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107TH CONGRESS
1ST SESSION

H. R. 2792

[Report No. 107-242]

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

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

OCTOBER 16, 2001

Additional sponsors: Mr. BASS, Mr. FILNER, Mr. BILIRAKIS, Mr. SIMPSON, Mr. McKEON, Ms. CARSON of Indiana, Mr. UDALL of New Mexico, Mr. PICKERING, Mr. SHOWS, and Mr. THUNE

OCTOBER 16, 2001

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

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on August 2, 2001]

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other

improvements in health care benefits provided by the Department of Veterans Affairs, 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; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Dis-*
 5 *abled Veterans Service Dog and Health Care Improvement*
 6 *Act of 2001”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 8 *Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—VETERANS HEALTH CARE IMPROVEMENT

- Sec. 101. Authorization for Secretary of Veterans Affairs to provide service dogs for disabled veterans.*
Sec. 102. Maintenance of capacity for specialized treatment and rehabilitative needs of disabled veterans.
Sec. 103. Threshold for veterans health care eligibility means test to reflect locality cost-of-living variations.
Sec. 104. Assessment and report on special telephone services for veterans.
Sec. 105. Recodification of bereavement counseling authority and certain other health-related authorities.
Sec. 106. Extension of expiring collections authorities.

TITLE II—CHIROPRACTIC SERVICES PROGRAM

- Sec. 201. Chiropractic Service established in the Veterans Health Administration.*
Sec. 202. Availability of chiropractic care to veterans.
Sec. 203. Chiropractic providers.
Sec. 204. Scope of services; enrollment.
Sec. 205. Training and information.
Sec. 206. Advisory committee.
Sec. 207. Implementation report.

TITLE III—NATIONAL COMMISSION ON VA NURSING

- Sec. 301. Establishment of Commission.*
Sec. 302. Duties of Commission.
Sec. 303. Reports.
Sec. 304. Powers.
Sec. 305. Personnel matters.
Sec. 306. Termination of the Commission.

1 **TITLE I—VETERANS HEALTH**
2 **CARE IMPROVEMENT**

3 **SEC. 101. AUTHORIZATION FOR SECRETARY OF VETERANS**
4 **AFFAIRS TO PROVIDE SERVICE DOGS FOR**
5 **DISABLED VETERANS.**

6 (a) *AUTHORITY.*—Section 1714 of title 38, United
7 *States Code, is amended—*

8 (1) *in subsection (b)—*

9 (A) *by striking “seeing-eye or” the first*
10 *place it appears;*

11 (B) *by striking “who are entitled to dis-*
12 *ability compensation” and inserting “who are*
13 *enrolled under section 1705 of this title”;*

14 (C) *by striking “, and may pay” and all*
15 *that follows through “such seeing-eye or guide*
16 *dogs”;* and

17 (D) *by striking “handicap” and inserting*
18 *“disability”;* and

19 (2) *by adding at the end the following new sub-*
20 *sections:*

21 “(c) *The Secretary may, in accordance with the pri-*
22 *ority specified in section 1705 of this title, provide—*

23 “(1) *service dogs trained for the aid of the hear-*
24 *ing impaired to veterans who are hearing impaired*
25 *and are enrolled under section 1705 of this title; and*

1 “(2) *service dogs trained for the aid of persons*
2 *with spinal cord injury or dysfunction or other*
3 *chronic impairment that substantially limits mobility*
4 *to veterans with such injury, dysfunction, or impair-*
5 *ment who are enrolled under section 1705 of this title.*

6 “(d) *In the case of a veteran provided a dog under*
7 *subsection (b) or (c), the Secretary may pay travel and inci-*
8 *dental expenses for that veteran under the terms and condi-*
9 *tions set forth in section 111 of this title to and from the*
10 *veteran’s home for expenses incurred in becoming adjusted*
11 *to the dog.”.*

12 (b) *CLERICAL AMENDMENTS.*—

13 (1) *The heading for such section is amended to*
14 *read as follows:*

15 “**§ 1714. *Fitting and training in use of prosthetic ap-***
16 ***pliances; guide dogs; service dogs*”.**

17 (2) *The item relating to such section in the table*
18 *of sections at the beginning of chapter 17 of such title*
19 *is amended to read as follows:*

 “1714. *Fitting and training in use of prosthetic appliances; guide dogs; service*
 dogs.”.

