992 (Public Law 102–585; 106  
4 Stat. 4948; 38 U.S.C. 1710 note) is amended—

5 (1) by inserting “(a)” before “The Secretary”;

6 and

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

8 “(b) Each official who serves in the position of coordi-  
9 nator of women’s services under subsection (a) shall serve  
10 in such position on a full-time basis.”.

11 (b) EMPOWERMENT.—The Secretary of Veterans Af-  
12 fairs shall take appropriate actions to ensure that the co-  
13 ordinator of women’s services at each facility of the Veter-  
14 ans Health Administration—

15 (1) is able to carry out the responsibilities of a  
16 coordinator in ensuring that women veterans receive  
17 quality medical care and, to the extent practicable,  
18 have equal access to Veterans Administration facili-  
19 ties; and

20 (2) has direct access to the Director or Chief of  
21 Staff of the facility to which the coordinator is as-  
22 signed.

23 **SEC. 108. PATIENT PRIVACY.**

24 (a) IDENTIFICATION OF DEFICIENCIES.—The Sec-  
25 retary of Veterans Affairs shall conduct a survey of each  
26 medical center under the jurisdiction of the Secretary to

1 identify deficiencies relating to patient privacy afforded to  
2 women patients in the clinical areas at each such center  
3 which may interfere with appropriate treatment of such  
4 patients.

5 (b) CORRECTION OF DEFICIENCIES.—The Secretary  
6 shall ensure that plans and, where appropriate, interim  
7 steps, to correct the deficiencies identified in the survey  
8 conducted under subsection (a) are developed and are in-  
9 corporated into the Department's construction planning  
10 processes and given a high priority.

11 (c) REPORTS TO CONGRESS.—The Secretary shall  
12 compile an annual inventory, by medical center, of defi-  
13 ciencies identified under subsection (a) and of plans and,  
14 where appropriate, interim steps, to correct such defi-  
15 ciencies. The Secretary shall submit to the Committees on  
16 Veterans' Affairs of the Senate and the House of Rep-  
17 resentatives, not later than October 1, 1994, and not later  
18 than October 1 each year thereafter through 1996 a report  
19 on such deficiencies. The Secretary shall include in such  
20 report the inventory compiled by the Secretary, the pro-  
21 posed corrective plans, and the status of such plans.

1 **TITLE II—CARE FOR VETERANS**  
2 **EXPOSED TO TOXIC SUB-**  
3 **STANCES**

4 **SEC. 201. AUTHORITY TO PROVIDE HEALTH CARE.**

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

8 “(e)(1)(A) Subject to paragraph (2), a herbicide-ex-  
9 posed veteran is eligible for hospital care and nursing  
10 home care under subsection (a)(1)(G) for any disease  
11 specified in subparagraph (B).

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

16 “(i) that there is sufficient evidence to conclude  
17 that there is a positive association between occur-  
18 rence of the disease in humans and exposure to a  
19 herbicide agent;

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

24 “(iii) that available studies are insufficient to  
25 permit a conclusion about the presence or absence of

1 an association between occurrence of the disease in  
2 humans and exposure to a herbicide agent.

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

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

8 “(ii) any other disease for which the Secretary,  
9 based on the advice of the Advisory Committee on  
10 Environmental Hazards, determines that there is  
11 credible evidence of a positive association between  
12 occurrence of the disease in humans and exposure to  
13 ionizing radiation.

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

17 “(3) For purposes of this subsection and section  
18 1712 of this title—

19 “(A) the term ‘herbicide-exposed veteran’  
20 means a veteran (i) who served on active duty in the  
21 Republic of Vietnam during the Vietnam era, and  
22 (ii) who the Secretary finds may have been exposed  
23 during such service to a herbicide agent;

1           “(B) the term ‘herbicide agent’ has the mean-  
2           ing given that term in section 1116(a)(4) of this  
3           title; and

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

7           (b) AUTHORIZED OUTPATIENT CARE.—Section 1712  
8 of such title is amended—

9           (1) in subsection (a)(1)—

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

12           (B) by striking out the period at the end  
13           of subparagraph (C) and inserting in lieu there-  
14           of a semicolon; and

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

16           “(D) during the period before October 1,  
17           1996, to any herbicide-exposed veteran for any  
18           disease listed in section 1710(e)(1)(B) of this  
19           title; and

20           “(E) to any radiation-exposed veteran for  
21           any disease covered under section  
22           1710(e)(1)(C) of this title.”; and

23           (2) in subsection (i)(3)—

24           (A) by striking out “(A)”; and

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

3 **SEC. 202. SAVINGS PROVISION.**

4 The provisions of sections 1710(e) and 1712(a) of  
5 title 38, United States Code, as in effect on the day before  
6 the date of the enactment of this Act, shall apply with  
7 respect to hospital care, nursing home care, and medical  
8 services in the case of any veteran furnished care or serv-  
9 ices before such date of enactment on the basis of pre-  
10 sumed exposure to a substance or radiation under the au-  
11 thority of those provisions.

