

Suspend the Rules and Pass the Bill, H.R. 5404, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

113TH CONGRESS
2^D SESSION

H. R. 5404

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2014

Mr. DENHAM (for himself and Mr. MILLER of Florida) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Department of Veterans Affairs Expiring Authorities Act
4 of 2014”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to title 38, United States Code.
- Sec. 3. Scoring of budgetary effects.

TITLE I—EXTENSIONS OF AUTHORITY RELATING TO HEALTH
CARE

- Sec. 101. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.
- Sec. 102. Extension of authority for pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces.
- Sec. 103. Extension of authority for pilot program on assistance for child care for certain veterans receiving health care.
- Sec. 104. Extension of authority to make grants to veterans service organizations for transportation of highly rural veterans.
- Sec. 105. Extension of requirement for report on activities of Department of Defense-Department of Veterans Affairs Interagency Program Office.
- Sec. 106. Extension of authority for the performance of medical disabilities examinations by contract physicians.
- Sec. 107. Extension of authority for collection of copayments for hospital care and nursing home care.
- Sec. 108. Extension of authority for recovery from third parties of cost of care and services furnished to veterans with health-plan contracts for non-service-connected disability.

TITLE II—EXTENSIONS OF AUTHORITY RELATING TO
HOMELESSNESS

- Sec. 201. Extension of current funding level for comprehensive service programs for homeless veterans.
- Sec. 202. Extension of authority for homeless veterans reintegration programs.
- Sec. 203. Extension of authority to provide referral and counseling services for certain veterans at risk of homelessness.
- Sec. 204. Extension of authority for treatment and rehabilitation services for seriously mentally ill and homeless veterans.
- Sec. 205. Extension of authority to provide housing assistance for homeless veterans.
- Sec. 206. Extension of authority to provide financial assistance for supportive services for very low-income veteran families in permanent housing.

Sec. 207. Extension of authority for grant program for homeless veterans with special needs.

Sec. 208. Extension of authority for the Advisory Committee on Homeless Veterans.

TITLE III—EXTENSIONS OF AUTHORITY RELATING TO BENEFITS

Sec. 301. Extension of authority for the Veterans' Advisory Committee on Education.

Sec. 302. Extension of authority for calculating net value of real property at time of foreclosure.

Sec. 303. Extension of authority relating to vendee loans.

TITLE IV—OTHER EXTENSIONS OF AUTHORITY AND OTHER MATTERS

Sec. 401. Extension of authority to transport certain individuals to and from Department of Veterans Affairs facilities.

Sec. 402. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.

Sec. 403. Extension of requirement to provide reports to Congress regarding equitable relief in the case of administrative error.

Sec. 404. Extension of authority for Advisory Committee on Minority Veterans.

Sec. 405. Extension of authority for temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty ambulating.

Sec. 406. Restoration of prior reporting fee multipliers.

Sec. 407. Extension of authority for agreement with National Academy of Sciences.

Sec. 408. Health professionals education debt reduction.

Sec. 409. Amendments to Veterans Access, Choice, and Accountability Act of 2014.

1 **SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.**

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of title 38, United States Code.

7 **SEC. 3. SCORING OF BUDGETARY EFFECTS.**

8 The budgetary effects of this Act, for the purpose of
9 complying with the Statutory Pay-As-You-Go Act of 2010,
10 shall be determined by reference to the latest statement

1 titled “Budgetary Effects of PAYGO Legislation” for this
2 Act, submitted for printing in the Congressional Record
3 by the Chairman of the House Budget Committee, pro-
4 vided that such statement has been submitted prior to the
5 vote on passage.

6 **TITLE I—EXTENSIONS OF AU-**
7 **THORITY RELATING TO**
8 **HEALTH CARE**

9 **SEC. 101. EXTENSION OF REQUIREMENT TO PROVIDE**
10 **NURSING HOME CARE TO CERTAIN VET-**
11 **ERANS WITH SERVICE-CONNECTED DISABIL-**
12 **ITIES.**

13 Section 1710A(d) is amended by striking “December
14 31, 2014” and inserting “December 31, 2015”.

15 **SEC. 102. EXTENSION OF AUTHORITY FOR PILOT PROGRAM**
16 **ON COUNSELING IN RETREAT SETTINGS FOR**
17 **WOMEN VETERANS NEWLY SEPARATED FROM**
18 **SERVICE IN THE ARMED FORCES.**

19 (a) EXTENSION OF AUTHORITY.—Subsection (d) of
20 section 203 of the Caregivers and Veterans Omnibus
21 Health Services Act of 2010 (Public Law 111–163; 124
22 Stat. 1143; 38 U.S.C. 1712A note) is amended to read
23 as follows:

1 “(d) TERMINATION.—The authority to carry out a
2 pilot program under this section shall terminate on De-
3 cember 31, 2015.”.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-
5 section (f) of such section is amended by striking “fiscal
6 years 2010 and 2011” and inserting “fiscal years 2010,
7 2011, and 2015”.