1 **SEC. 102. MAINTENANCE OF CAPACITY FOR SPECIALIZED**
2 **TREATMENT AND REHABILITATIVE NEEDS OF**
3 **DISABLED VETERANS.**

4 (a) *MAINTENANCE OF CAPACITY ON A SERVICE-NET-*
5 *WORK BASIS.*—Section 1706(b) of title 38, United States
6 Code, is amended—

7 (1) in paragraph (1)—

8 (A) in the first sentence, by inserting “(and
9 each geographic service area of the Veterans
10 Health Administration)” after “ensure that the
11 Department”; and

12 (B) in clause (B), by inserting “(and each
13 geographic service area of the Veterans Health
14 Administration)” after “overall capacity of the
15 Department”; and

16 (2) by redesignating paragraphs (2) and (3) as
17 paragraphs (4) and (5), respectively;

18 (3) by inserting after paragraph (1) the fol-
19 lowing new paragraphs (2) and (3):

20 “(2) For purposes of paragraph (1), the capacity of
21 the Department (and each geographic service area of the
22 Veterans Health Administration) to provide for the special-
23 ized treatment and rehabilitative needs of disabled veterans
24 (including veterans with spinal cord dysfunction, trau-
25 matic brain injury, blindness, prosthetics and sensory aids,
26 and mental illness) within distinct programs or facilities

1 *shall be measured for seriously mentally ill veterans as fol-*
2 *lows (with all such data to be provided by geographic serv-*
3 *ice area and totaled nationally):*

4 “(A) *For mental health intensive community-*
5 *based care, the number of discrete intensive care*
6 *teams constituted to provide such intensive services to*
7 *seriously mentally ill veterans and the number of vet-*
8 *erans provided such care.*

9 “(B) *For opioid substitution programs and for*
10 *traumatic brain injury, the number of patients treat-*
11 *ed annually and the amounts expended.*

12 “(C) *For dual-diagnosis patients, the number*
13 *treated annually and the amounts expended.*

14 “(D) *For substance abuse programs—*

15 “(i) *the number of substance-use disorder*
16 *beds (whether hospital, nursing home, or other*
17 *designated beds) employed and the average bed*
18 *occupancy of such beds;*

19 “(ii) *the percentage of unique patients ad-*
20 *mitted directly to substance abuse outpatient*
21 *care during the fiscal year who had two or more*
22 *additional visits to specialized substance abuse*
23 *outpatient care within 30 days of their first*
24 *visit, with a comparison from 1996 until the*
25 *date of the report;*

1 “(iii) the percentage of unique inpatients
2 with substance abuse diagnoses treated during
3 the fiscal year who had one or more specialized
4 substance abuse clinic visits within three days of
5 their index discharge, with a comparison from
6 1996 until the date of the report; and

7 “(iv) the percentage of unique outpatients
8 seen in a facility or service network during the
9 fiscal year who had one or more specialized sub-
10 stance abuse clinic visits, with a comparison
11 from 1996 until the date of the report.

12 “(E) For mental health programs, the number
13 and type of staff that are available at each facility
14 to provide specialized mental health treatment, in-
15 cluding satellite clinics, outpatient programs, and
16 community-based outpatient clinics, with a trend line
17 comparison from 1996 to the date of the report.

18 “(F) The number of such clinics providing men-
19 tal health care, the number and type of mental health
20 staff at each such clinic, and the type of mental
21 health programs at each such clinic.

22 “(3) For purposes of paragraph (1), the capacity of
23 the Department (and each geographic service area of the
24 Veterans Health Administration) to provide for the special-
25 ized treatment and rehabilitative needs of disabled veterans

1 *within distinct programs or facilities shall be measured for*
2 *veterans with spinal cord dysfunction, traumatic brain in-*
3 *jury, blindness, or prosthetics and sensory aids as follows*
4 *(with all such data to be provided by geographic service*
5 *area and totaled nationally):*

6 “(A) *For spinal cord injury/dysfunction special-*
7 *ized centers and for blind rehabilitation specialized*
8 *centers, the number of staffed beds and the number of*
9 *full-time equivalent employees assigned to provide*
10 *care at such centers.*

11 “(B) *For prosthetics and sensory aids, the an-*
12 *nual amount expended.*”.