12 **TITLE III—READJUSTMENT**  
13 **SERVICES**

14 **SEC. 301. SCOPE OF SERVICES PROVIDED IN VET CENTERS.**

15 (a) EXPANSION OF SERVICES.—Section 1712A of  
16 title 38, United States Code, is amended—

17 (1) in subsection (a)(1) by inserting “and, to  
18 the extent otherwise authorized by law, may furnish  
19 such additional needed services as described in sub-  
20 section (i)” in the first sentence after “life”; and

21 ~~(2) by adding at the end the following new sub-~~  
22 ~~sections:~~

23 (2) *by redesignating subsection (i) as subsection*  
24 *(j); and*

1           (3) *by inserting after subsection (g) the following*  
2           *new subsections:*

3           “(h) The Secretary may, to the extent resources and  
4 facilities are available, furnish to any veteran who served  
5 in combat during World War II or the Korean conflict  
6 counseling in a center to assist such veteran in overcoming  
7 the effects of the veteran’s combat experience.

8           “(i) In operating centers under this section, the Sec-  
9 retary may provide (1) preventive health care services, (2)  
10 medical services reasonably necessary in preparation for  
11 hospital admission, and (3) referral services to assist in  
12 obtaining specialized care. The Secretary shall provide  
13 such services through such health care personnel as the  
14 Secretary determines appropriate.”.

15           (b) REPORT.—Not later than one year after the date  
16 of the enactment of this Act, the Secretary shall submit  
17 to the Committees on Veterans’ Affairs of the Senate and  
18 House of Representatives a report relating to the imple-  
19 mentation of the amendments made by subsection (a). The  
20 report shall include the following:

21           (1) The number of veterans provided services  
22 described in section 1712A(i) of title 38, United  
23 States Code, as added by subsection (a).

24           (2) The number of centers which provided serv-  
25 ices described in that section.

1           (3) An assessment of the effect providing such  
2           services has had on access to and timeliness of serv-  
3           ice delivery.

4 **SEC. 302. ADVISORY COMMITTEE ON THE READJUSTMENT**  
5 **OF VETERANS.**

6           (a) IN GENERAL.—(1) Subchapter II of chapter 17  
7 of title 38, United States Code, is amended by inserting  
8 after section 1712B the following new section:

9 **“§ 1712C. Advisory Committee on Veterans Readjust-**  
10 **ment Counseling**

11           “(a)(1) There is in the Department the Advisory  
12 Committee on Veterans Readjustment Counseling (herein-  
13 after in this section referred to as the ‘Committee’).

14           “(2) The Committee shall consist of 18 members.  
15 The members of the Committee shall be appointed by the  
16 Secretary and shall include individuals who are recognized  
17 authorities in fields pertinent to the social, psychological,  
18 economic, or educational readjustment of veterans. An of-  
19 ficer or employee of the United States may not be ap-  
20 pointed as a member of the Committee. At least 12 of  
21 the Committee shall be veterans of the Vietnam era or  
22 other period of war. Appointments of members of the  
23 Committee shall be made from among individuals who  
24 have experience with the provision of veterans benefits and

1 services by the Department or who are otherwise familiar  
2 with programs of the Department.

3 “(3) The Secretary shall seek to ensure that members  
4 appointed to the Committee include persons from a wide  
5 variety of geographic areas and ethnic backgrounds, per-  
6 sons from veterans service organizations, minorities, and  
7 women.

8 “(4) The Secretary shall determine the terms of serv-  
9 ice and pay and allowances of the members of the Commit-  
10 tee, except that a term of service may not exceed two  
11 years. The Secretary may reappoint any member for addi-  
12 tional terms of service.

13 “(b)(1) The Secretary shall, on a regular basis, con-  
14 sult with and seek the advice of the Committee with re-  
15 spect to the provision by the Department of benefits and  
16 services to veterans in order to assist veterans in the re-  
17 adjustment to civilian life.