8 **SEC. 103. EXTENSION OF AUTHORITY FOR PILOT PROGRAM**
9 **ON ASSISTANCE FOR CHILD CARE FOR CER-**
10 **TAIN VETERANS RECEIVING HEALTH CARE.**

11 (a) EXTENSION OF AUTHORITY.—Subsection (e) of
12 section 205 of the Caregivers and Veterans Omnibus
13 Health Services Act of 2010 (Public Law 111–163; 124
14 Stat. 1144; 38 U.S.C. 1710 note) is amended to read as
15 follows:

16 “(e) TERMINATION.—The authority to carry out a
17 pilot program under this section shall terminate on De-
18 cember 31, 2015.”.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-
20 section (h) of such section is amended by striking “2014”
21 and inserting “2015”.

1 **SEC. 104. EXTENSION OF AUTHORITY TO MAKE GRANTS TO**
2 **VETERANS SERVICE ORGANIZATIONS FOR**
3 **TRANSPORTATION OF HIGHLY RURAL VET-**
4 **ERANS.**

5 Section 307(d) of the Caregivers and Veterans Omni-
6 bus Health Services Act of 2010 (Public Law 111–163;
7 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by
8 striking “2014” and inserting “2015”.

9 **SEC. 105. EXTENSION OF REQUIREMENT FOR REPORT ON**
10 **ACTIVITIES OF DEPARTMENT OF DEFENSE-**
11 **DEPARTMENT OF VETERANS AFFAIRS INTER-**
12 **AGENCY PROGRAM OFFICE.**

13 Section 1635(h)(1) of the Wounded Warrior Act
14 (title XVI of Public Law 110–181; 122 Stat. 460; 10
15 U.S.C. 1071 note) is amended by striking “2014” and in-
16 serting “2015”.

17 **SEC. 106. EXTENSION OF AUTHORITY FOR THE PERFORM-**
18 **ANCE OF MEDICAL DISABILITIES EXAMINA-**
19 **TIONS BY CONTRACT PHYSICIANS.**

20 Section 704(c) of the Veterans Benefits Act of 2003
21 (Public Law 108–183; 38 U.S.C. 5101 note) is amended
22 by striking “December 31, 2014” and inserting “Decem-
23 ber 31, 2015”.

1 **SEC. 107. EXTENSION OF AUTHORITY FOR COLLECTION OF**
2 **COPAYMENTS FOR HOSPITAL CARE AND**
3 **NURSING HOME CARE.**

4 Section 1710(f)(2)(B) is amended by striking “Sep-
5 tember 30, 2014” and inserting “September 30, 2015”.

6 **SEC. 108. EXTENSION OF AUTHORITY FOR RECOVERY FROM**
7 **THIRD PARTIES OF COST OF CARE AND SERV-**
8 **ICES FURNISHED TO VETERANS WITH**
9 **HEALTH-PLAN CONTRACTS FOR NON-SERV-**
10 **ICE-CONNECTED DISABILITY.**

11 Section 1729(a)(2)(E) is amended by striking “Octo-
12 ber 1, 2014” and inserting “October 1, 2015”.

13 **TITLE II—EXTENSIONS OF AU-**
14 **THORITY RELATING TO**
15 **HOMELESSNESS**

16 **SEC. 201. EXTENSION OF CURRENT FUNDING LEVEL FOR**
17 **COMPREHENSIVE SERVICE PROGRAMS FOR**
18 **HOMELESS VETERANS.**

19 Section 2013(7) is amended by striking
20 “\$150,000,000” and inserting “\$250,000,000”.

21 **SEC. 202. EXTENSION OF AUTHORITY FOR HOMELESS VET-**
22 **ERANS REINTEGRATION PROGRAMS.**

23 Section 2021(e)(1)(F) is amended by striking
24 “2014” and inserting “2015”.

1 **SEC. 203. EXTENSION OF AUTHORITY TO PROVIDE REFER-**
2 **RAL AND COUNSELING SERVICES FOR CER-**
3 **TAIN VETERANS AT RISK OF HOMELESSNESS.**

4 (a) **EXTENSION OF AUTHORITY.**—Subsection (d) of
5 section 2023 is amended by striking “September 30,
6 2014” and inserting “September 30, 2015”.