13 **(b) EXTENSION OF ANNUAL REPORT REQUIREMENT.—**
14 *Paragraph (3) of such section, as so redesignated, is*
15 *amended—*

16 (1) *by striking “April 1, 1999, April 1, 2000,*
17 *and April 1, 2001” and inserting “April 1 of each*
18 *year through 2004”; and*

19 (2) *by adding at the end the following new sen-*
20 *tence: “The accuracy of each such report shall be cer-*
21 *tified by, or otherwise commented upon by, the In-*
22 *pector General of the Department.”.*

1 **SEC. 103. THRESHOLD FOR VETERANS HEALTH CARE ELIGI-**
2 **BILITY MEANS TEST TO REFLECT LOCALITY**
3 **COST-OF-LIVING VARIATIONS.**

4 (a) *REVISED THRESHOLD.*—Subsection (b) of section
5 1722 of title 38, United States Code, is amended to read
6 as follows:

7 “(b)(1) For purposes of subsection (a)(3), the income
8 threshold applicable to a veteran is the amount determined
9 under paragraph (2).

10 “(2) The amount determined under this paragraph for
11 a veteran is the greater of the following:

12 “(A) For any calendar year after 2000—

13 “(i) in the case of a veteran with no de-
14 pendents, \$23,688, as adjusted under subsection
15 (c); or

16 “(ii) in the case of a veteran with one or
17 more dependents, \$28,429, as so adjusted, plus
18 \$1,586, as so adjusted, for each dependent in ex-
19 cess of one.

20 “(B) The amount in effect under the HUD Low
21 Income Index that is applicable in the area in which
22 the veteran resides.

23 “(3) For purposes of paragraph (2)(B), the term ‘HUD
24 Low Income Index’ means the family income ceiling
25 amounts determined by the Secretary of Housing and
26 Urban Development under section 3(b)(2) of the United

1 *States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)) for*
 2 *purposes of the determination of ‘low-income families’*
 3 *under that section.”.*

4 (c) *CONFORMING AMENDMENT.—(1) Subsection (a)(3)*
 5 *of such section is amended by striking “amount set forth*
 6 *in” and inserting “income threshold determined under”.*

7 (2) *Subsection (c) of such section is amended by strik-*
 8 *ing “subsection (b)” and inserting “subsection (b)(2)(A)”.*

9 (d) *LIMITATION ON RESOURCE REALLOCATIONS.—*
 10 *Within the amount appropriated to the Department of Vet-*
 11 *erans Affairs for medical care for each of fiscal years 2002*
 12 *through 2006. The amount that would otherwise be allocated*
 13 *by the Secretary to any geographic service region of the Vet-*
 14 *erans Health Administration in accordance with the estab-*
 15 *lished resource allocation procedures of the Department*
 16 *may not be increased or decreased by more than 5 percent*
 17 *by reason of the implementation of this section.*

18 (e) *EFFECTIVE DATE.—The amendments made by this*
 19 *section shall take effect on April 1, 2002.*

20 **SEC. 104. ASSESSMENT AND REPORT ON SPECIAL TELE-**
 21 **PHONE SERVICES FOR VETERANS.**

22 (a) *ASSESSMENT OF CURRENT SERVICES.—The Sec-*
 23 *retary of Veterans Affairs shall carry out an assessment of*
 24 *all special telephone services for veterans (such as helplines*
 25 *and hotlines) provided by the Department of Veterans Af-*

1 *fairs. The assessment shall include the geographical cov-*
2 *erage, availability, utilization, effectiveness, management,*
3 *coordination, staffing, and cost of those services. As part*
4 *of such assessment, the Secretary shall conduct a survey of*
5 *veterans to measure their satisfaction with current special*
6 *telephone services and the demand for additional services.*

7 **(b) REPORT.**—*Not later than one year after the date*
8 *of the enactment of this Act, the Secretary shall submit to*
9 *Congress a report on the assessment carried out under sub-*
10 *section (a). The Secretary shall include in the report rec-*
11 *ommendations regarding any needed improvement to such*
12 *services and recommendations regarding contracting for the*
13 *performance of such services.*

14 **SEC. 105. RECODIFICATION OF BEREAVEMENT COUN-**
15 **SELING AUTHORITY AND CERTAIN OTHER**
16 **HEALTH-RELATED AUTHORITIES.**

17 **(a) STATUTORY REORGANIZATION.**—*Subchapter I of*
18 *chapter 17 of title 38, United States Code, is amended—*

19 **(1) in section 1701(6)—**

20 **(A) by striking subparagraph (B) and the**
21 **sentence following that subparagraph;**

22 **(B) by striking “services—” in the matter**
23 **preceding subparagraph (A) and inserting “serv-**
24 **ices, the following:”;** and

1 (C) by striking subparagraph (A) and in-
2 serting the following:

3 “(A) Surgical services.