18 “(2) In providing advice to the Secretary under this  
19 subsection, the Committee shall—

20 “(A) assemble and review information relating  
21 to the needs of veterans in readjusting to civilian  
22 life;

23 “(B) provide information relating to the nature  
24 and character of psychological problems arising from  
25 military service;

1           “(C) provide an on-going assessment of the ef-  
2           fectiveness of the policies, organizational structures,  
3           and services of the Department in assisting veterans  
4           in readjusting to civilian life; and

5           “(D) provide on-going advice on the most ap-  
6           propriate means of responding to the readjustment  
7           needs of future veterans.

8           “(3) In carrying out its duties under paragraph (2),  
9           the Committee shall take into special account veterans of  
10          the Vietnam era and the readjustment needs of those vet-  
11          erans.

12          “(c)(1) Not later than March 31 of each year, the  
13          Committee shall submit to the Secretary a report on the  
14          programs and activities of the Department that relate to  
15          the readjustment of veterans to civilian life. Each such  
16          report shall include—

17                 “(A) an assessment of the needs of veterans  
18                 with respect to readjustment to civilian life;

19                 “(B) a review of the programs and activities of  
20                 the Department designed to meet such needs; and

21                 “(C) such recommendations (including rec-  
22                 ommendations for administrative and legislative ac-  
23                 tion) as the Committee considers appropriate.

24          “(2) Not later than 90 days after the receipt of each  
25          report under paragraph (1), the Secretary shall transmit

1 to the Committees on Veterans' Affairs of the Senate and  
2 House of Representatives a copy of the report, together  
3 with any comments and recommendations concerning the  
4 report that the Secretary considers appropriate.

5       “(3) The Committee may also submit to the Sec-  
6 retary such other reports and recommendations as the  
7 Committee considers appropriate.

8       “(4) The Secretary shall submit with each annual re-  
9 port submitted to the Congress pursuant to section 529  
10 of this title a summary of all reports and recommendations  
11 of the Committee submitted to the Secretary since the pre-  
12 vious annual report of the Secretary submitted pursuant  
13 to that section.”.

14       (2) The table of sections at the beginning of chapter  
15 17 of such title is amended by inserting after the item  
16 relating to section 1712B the following:

“1712C. Advisory Committee on Veterans Readjustment Counseling.”.

17       (b) ORIGINAL MEMBERS.—(1) Notwithstanding sub-  
18 section (a)(2) of section 1712C of title 38, United States  
19 Code (as added by subsection (a)), the members of the  
20 Advisory Committee on the Readjustment of Vietnam and  
21 Other War Veterans on the date of the enactment of this  
22 Act shall be the original members of the advisory commit-  
23 tee established under that section.

24       (2) The original members shall so serve until the Sec-  
25 retary of Veterans Affairs carries out appointments under

1 such subsection (a)(2). The Secretary shall carry out such  
2 appointments as soon as is practicable. The Secretary may  
3 make such appointments from among such original mem-  
4 bers.

5 **SEC. 303. PLAN FOR EXPANSION OF VIETNAM VETERAN RE-**  
6 **SOURCE CENTERS PILOT PROGRAM.**

7 (a) PLAN.—The Secretary of Veterans Affairs shall  
8 submit to the Committees on Veterans' Affairs of the Sen-  
9 ate and House of Representatives a plan for expansion of  
10 the Vietnam Veteran Resource Centers program estab-  
11 lished by section 1712A(h) of title 38, United States Code.  
12 The plan submitted shall be a plan which the Secretary  
13 would implement if resources for such implementation  
14 were available.

15 (b) SUBMISSION OF PLAN.—The plan, together with  
16 an analysis setting forth in detail the resources required  
17 for the implementation of the plan, shall be submitted  
18 under subsection (a) not later than four months after the  
19 date of the enactment of this Act.

1           **TITLE IV—SERVICES FOR**  
2           **MENTALLY ILL VETERANS**

3   **SEC. 401. AUTHORITY TO ESTABLISH NONPROFIT COR-**  
4                           **PORATIONS.**

5           (a) IN GENERAL.—Chapter 17 of title 38, United  
6 States Code, is amended by inserting after section 1718  
7 the following new section:

8   **“§ 1718A. Nonprofit corporations**

9           “(a) The Secretary may authorize the establishment  
10 at any Veterans Health Administration facility of a non-  
11 profit corporation (1) to arrange for therapeutic work for  
12 patients of such facility or patients of other such Depart-  
13 ment facilities pursuant to section 1718(b) of this title,  
14 and (2) to provide a flexible funding mechanism to achieve  
15 the purposes of section 1718 of this title.

16           “(b) The Secretary shall provide for the appointment  
17 of a board of directors for any corporation established  
18 under this section and shall determine the number of di-  
19 rectors and the composition of the board of directors. The  
20 board of directors shall include—

21                   “(1) the director of the facility and other offi-  
22 cials or employees of the facility; and

23                   “(2) members appointed from among individ-  
24 uals who are not officers or employees of the De-  
25 partment of Veterans Affairs.

