

Union Calendar No. 36

115TH CONGRESS
1ST SESSION

H. R. 369

[Report No. 115–65]

To eliminate the sunset of the Veterans Choice Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2017

Mr. ROE of Tennessee introduced the following bill; which was referred to the
Committee on Veterans' Affairs

MARCH 29, 2017

Additional sponsors: Mr. MEEHAN, Mr. KNIGHT, Mr. MCCLINTOCK, Mr.
TIPTON, Mr. BILIRAKIS, and Ms. SINEMA

MARCH 29, 2017

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 January 9, 2017]

A BILL

To eliminate the sunset of the Veterans Choice Program,
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. ELIMINATION OF SUNSET OF THE VETERANS**
 4 **CHOICE PROGRAM.**

5 *Section 101(p)(2) of the Veterans Access, Choice, and*
 6 *Accountability Act of 2014 (Public Law 113–146; 38 U.S.C.*
 7 *1701 note) is amended by striking all that follows “section*
 8 *802” and inserting a period.*

9 **SEC. 2. ELIMINATION OF REQUIREMENT TO ACT AS SEC-**
 10 **ONDARY PAYER FOR CARE RELATING TO**
 11 **NON-SERVICE-CONNECTED DISABILITIES AND**
 12 **RECOVERY OF COSTS FOR CERTAIN CARE**
 13 **UNDER CHOICE PROGRAM.**

14 *(a) IN GENERAL.—Section 101(e) of the Veterans Ac-*
 15 *cess, Choice, and Accountability Act of 2014 (Public Law*
 16 *113–146; 38 U.S.C. 1701 note) is amended—*

17 *(1) in the subsection heading, by striking*
 18 *“OTHER HEALTH-CARE PLAN” and inserting “RE-*
 19 *SPONSIBILITY FOR COSTS OF CERTAIN CARE”;*

20 *(2) in paragraph (1), in the paragraph heading,*
 21 *by striking “TO SECRETARY” and inserting “ON*
 22 *HEALTH-CARE PLANS”;*

23 *(3) by striking paragraphs (2) and (3);*

24 *(4) by redesignating paragraph (4) as para-*
 25 *graph (2); and*

1 (5) *by adding at the end the following new para-*
2 *graph:*

3 “(3) *RECOVERY OF COSTS FOR CERTAIN CARE.*—

4 “(A) *IN GENERAL.*—*In any case in which*
5 *an eligible veteran is furnished hospital care or*
6 *medical services under this section for a non-*
7 *service-connected disability described in sub-*
8 *section (a)(2) of section 1729 of title 38, United*
9 *States Code, or for a condition for which recov-*
10 *ery is authorized or with respect to which the*
11 *United States is deemed to be a third party ben-*
12 *eficiary under Public Law 87–693, commonly*
13 *known as the ‘Federal Medical Care Recovery*
14 *Act’ (42 U.S.C. 2651 et seq.), the Secretary shall*
15 *recover or collect from a third party (as defined*
16 *in subsection (i) of such section 1729) reasonable*
17 *charges for such care or services to the extent*
18 *that the veteran (or the provider of the care or*
19 *services) would be eligible to receive payment for*
20 *such care or services from such third party if the*
21 *care or services had not been furnished by a de-*
22 *partment or agency of the United States.*

23 “(B) *USE OF AMOUNTS.*—*Amounts collected*
24 *by the Secretary under subparagraph (A) shall*
25 *be deposited in the Medical Community Care ac-*

1 *count of the Department. Amounts so deposited*
 2 *shall remain available until expended.”.*

3 **(b) CONFORMING AMENDMENT.**—*Paragraph (1) of*
 4 *such section is amended by striking “paragraph (4)” and*
 5 *inserting “paragraph (2)”.*

6 **SEC. 3. AUTHORITY TO DISCLOSE CERTAIN MEDICAL**
 7 **RECORDS OF VETERANS WHO RECEIVE NON-**
 8 **DEPARTMENT OF VETERANS AFFAIRS**
 9 **HEALTH CARE.**

10 *Section 7332(b)(2) of title 38, United States Code, is*
 11 *amended by adding at the end the following new subpara-*
 12 *graph:*

13 **“(H)(i)** *To a non-Department entity (including*
 14 *private entities and other Federal agencies) that pro-*
 15 *vides hospital care or medical services to veterans.*

16 **“(ii)** *An entity to which a record is disclosed*
 17 *under this subparagraph may not redisclose or use*
 18 *such record for a purpose other than that for which*
 19 *the disclosure was made.”.*

Union Calendar No. 36

115TH CONGRESS
1ST Session

H. R. 369

[Report No. 115-65]

A BILL

To eliminate the sunset of the Veterans Choice
Program, and for other purposes.

MARCH 29, 2017

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