7 (b) **TECHNICAL AMENDMENT.**—Subsection (c)(3) of
8 such section is amended by striking “enter into contracts”
9 and inserting “make grants”.

10 **SEC. 204. EXTENSION OF AUTHORITY FOR TREATMENT AND**
11 **REHABILITATION SERVICES FOR SERIOUSLY**
12 **MENTALLY ILL AND HOMELESS VETERANS.**

13 (a) **GENERAL TREATMENT.**—Section 2031(b) is
14 amended by striking “December 31, 2014” and inserting
15 “September 30, 2015”.

16 (b) **ADDITIONAL SERVICES AT CERTAIN LOCA-**
17 **TIONS.**—Section 2033(d) is amended by striking “Decem-

18 ber 31, 2014” and inserting “September 30, 2015”.

19 **SEC. 205. EXTENSION OF AUTHORITY TO PROVIDE HOUS-**
20 **ING ASSISTANCE FOR HOMELESS VETERANS.**

21 Section 2041(c) is amended by striking “December
22 31, 2014” and inserting “September 30, 2015”.

1 **SEC. 302. EXTENSION OF AUTHORITY FOR CALCULATING**
2 **NET VALUE OF REAL PROPERTY AT TIME OF**
3 **FORECLOSURE.**

4 Section 3732(c)(11) is amended by striking “October
5 1, 2014” and inserting “October 1, 2015”.

6 **SEC. 303. EXTENSION OF AUTHORITY RELATING TO VEND-**
7 **EE LOANS.**

8 Section 3733(a)(7) is amended—

9 (1) in the matter preceding subparagraph (A),
10 by striking “September 30, 2014” and inserting
11 “September 30, 2015”; and

12 (2) in subparagraph (C), by striking “Sep-
13 tember 30, 2014,” and inserting “September 30,
14 2015,”.

15 **TITLE IV—OTHER EXTENSIONS**
16 **OF AUTHORITY AND OTHER**
17 **MATTERS**

18 **SEC. 401. EXTENSION OF AUTHORITY TO TRANSPORT CER-**
19 **TAIN INDIVIDUALS TO AND FROM DEPART-**
20 **MENT OF VETERANS AFFAIRS FACILITIES.**

21 Section 111A(a)(2) is amended by striking “Decem-
22 ber 31, 2014” and inserting “December 31, 2015”.

1 **SEC. 402. EXTENSION OF AUTHORITY FOR OPERATION OF**
2 **THE DEPARTMENT OF VETERANS AFFAIRS**
3 **REGIONAL OFFICE IN MANILA, THE REPUB-**
4 **LIC OF THE PHILIPPINES.**

5 Section 315(b) is amended by striking “December 31,
6 2014” and inserting “September 30, 2015”.

7 **SEC. 403. EXTENSION OF REQUIREMENT TO PROVIDE RE-**
8 **PORTS TO CONGRESS REGARDING EQUI-**
9 **TABLE RELIEF IN THE CASE OF ADMINISTRA-**
10 **TIVE ERROR.**

11 Section 503(c) is amended by striking “December 31,
12 2014” and inserting “December 31, 2015”.

13 **SEC. 404. EXTENSION OF AUTHORITY FOR ADVISORY COM-**
14 **MITTEE ON MINORITY VETERANS.**

15 Section 544(e) is amended by striking “December 31,
16 2014” and inserting “December 31, 2015”.

17 **SEC. 405. EXTENSION OF AUTHORITY FOR TEMPORARY EX-**
18 **PANSION OF ELIGIBILITY FOR SPECIALLY**
19 **ADAPTED HOUSING ASSISTANCE FOR CER-**
20 **TAIN VETERANS WITH DISABILITIES CAUSING**
21 **DIFFICULTY AMBULATING.**

22 Section 2101(a)(4) is amended—

23 (1) in subparagraph (A), by striking “Sep-

24 tember 30, 2014” and inserting “September 30,

25 2015”; and

1 (2) in subparagraph (B), by striking “fiscal
2 year 2014” and inserting “each of fiscal years 2014
3 and 2015”.

4 **SEC. 406. RESTORATION OF PRIOR REPORTING FEE MULTI-**
5 **PLIERS.**

6 During the one-year period beginning on the date of
7 the enactment of this Act, the second sentence of section
8 3684(c) shall be applied—

9 (1) by substituting “\$9” for “\$12”; and

10 (2) by substituting “\$13” for “\$15”.