4 “(B) Dental services and appliances as described
5 in sections 1710 and 1712 of this title.

6 “(C) Optometric and podiatric services.

7 “(D) Preventive health services.

8 “(E) In the case of a person otherwise receiving
9 care or services under this chapter—

10 “(i) wheelchairs, artificial limbs, trusses,
11 and similar appliances;

12 “(ii) special clothing made necessary by the
13 wearing of prosthetic appliances; and

14 “(iii) such other supplies or services as the
15 Secretary determines to be reasonable and nec-
16 essary.

17 “(F) Travel and incidental expenses pursuant to
18 section 111 of this title.”; and

19 (2) in section 1707—

20 (A) by inserting “(a)” at the beginning of
21 the text of the section; and

22 (B) by adding at the end the following:

23 “(b) The Secretary may furnish sensori-neural aids
24 only in accordance with guidelines prescribed by the Sec-
25 retary.”.

1 (b) *CONSOLIDATION OF PROVISIONS RELATING TO*
2 *PERSONS OTHER THAN VETERANS.*—*Such chapter is fur-*
3 *ther amended by adding at the end the following new sub-*
4 *chapter:*

5 “*SUBCHAPTER VIII—HEALTH CARE OF PERSONS*
6 *OTHER THAN VETERANS*

7 “**§ 1782. *Counseling, training, and mental health serv-***
8 ***ices for immediate family members***

9 “(a) *COUNSELING FOR FAMILY MEMBERS OF VET-*
10 *ERANS RECEIVING SERVICE-CONNECTED TREATMENT.*—*In*
11 *the case of a veteran who is receiving treatment for a serv-*
12 *ice-connected disability pursuant to paragraph (1) or (2)*
13 *of section 1710(a) of this title, the Secretary shall provide*
14 *to individuals described in subsection (c) such consultation,*
15 *professional counseling, training, and mental health serv-*
16 *ices as are necessary in connection with that treatment.*

17 “(b) *COUNSELING FOR FAMILY MEMBERS OF VET-*
18 *ERANS RECEIVING NON-SERVICE-CONNECTED TREAT-*
19 *MENT.*—*In the case of a veteran who is eligible to receive*
20 *treatment for a non-service-connected disability under the*
21 *conditions described in paragraph (1), (2), or (3) of section*
22 *1710(a) of this title, the Secretary may, in the discretion*
23 *of the Secretary, provide to individuals described in sub-*
24 *section (c) such consultation, professional counseling, train-*

1 *ing, and mental health services as are necessary in connec-*
2 *tion with that treatment if—*

3 “(1) *those services were initiated during the vet-*
4 *eran’s hospitalization; and*

5 “(2) *the continued provision of those services on*
6 *an outpatient basis is essential to permit the dis-*
7 *charge of the veteran from the hospital.*

8 “(c) *ELIGIBLE INDIVIDUALS.—Individuals who may*
9 *be provided services under this subsection are—*

10 “(1) *the members of the immediate family or the*
11 *legal guardian of a veteran; or*

12 “(2) *the individual in whose household such vet-*
13 *eran certifies an intention to live.*

14 “(d) *TRAVEL AND TRANSPORTATION AUTHORIZED.—*
15 *Services provided under subsections (a) and (b) may in-*
16 *clude, under the terms and conditions set forth in section*
17 *111 of this title, travel and incidental expenses of individ-*
18 *uals described in subsection (c) in the case of—*

19 “(1) *a veteran who is receiving care for a serv-*
20 *ice-connected disability; and*

21 “(2) *a dependent or survivor receiving care*
22 *under the last sentence of section 1783(b) of this title.*

23 **“§ 1783. Bereavement counseling**

24 “(a) *DEATHS OF VETERANS.—In the case of an indi-*
25 *vidual who was a recipient of services under section 1782*

1 *of this title at the time of the death of the veteran, the Sec-*
2 *retary may provide bereavement counseling to that indi-*
3 *vidual in the case of a death—*

