

103^D CONGRESS
1ST SESSION

H. R. 530

To condition the closure of a military medical facility in the United States or a reduction in the level of care provided at a military medical facility in the United States upon a determination by the Secretary of Defense and the Secretary of the military department concerned that the closure or reduction is cost effective for the Federal Government.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1993

Mr. PANETTA introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To condition the closure of a military medical facility in the United States or a reduction in the level of care provided at a military medical facility in the United States upon a determination by the Secretary of Defense and the Secretary of the military department concerned that the closure or reduction is cost effective for the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONDITIONS ON CLOSURE OF, OR REDUCTION**
2 **IN CARE AT, MILITARY MEDICAL FACILITIES.**

3 (a) **CONDITIONS.**—The Secretary of a military de-
4 partment may not take any action to close, or reduce the
5 level of care provided at, a military medical facility in the
6 United States under the jurisdiction of the Secretary until
7 90 days after the date on which the Secretary determines
8 that the closure or reduction will be cost effective, as cal-
9 culated under subsection (b). If the closure of a military
10 medical facility or a reduction in the level of care provided
11 at a military medical facility is proposed as part of the
12 closure or realignment of a military installation selected
13 for closure or realignment under a base closure law, the
14 Secretary of Defense shall make the determination re-
15 quired by this subsection.

16 (b) **CALCULATION OF COST EFFECTIVENESS.**—To
17 determine whether the closure of a military medical facil-
18 ity or a reduction in the level of care provided at a military
19 medical facility is cost effective, the Secretary of Defense
20 or the Secretary of the military department concerned, as
21 the case may be, shall calculate whether—

22 (1) the cost to the Federal Government of con-
23 tinuing to provide care at the military medical facil-
24 ity to persons who are eligible to receive care at the
25 facility pursuant to section 1074(b), 1074a, 1074b,
26 1076, or 1145(a) of title 10, United States Code,

1 and receive or are likely to seek treatment at the fa-
2 cility; exceeds

3 (2) the cost to the Federal Government of pro-
4 viding alternate equivalent care to such persons at
5 other Federal or private health care facilities as a
6 consequence of the closure or reduction.

7 (c) NOTIFICATION OF CONGRESS.—The Secretary of
8 Defense or the Secretary of a military department shall
9 notify Congress of each determination made by the Sec-
10 retary concerned under subsection (a), and the basis for
11 making the determination, not later than 10 days after
12 the Secretary makes the determination.

13 (d) NOTIFICATION OF AND CONSULTATION WITH
14 COMMUNITY REUSE ENTITIES.—In the case of a military
15 medical facility located on a military installation in the
16 United States selected for closure or realignment under
17 a base closure law, the Secretary of Defense shall prompt-
18 ly notify all community reuse entities formed with respect
19 to the installation if the Secretary is considering the clo-
20 sure of the military medical facility or a reduction in the
21 level of care provided at the military medical facility as
22 part of the closure or realignment of the installation. The
23 Secretary shall consult with such community reuse entities
24 in making the determination under subsection (a) with re-
25 gard to that military medical facility.

1 (e) APPLICATION OF SECTION.—This section shall
2 apply with respect to any closure of a military medical fa-
3 cility in the United States or any reduction in the level
4 of care provided at a military medical facility in the United
5 States, even if the military medical facility is located on
6 a military installation selected for closure or realignment
7 under a base closure law.

8 (f) DEFINITION.—For purposes of this section, the
9 term “base closure law” means the following:

10 (1) The Defense Base Closure and Realignment
11 Act of 1990 (part A of title XXIX of Public Law
12 101–510; 104 Stat. 1808; 10 U.S.C. 2687 note).

13 (2) Title II of the Defense Authorization
14 Amendments and Base Closure and Realignment
15 Act (Public Law 100–526; 102 Stat. 2627; 10
16 U.S.C. 2687 note).

17 (3) Section 2687 of title 10, United States
18 Code.

19 (4) Any other similar law enacted after the date
20 of the enactment of this Act.

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