11 **SEC. 407. EXTENSION OF AUTHORITY FOR AGREEMENT**
12 **WITH NATIONAL ACADEMY OF SCIENCES.**

13 Section 3(i) of the Agent Orange Act of 1991 (Public
14 Law 102–4; 105 Stat. 13; 38 U.S.C. 1116 note) is amend-
15 ed by striking “October 1, 2014” and inserting “Decem-
16 ber 31, 2015”.

17 **SEC. 408. HEALTH PROFESSIONALS EDUCATION DEBT RE-**
18 **DUCTION.**

19 Section 7683 is amended—

20 (1) by striking subsection (a) and inserting the
21 following new subsection:

22 “(a) IN GENERAL.—Education debt reduction pay-
23 ments under the Education Debt Reduction Program shall
24 consist of—

1 “(1) payments to individuals selected to partici-
2 pate in the program of principal and interest on
3 loans described in section 7682(a)(2) of this title; or

4 “(2) payments for the principal and interest on
5 such loans of such individuals to the holders of such
6 loans.”;

7 (2) in subsections (b) and (c), by striking “pay-
8 ments to” both places it appears and inserting “pay-
9 ments to or for”; and

10 (3) in subsection (d)—

11 (A) in paragraph (1), by striking “made
12 to” and inserting “made to or for”; and

13 (B) in paragraph (2)(A), by striking “pay-
14 able to that” and inserting “payable to or for
15 that”.

16 **SEC. 409. AMENDMENTS TO VETERANS ACCESS, CHOICE,**
17 **AND ACCOUNTABILITY ACT OF 2014.**

18 (a) **EXPANDED AVAILABILITY OF HOSPITAL CARE**
19 **AND MEDICAL SERVICES.**—Section 101 of the Veterans
20 Access, Choice, and Accountability Act of 2014 (Public
21 Law 113–146; 38 U.S.C. 1701 note) is amended—

22 (1) in subsection (c)—

23 (A) in paragraph (1)(A), by inserting “pro-
24 vide the veteran an appointment that exceeds

1 the wait-time goals described in such subsection
2 or” before “place such”; and

3 (B) in paragraph (2), by inserting “(or
4 other digital channel)” after “website”;

5 (2) in subsection (d)(1)(A), by adding at the
6 end the following new sentences: “An agreement en-
7 tered into pursuant to this subparagraph may not be
8 treated as a Federal contract for the acquisition of
9 goods or services and is not subject to any provision
10 of law governing Federal contracts for the acqui-
11 sition of goods or services. Before entering into an
12 agreement pursuant to this subparagraph, the Sec-
13 retary shall, to the maximum extent practicable and
14 consistent with the requirements of this section, fur-
15 nish such care and services to such veterans under
16 this section with such entities pursuant to sharing
17 agreements, existing contracts entered into by the
18 Secretary, or other processes available at medical fa-
19 cilities of the Department.”;

20 (3) in subsection (l)(1), by inserting “a copy
21 of” before “any medical record”; and

22 (4) by adding at the end the following new sub-
23 section:

1 “(t) WAIVER OF CERTAIN PRINTING REQUIRE-
2 MENTS.—Section 501 of title 44, United States Code,
3 shall not apply in carrying out this section.”.

4 (b) COLLABORATION BETWEEN VA AND INDIAN
5 HEALTH SERVICE.—Section 102 of the Veterans Access,
6 Choice, and Accountability Act of 2014 (Public Law 113–
7 146; 38 U.S.C. 1701 note) is amended—

8 (1) in subsection (b), by striking “The Sec-
9 retary of Veterans Affairs shall establish” and in-
10 sserting the following: “The Secretary of Veterans
11 Affairs and the Director of the Indian Health Serv-
12 ice shall jointly establish and implement”;

13 (2) in subsection (c), by adding at the end the
14 following new paragraph:

15 “(3) Entering into an agreement between the
16 Department and the Indian Health Service described
17 in paragraph (2)(A) with respect to the effect of
18 such agreement on the priority access of any Indian
19 to health care services provided through the Indian
20 Health Service, the eligibility of any Indian to re-
21 ceive health services through the Indian Health
22 Service, and the quality of health care services pro-
23 vided to any Indian through the Indian Health Serv-
24 ice.”; and

25 (3) by striking subsection (d).