4 “(1) *that was unexpected; or*

5 “(2) *that occurred while the veteran was partici-*
6 *parting in a hospice program (or a similar program)*
7 *conducted by the Secretary.*

8 “(b) *DEATHS IN ACTIVE SERVICE.—The Secretary*
9 *may provide bereavement counseling to an individual who*
10 *is a member of the immediate family of a member of the*
11 *Armed Forces who dies in the active military, naval, or*
12 *air service in the line of duty and under circumstances not*
13 *due to the person’s own misconduct.*

14 “(c) *BEREAVEMENT COUNSELING DEFINED.—For pur-*
15 *poses of this section, the term ‘bereavement counseling’*
16 *means such counseling services, for a limited period, as the*
17 *Secretary determines to be reasonable and necessary to as-*
18 *sist an individual with the emotional and psychological*
19 *stress accompanying the death of another individual.*

20 **“§ 1784. Humanitarian care**

21 *“The Secretary may furnish hospital care or medical*
22 *services as a humanitarian service in emergency cases, but*
23 *the Secretary shall charge for such care and services at rates*
24 *prescribed by the Secretary.”.*

1 (c) *TRANSFER OF CHAMPVA SECTION.*—Section
2 1713 of such title is—

3 (1) *transferred to subchapter VIII of chapter 17*
4 *of such title, as added by subsection (b), and inserted*
5 *after the subchapter heading;*

6 (2) *redesignated as section 1781; and*

7 (3) *amended by adding at the end of subsection*
8 *(b) the following new sentence: “A dependent or sur-*
9 *vivor receiving care under the preceding sentence shall*
10 *be eligible for the same medical services as a veteran,*
11 *including services under sections 1782 and 1783 of*
12 *this title.”.*

13 (d) *REPEAL OF RECODIFIED AUTHORITY.*—Section
14 1711 of such title is amended by striking subsection (b).

15 (e) *CROSS REFERENCE AMENDMENTS.*—Such title is
16 *further amended as follows:*

17 (1) *Section 103(d)(5)(B) is amended by striking*
18 *“1713” and inserting “1781”.*

19 (2) *Sections 1701(5) is amended by striking*
20 *“1713(b)” in subparagraphs (B) and (C)(i) and in-*
21 *serting “1781(b)”.*

22 (3) *Section 1712A(b) is amended—*

23 (A) *in the last sentence of paragraph (1), by*
24 *striking “section 1711(b)” and inserting “section*
25 *1784”;* and

1 (B) in paragraph (2), by striking “section
2 1701(6)(B)” and inserting “sections 1782 and
3 1783”.

4 (4) Section 1729(f) is amended by striking “sec-
5 tion 1711(b)” and inserting “section 1784”.

6 (5) Section 1729A(b) is amended—

7 (A) by redesignating paragraph (7) as
8 paragraph (8); and

9 (B) by inserting after paragraph (6) the fol-
10 lowing new paragraph (7):

11 “(7) Section 1784 of this title.”.

12 (6) Section 8111(g) is amended—

13 (A) in paragraph (4), by inserting “services
14 under sections 1782 and 1783 of this title” after
15 “of this title,”; and

16 (B) in paragraph (5), by striking “section
17 1711(b) or 1713” and inserting “section 1782,
18 1783, or 1784”.

19 (7) Section 8111A(a)(2) is amended by inserting
20 “, and the term ‘medical services’ includes services
21 under sections 1782 and 1783 of this title” before the
22 period at the end.

23 (8) Section 8152(1) is amended by inserting
24 “services under sections 1782 and 1783 of this title,”
25 after “of this title,”.

1 (9) Sections 8502(b), 8520(a), and 8521 are
 2 amended by striking “the last sentence of section
 3 1713(b)” and inserting “the penultimate sentence of
 4 section 1781(b)”.

5 (f) CLERICAL AMENDMENTS.—

6 (1) The table of sections at the beginning of such
 7 chapter is amended—

8 (A) by striking the item relating to section
 9 1707 and inserting the following:

“1707. Limitations.”;

10 (B) by striking the item relating to section
 11 1713; and

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

“SUBCHAPTER VIII—HEALTH CARE OF PERSONS OTHER THAN VETERANS

“1781. Medical care for survivors and dependents of certain veterans.

“1782. Counseling, training, and mental health services for immediate family
 members.