1       “(c) Each such corporation shall have an executive  
2 director who shall be appointed by the board of directors  
3 with concurrence of the Under Secretary for Health of the  
4 Department. The executive director of a corporation shall  
5 be responsible for the operations of the corporation and  
6 shall have such specific duties and responsibilities as the  
7 board may prescribe.

8       “(d) A corporation established under this section  
9 may—

10               “(1) arrange with the Department of Veterans  
11 Affairs under section 1718(b)(2) of this title to pro-  
12 vide for therapeutic work for patients;

13               “(2) accept gifts and grants from, and enter  
14 into contracts with, individuals and public and pri-  
15 vate entities solely to carry out the purposes of this  
16 section; and

17               “(3) employ such employees as it considers nec-  
18 essary for such purposes and fix the compensation  
19 of such employees.

20       “(e)(1) Except as provided in paragraph (2), any  
21 funds received by a corporation established under this sec-  
22 tion through arrangements authorized under subsection  
23 (d)(1) in excess of amounts reasonably required to carry  
24 out obligations of the corporation authorized under sub-  
25 section (d)(3) shall be deposited in or credited to the Spe-

1 cial Therapeutic and Rehabilitation Activities Fund estab-  
2 lished under section 1718(c) of this title.

3 “(2) The Secretary, in accordance with guidelines  
4 which the Secretary shall prescribe, may authorize a cor-  
5 poration established under this section to retain funds de-  
6 rived from arrangements authorized under subsection  
7 (d)(1).

8 “(3) Any funds received by a corporation established  
9 under this section through arrangements authorized under  
10 subsection (d)(2) may be transferred to the Special Thera-  
11 peutics and Rehabilitation Activities Fund.

12 “(f) A corporation established under this section shall  
13 be established in accordance with the nonprofit corpora-  
14 tion laws of the State in which the applicable medical facil-  
15 ity is located and shall, to the extent not inconsistent with  
16 Federal law, be subject to the laws of such State.

17 “(g)(1)(A) The records of a corporation established  
18 under this section shall be available to the Secretary.

19 “(B) For the purposes of sections 4(a)(1) and 6(a)(1)  
20 of the Inspector General Act of 1978, the programs and  
21 operations of such a corporation shall be considered to be  
22 programs and operations of the Department with respect  
23 to which the Inspector General of the Department has re-  
24 sponsibilities under such Act.

1       “(2) Such a corporation shall be considered an agen-  
2 cy for the purposes of section 716 of title 31 (relating to  
3 availability of information and inspection of records by the  
4 Comptroller General).

5       “(3) Each such corporation shall submit to the Sec-  
6 retary an annual report providing a detailed statement of  
7 its operations, activities, and accomplishments during that  
8 year. The corporation shall obtain a report of independent  
9 auditors concerning the receipts and expenditures of funds  
10 by the corporation during that year and shall include that  
11 report in the corporation’s report to the Secretary for that  
12 year.

13       “(4) Each member of the board of directors of a cor-  
14 poration established under this section, each employee of  
15 such corporation, and each employee of the Department  
16 who is involved in the functions of the corporation during  
17 any year shall—

18               “(A) be subject to Federal laws and regulations  
19 applicable to Federal employees with respect to con-  
20 flicts of interest in the performance of official func-  
21 tions; and

22               “(B) submit to the Secretary an annual state-  
23 ment signed by the director or employee certifying  
24 that the director or employee is aware of, and has

1       complied with, such laws and regulations in the  
2       same manner as Federal employees are required to.

3       “(h) The Secretary shall submit to the Committees  
4 on Veterans’ Affairs of the Senate and House of Rep-  
5 resentatives an annual report on the number and location  
6 of corporations established and the amount of the con-  
7 tributions made to each such corporation.

8       “(i) No corporation may be established under this  
9 section after September 30, 1999.

10       “(j) If by the end of the four-year period beginning  
11 on the date of the establishment of a corporation under  
12 this section the corporation is not recognized as an entity  
13 the income of which is exempt from taxation under the  
14 Internal Revenue Code of 1986, the Secretary shall dis-  
15 solve the corporation.”.

16       (b) CLERICAL AMENDMENT.—The table of sections  
17 at the beginning of such chapter is amended by inserting  
18 after the item relating to section 1718 the following new  
19 item:

      “1718A. Nonprofit corporations.”.