1 (c) PROMPT PAYMENT.—Section 105 of the Veterans
2 Access, Choice, and Accountability Act of 2014 (Public
3 Law 113–146; 38 U.S.C. 1701 note) is amended—

4 (1) in subsection (a), by striking “section
5 1315” and inserting “part 1315”;

6 (2) in subsection (b)(2), by striking “chapter
7 39” and inserting “chapter 39 of title 31”; and

8 (3) in subsection (d), by striking “required by
9 subsection (b)” and inserting “required by sub-
10 section (c)”.

11 (d) IMPROVEMENT OF ACCESS TO MOBILE VET CEN-
12 TERS.—Section 204 of the Veterans Access, Choice, and
13 Accountability Act of 2014 (Public Law 113–146; 38
14 U.S.C. 1701 note) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by inserting “and re-
17 adjustment counseling services” after “other
18 health care”; and

19 (B) in paragraph (2)—

20 (i) in subparagraph (B), by inserting
21 “and events” after “locations”; and

22 (ii) in subparagraph (C), by inserting
23 “and outreach contacts” after “appoint-
24 ments”; and

25 (2) in subsection (b)(2)—

1 (A) in subparagraph (A)—

2 (i) in the matter preceding clause (i),
3 by inserting “and readjustment coun-
4 seling” after “telemedicine services”; and

5 (ii) in clause (iii), by inserting “and
6 outreach contacts” after “appointments”;

7 (B) in subparagraph (B), by inserting
8 “and readjustment counseling” after “health
9 care services”; and

10 (C) in subparagraph (E), by striking “mo-
11 bile vet centers and”.

12 (e) IMPROVED TRANSPARENCY.—Section 206(b) of
13 the Veterans Access, Choice, and Accountability Act of
14 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is
15 amended—

16 (1) in paragraph (1), by striking “comprehen-
17 sive database” and inserting “comprehensive, ma-
18 chine-readable data set”;

19 (2) in paragraph (3), by striking “notice in the
20 database of the reason” and inserting “notice of the
21 reason”; and

22 (3) in paragraphs (2), (3), and (4), by striking
23 “database” each place it appears and inserting
24 “data”.

1 (f) INFORMATION ON CREDENTIALS.—Section 207 of
2 the Veterans Access, Choice, and Accountability Act of
3 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is
4 amended by striking “successor database” each place it
5 appears and inserting “successor data set”.

6 (g) REPORT ON STAFFING SHORTAGES.—Section
7 301(b)(3) of the Veterans Access, Choice, and Account-
8 ability Act of 2014 (Public Law 113–146) is amended—

9 (1) in subparagraph (A), by striking “Not
10 later” and all that follows through “2019” and in-
11 serting the following: “On October 1 of each year
12 beginning in 2015 and ending in 2019”; and

13 (2) in subparagraph (B)—

14 (A) in clause (iii), by striking “at each”
15 and all that follows through the period at the
16 end and inserting the following: “or guidelines
17 of the Department with respect to determining
18 the ratio of residents to staff supervising resi-
19 dents.”; and

20 (B) by striking clause (v) and inserting the
21 following new clause:

22 “(v) Efforts of the Department, as of
23 the date of the submittal of the report, to
24 recruit and retain medical residents to

1 work for the Veterans Health Administra-
2 tion as full-time employees.”.

3 (h) PROJECT ARCH.—Section 403(j) of the Vet-
4 erans’ Mental Health and Other Care Improvements Act
5 of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is
6 amended—

7 (1) by striking “In carrying out” and inserting
8 “Notwithstanding any provision of law relating to
9 the use of competitive procedures in entering into
10 contracts, in carrying out”; and

11 (2) by inserting “under this section” after
12 “make use of contracts entered into”.

13 (i) CLARIFICATION OF APPROVAL OF COURSES OF
14 EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF
15 HIGHER LEARNING AND IN-STATE TUITION RATE FOR
16 VETERANS.—Paragraph (1) of section 3679(c) is amend-
17 ed to read as follows:

18 “(1) Notwithstanding any other provision of this
19 chapter and subject to paragraphs (3) through (6), the
20 Secretary shall disapprove a course of education provided
21 by a public institution of higher learning if the institution
22 charges tuition and fees for that course for covered indi-
23 viduals who are pursuing the course with educational as-
24 sistance under chapter 30 or 33 of this title while living
25 in the State in which the institution is located at a rate

1 that is higher than the rate the institution charges for tui-
2 tion and fees for that course for residents of the State
3 in which the institution is located, regardless of the cov-
4 ered individual's State of residence.”.