“1783. Bereavement counseling.

“1784. Humanitarian care.”.

13 (2) The heading for section 1707 is amended to
 14 read as follows:

15 **“§ 1707. Limitations”.**

16 **SEC. 106. EXTENSION OF EXPIRING COLLECTIONS AU-**
 17 **THORITIES.**

18 (a) HEALTH CARE COPAYMENTS.—Section
 19 1710(f)(2)(B) of title 38, United States Code, is amended
 20 by striking “September 30, 2002” and inserting “September
 21 30, 2007”.

1 (b) *MEDICAL CARE COST RECOVERY*.—Section
 2 1729(a)(2)(E) of such title is amended by striking “October
 3 1, 2002” and inserting “October 1, 2007”.

4 **TITLE II—CHIROPRACTIC**
 5 **SERVICES**

6 **SEC. 201. CHIROPRACTIC SERVICE ESTABLISHED IN THE**
 7 **VETERANS HEALTH ADMINISTRATION.**

8 (a) *NEW SERVICE IN VETERANS HEALTH ADMINIS-*
 9 *TRATION*.—Section 7305 of title 38, United States Code, is
 10 amended—

11 (1) by redesignating paragraph (7) as para-
 12 graph (8); and

13 (2) by inserting after paragraph (6) the fol-
 14 lowing new paragraph (7):

15 “(7) *A Chiropractic Service.*”.

16 (b) *DIRECTOR*.—Section 7306(a) of such title—

17 (1) by redesignating paragraphs (7) through (10)
 18 as paragraphs (8) through (11), respectively; and

19 (2) by inserting after paragraph (6) the fol-
 20 lowing new paragraph (7):

21 “(7) *A Director of Chiropractic Service, who*
 22 *shall be a qualified doctor of chiropractic and who*
 23 *shall be responsible to the Secretary for the operation*
 24 *of the Chiropractic Service.*”.

1 **SEC. 202. AVAILABILITY OF CHIROPRACTIC CARE TO VET-**
2 **ERANS.**

3 (a) *ESTABLISHMENT.*—*The Secretary of Veterans Af-*
4 *fairs shall establish a program to provide chiropractic care*
5 *to veterans through all Department of Veterans Affairs med-*
6 *ical centers.*

7 (b) *IMPLEMENTATION.*—*The program under this sec-*
8 *tion shall be implemented at Department of Veterans Af-*
9 *fairs medical centers as follows:*

10 (1) *At not less than 30 medical centers by the*
11 *end of fiscal year 2002.*

12 (2) *At not less than 60 medical centers by the*
13 *end of fiscal year 2003,*

14 (3) *At not less than 90 medical centers by the*
15 *end of fiscal year 2004.*

16 (4) *At not less than 120 medical centers by the*
17 *end of fiscal year 2005.*

18 (5) *At all of the Department of Veterans Affairs*
19 *medical centers by the end of fiscal year 2006.*

20 (c) *INITIAL PARTICIPATING MEDICAL CENTERS.*—*The*
21 *initial 30 medical centers at which the program is to be*
22 *carried out shall be designated by the Secretary not later*
23 *than 60 days after the date of the enactment of this Act.*
24 *In designating those medical centers, the Secretary shall se-*
25 *lect medical centers to reflect geographic diversity, facilities*

1 *of various size and capabilities, and the range of services*
2 *in the Department health care system.*

3 **SEC. 203. CHIROPRACTIC PROVIDERS.**

4 *The program under section 202 shall be carried out*
5 *through personal service contracts and with appointments*
6 *of licensed chiropractors for delivery of chiropractic services*
7 *at Department of Veterans Affairs medical centers.*

8 **SEC. 204. SCOPE OF SERVICES; ENROLLMENT.**

9 *(a) SCOPE OF SERVICES.—The chiropractic services*
10 *provided under section 202 shall include, at a minimum,*
11 *care for neuro-musculoskeletal conditions.*

12 *(b) ENROLLMENT.—A veteran enrolled under section*
13 *1705 of title 38, United States Code, may, as part of such*
14 *enrollment, choose a chiropractor as the veteran’s primary*
15 *care provider. A veteran with a primary care provider other*
16 *than a chiropractor may be referred to chiropractic services*
17 *for neuro-musculoskeletal conditions by a medical provider.*