20       **SEC. 402. EXTENSION OF DEMONSTRATION PROGRAM.**

21       Section 7 of Public Law 102–54 (105 Stat. 269; 38  
22 U.S.C. ~~618~~ 1718 note) is amended—

23               (1) in subsection (a), by striking out “1994”  
24               and inserting in lieu thereof “1998”;

25               (2) in subsection (c)—

1 (A) by striking out “no more than 50”;  
2 and

3 (B) by striking out “~~of~~ *under* this sub-  
4 section.” and inserting in lieu thereof “~~of~~ *under*  
5 this subsection—

6 “(1) at no more than 58 sites during fiscal year  
7 1994;

8 “(2) at no more than 70 sites during fiscal year  
9 1995;

10 “(3) at no more than 82 sites during fiscal year  
11 1996;

12 “(4) at no more than 94 sites during fiscal year  
13 1997; and

14 “(5) at no more than 106 sites during fiscal  
15 year 1998.”.

16 **SEC. 403. SPECIAL COMMITTEE.**

17 (a) ESTABLISHMENT.—The Secretary of Veterans  
18 Administration, acting through the Under Secretary for  
19 Health of the Department of Veterans Affairs, shall estab-  
20 lish in the Veterans Health Administration a Special Com-  
21 mittee on Care of Severely Chronically Mentally Ill Veter-  
22 ans (hereinafter in this section referred to as the “Special  
23 Committee”). The Under Secretary shall appoint employ-  
24 ees of the Department with expertise in the care of the  
25 chronically mentally ill to serve on the Special Committee.

1 (b) FUNCTIONS.—The Special Committee may as-  
2 sess, and carry out a continuing assessment of, the capa-  
3 bility of the Veterans Health Administration to meet effec-  
4 tively the treatment and rehabilitation needs of severely,  
5 chronically mentally ill veterans. In carrying out that re-  
6 sponsibility, the Special Committee shall—

7 (1) monitor the care provided to such veterans  
8 through the Veterans Health Administration;

9 (2) identify systemwide problems in caring for  
10 such veterans in facilities of the Veterans Health  
11 Administration;

12 (3) identify specific facilities within the Veter-  
13 ans Health Administration at which program sup-  
14 port is needed to improve treatment and rehabilita-  
15 tion of such veterans; and

16 (4) identify model programs which have had  
17 demonstrated success in the treatment and rehabili-  
18 tation of such veterans and which should be imple-  
19 mented more widely in or through facilities of the  
20 Veterans Health Administration.

21 (c) ADVICE AND RECOMMENDATIONS.—The Special  
22 Committee shall—

23 (1) advise the Under Secretary regarding the  
24 development of policies for the care and rehabilita-  
25 tion of the severely, chronically mentally ill; and

1           (2) make recommendations to the Under Sec-  
2     retary—

3           (A) for improving programs of care of such  
4     veterans at specific facilities and throughout the  
5     Veterans Health Administration;

6           (B) for establishing special programs of  
7     education and training relevant to the care of  
8     such veterans for employees of the Veterans  
9     Health Administration;

10          (C) regarding research needs and priorities  
11     relevant to the care of such veterans; and

12          (D) regarding the appropriate allocation of  
13     resources for all such activities.

14     (d) ANNUAL REPORTS.—(1) Not later than April 1,  
15     1994, the Secretary of Veterans Affairs shall submit to  
16     the Committees on Veterans' Affairs of the Senate and  
17     House of Representatives a report on the implementation  
18     of this section. The report shall include the following:

19           (A) A list of the members of the Special Com-  
20     mittee.

21           (B) The assessment of the Under Secretary for  
22     Health, after review of the findings of the Special  
23     Committee, regarding the capability of the Veterans  
24     Health Administration, on a systemwide and facility-  
25     by-facility basis, to meet effectively the treatment

1 and rehabilitation needs of severely, chronically men-  
2 tally ill veterans.

3 (C) The plans of the Special Committee for fur-  
4 ther assessments.

5 (D) The findings and recommendations made  
6 by the Special Committee to the Under Secretary for  
7 Health and the views of the Under Secretary on  
8 such findings and recommendations.

9 (E) A description of the steps taken, plans  
10 made (and a timetable for their execution), and re-  
11 sources to be applied toward improving the capabil-  
12 ity of the Veterans Health Administration to meet  
13 effectively the treatment and rehabilitation needs of  
14 severely, chronically mentally ill veterans.

15 (2) Not later than February 1, 1995, and February  
16 1 of each of the three following years, the Secretary shall  
17 submit to the Committees on Veterans' Affairs of the Sen-  
18 ate and House of Representatives a report containing in-  
19 formation updating the reports submitted under this sub-  
20 section before the submission of such report.

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