

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5250

To amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2002

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

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## A BILL

To amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care.

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 Care  
5 Funding Guarantee Act of 2002”.

6 **SEC. 2. GUARANTEED ADEQUATE FUNDING FOR VETERANS**  
7 **HEALTH CARE.**

8 (a) IN GENERAL.—Chapter 3 of title 38, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing new section:

1 **“§ 320. Guaranteed funding for veterans health care**

2       “(a) For each fiscal year, the Secretary of the Treas-  
3 ury shall make available to the Secretary of Veterans Af-  
4 fairs the amount determined under subsection (b) with re-  
5 spect to that fiscal year. Each such amount is available,  
6 without fiscal year limitation, for the programs, functions,  
7 and activities of the Veterans Health Administration, as  
8 specified in subsection (c).

9       “(b)(1) The amount applicable to fiscal year 2004  
10 under this subsection is the amount equal to 120 percent  
11 of the amount obligated by the Department during fiscal  
12 year 2002 for the purposes specified in subsection (c).

13       “(2) The amount applicable to any fiscal year after  
14 fiscal year 2004 under this subsection is the amount equal  
15 to the product of the following:

16               “(A) The sum of—

17                       “(i) the number of veterans enrolled in the  
18 Department health care system under section  
19 1705 of this title as of July 1 preceding the be-  
20 ginning of such fiscal year; and

21                       “(ii) the number of persons eligible for  
22 health care under chapter 17 of this title who  
23 are not covered by clause (i) and who were pro-  
24 vided hospital care or medical services under  
25 such chapter at any time during the fiscal year  
26 preceding such fiscal year.

1           “(B) The per capita baseline amount, as in-  
2           creased from time to time pursuant to paragraph  
3           (3)(B).

4           “(3)(A) For purposes of paragraph (2)(B), the term  
5           ‘per capita baseline amount’ means the amount equal to—

6           “(i) the amount specified in paragraph (1), di-  
7           vided by

8           “(ii) the number of veterans enrolled in the De-  
9           partment health care system under section 1705 of  
10          this title as of September 30, 2002.

11          “(B) With respect to any fiscal year, the Secretary  
12          shall provide a percentage increase (rounded to the near-  
13          est dollar) in the per capita baseline amount equal to the  
14          percentage by which—

15          “(i) the Consumer Price Index (all Urban Con-  
16          sumers, United States city Average, Medical Care,  
17          Not Seasonally Adjusted), published by the Bureau  
18          of Labor Statistics of the Department of Labor for  
19          the 12-month period ending on the June 30 pre-  
20          ceding the beginning of the fiscal year for which the  
21          increase is made, exceeds

22          “(ii) such Consumer Price Index for the 12-  
23          month period preceeding the 12-month period de-  
24          scribed in clause (i).

1           “(c)(1) Except as provided in paragraph (2), the pur-  
2 poses for which amounts made available pursuant to sub-  
3 section (a) shall be all programs, functions, and activities  
4 of the Veterans Health Administration.

5           “(2) Amounts made available pursuant to subsection  
6 (a) are not available for grants under subchapter III of  
7 chapter 81 of this title.”.

8           (b) CLERICAL AMENDMENT.—The table of sections  
9 at the beginning of such chapter is amended by adding  
10 at the end the following new item:

“320. Guaranteed funding for veterans health care.”.

11           (c) REPEAL OF CONSTRUCTION AUTHORIZATION RE-  
12 QUIREMENT.—Effective October 1, 2003, subsections (a),  
13 (b), (c), and (d) of section 8104 of title 38, United States  
14 Code, are repealed.

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