18 **SEC. 205. TRAINING AND INFORMATION.**

19 *(a) PRIMARY CARE TEAMS.—The Secretary shall pro-*
20 *vide training and materials relating to chiropractic services*
21 *to members of Department health care providers assigned*
22 *to primary care teams for the purposes of familiarizing*
23 *those providers with the benefits of appropriate use of chiro-*
24 *practic services.*

1 (b) *FUTURE PROGRAM SITES.*—During the period cov-
2 ered by section 202(b), the Secretary shall provide materials
3 relating to chiropractic services to medical centers and other
4 health care facilities of the Department not yet partici-
5 pating in the program in order to ensure that health care
6 providers at those facilities are aware of chiropractic care
7 as a future referral source.

8 (c) *APPROVAL OF MATERIALS.*—The Secretary may
9 approve materials to be furnished under subsections (a) and
10 (b) only after consulting with, and receiving the views of,
11 the advisory committee established under section 206.

12 **SEC. 206. ADVISORY COMMITTEE.**

13 (a) *ESTABLISHMENT.*—The Secretary shall establish
14 an advisory committee to review implementation of the pro-
15 gram under this title.

16 (b) *MEMBERS.*—In appointing the members of the ad-
17 visory committee, the Secretary shall include on the advi-
18 sory committee—

19 (1) *members of the chiropractic profession;*

20 (2) *persons who are experts in human resources*
21 *appointments in the Federal service;*

22 (3) *persons with expertise in academic matters;*

23 (4) *persons with knowledge of credentialing and*
24 *the granting of professional privileging to health care*
25 *practitioners; and*

1 (5) *other persons as determined necessary by the*
2 *Secretary and the functional needs of the advisory*
3 *committee in establishing the chiropractic health pro-*
4 *gram.*

5 (c) *FUNCTIONS.—The advisory committee shall pro-*
6 *vide advice to the Secretary on—*

7 (1) *the granting of professional privileges for*
8 *chiropractors at Department medical centers;*

9 (2) *the scope of practice of chiropractors at De-*
10 *partment medical centers;*

11 (3) *training materials; and*

12 (4) *such other matters as are determined appro-*
13 *priate by the Secretary.*

14 **SEC. 207. IMPLEMENTATION REPORT.**

15 *Not later than 18 months after the date of the enact-*
16 *ment of this Act, the Secretary shall submit to the Commit-*
17 *tees on Veterans Affairs of the Senate and House of Rep-*
18 *resentatives a report on the implementation of this title.*

19 **TITLE III—NATIONAL**
20 **COMMISSION ON VA NURSING**

21 **SEC. 301. ESTABLISHMENT OF COMMISSION.**

22 (a) *ESTABLISHMENT.—There is hereby established in*
23 *the Department of Veterans Affairs a commission to be*
24 *known as the “National Commission on VA Nursing” (here-*
25 *inafter in this title referred to as the “Commission”).*

1 (b) *COMPOSITION.*—(1) *The Commission shall be com-*
2 *posed of 12 members.*

3 (2) *Eleven members shall be appointed by the Sec-*
4 *retary of Veterans Affairs, as follows:*

5 (A) *Three shall be recognized representatives of*
6 *employees, including nurses, of the Department of*
7 *Veterans Affairs.*

8 (B) *Three shall be representatives of professional*
9 *associations of nurses of the Department or similar*
10 *organizations affiliated with the Department’s health*
11 *care practitioners.*

12 (C) *Two shall be representatives of trade associa-*
13 *tions representing the nursing profession.*

14 (D) *Two shall be nurses from nursing schools af-*
15 *filiated with the Department of Veterans Affairs.*

16 (E) *One shall be a representative of veterans.*

17 (3) *The Nurse Executive of the Department of Veterans*
18 *Affairs shall be an ex officio member of the Commission.*

19 (d) *CHAIRMAN OF COMMISSION.*—*The Secretary of*
20 *Veterans Affairs shall designate one of the members of the*
21 *Commission to serve as chairman of the Commission.*

22 (e) *PERIOD OF APPOINTMENT; VACANCIES.*—*Members*
23 *shall be appointed for the life of the Commission. Any va-*
24 *cancy in the Commission shall be filled in the same manner*
25 *as the original appointment.*

1 (f) *INITIAL ORGANIZATION REQUIREMENTS.*—All ap-
2 *pointments to the Commission shall be made not later than*
3 *60 days after the date of the enactment of this Act. The*
4 *Commission shall convene its first meeting not later than*
5 *60 days after the date as of which all members of the Com-*
6 *mission have been appointed.*

7 **SEC. 302. DUTIES OF COMMISSION.**

8 (a) *ASSESSMENT.*—The Commission shall—

9 (1) *consider legislative and organizational policy*
10 *changes to enhance the recruitment and retention of*
11 *nurses by the Department of Veterans Affairs; and*

12 (2) *assess the future of the nursing profession*
13 *within the Department.*

14 (b) *RECOMMENDATION.*—The Commission shall rec-
15 *ommend legislative and organizational policy changes to*
16 *enhance the recruitment and retention of nurses in the De-*
17 *partment.*

18 **SEC. 303. REPORTS.**

19 (a) *COMMISSION REPORT.*—The Commission shall, not
20 *later than two years after the date of its first meeting, sub-*
21 *mit to Congress and the Secretary of Veterans Affairs a re-*
22 *port on the Commission’s findings and conclusions.*

23 (b) *SECRETARY OF VETERANS AFFAIRS REPORT.*—Not
24 *later than 60 days after the date of the Commission’s report*

1 *under subsection (a), the Secretary shall submit to Congress*
2 *a report—*

3 *(1) providing the Secretary's views on the Com-*
4 *mission's findings and conclusions; and*

5 *(2) explaining what actions, if any, the Sec-*
6 *retary intends to take to implement the recommenda-*
7 *tions of the Commission and the Secretary's reasons*
8 *for doing so.*

9 **SEC. 304. POWERS.**

10 *(a) HEARINGS.—The Commission or, at its direction,*
11 *any panel or member of the Commission, may, for the pur-*
12 *pose of carrying out the provisions of this title, hold hear-*
13 *ings and take testimony to the extent that the Commission*
14 *or any member considers advisable.*

15 *(b) INFORMATION.—The Commission may secure di-*
16 *rectly from any Federal department or agency information*
17 *that the Commission considers necessary to enable the Com-*
18 *mission to carry out its responsibilities under this title.*

19 **SEC. 305. PERSONNEL MATTERS.**

20 *(a) PAY OF MEMBERS.—Members of the Commission*
21 *shall serve without pay by reason of their work on the Com-*
22 *mission.*

23 *(b) TRAVEL EXPENSES.—The members of the Commis-*
24 *sion shall be allowed travel expenses, including per diem*
25 *in lieu of subsistence, at rates authorized for employees of*

1 *agencies under subchapter I of chapter 57 of title 5, United*
2 *States Code, while away from their homes or regular places*
3 *of business in the performance of services for the Commis-*
4 *sion.*

5 (c) *STAFF.*—(1) *The Secretary may, without regard to*
6 *the provisions of title 5, United States Code, governing ap-*
7 *pointments in the competitive service, appoint a staff direc-*
8 *tor and such additional personnel as may be necessary to*
9 *enable the Commission to perform its duties.*

10 (2) *The Secretary may fix the pay of the staff director*
11 *and other personnel appointed under paragraph (1) with-*
12 *out regard to the provisions of chapter 51 and subchapter*
13 *III of chapter 53 of title 5, United States Code, relating*
14 *to classification of positions and General Schedule pay*
15 *rates, except that the rate of pay fixed under this paragraph*
16 *for the staff director may not exceed the rate payable for*
17 *level V of the Executive Schedule under section 5316 of such*
18 *title and the rate of pay for other personnel may not exceed*
19 *the maximum rate payable for grade GS-15 of the General*
20 *Schedule.*

21 (d) *DETAIL OF GOVERNMENT EMPLOYEES.*—*Upon re-*
22 *quest of the Secretary, the head of any Federal department*
23 *or agency may detail, on a nonreimbursable basis, any per-*
24 *sonnel of that department or agency to the Commission to*
25 *assist it in carrying out its duties.*

1 **SEC. 306. TERMINATION OF THE COMMISSION.**

2 *The Commission shall terminate 90 days after the date*
3 *of the submission of its report under section 303(a).*

Union Calendar No. 146

107TH CONGRESS
1ST SESSION

H. R. 2792

[Report No. 107-242]

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make service dogs available to disabled veterans and to make various other improvements in health care benefits provided by the Department of Veterans Affairs, and for other purposes.

OCTOBER 16, 2001

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