

115TH CONGRESS
1ST SESSION

S. 544

To amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 7, 2017

Mr. TESTER (for himself, Mr. MCCAIN, Mr. MORAN, Mr. ISAKSON, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. BENNET, Mr. BOOZMAN, Ms. HEITKAMP, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for 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. MODIFICATION OF TERMINATION DATE FOR**
4 **VETERANS CHOICE PROGRAM.**

5 Section 101(p)(2) of the Veterans Access, Choice,
6 and Accountability Act of 2014 (Public Law 113–146; 38
7 U.S.C. 1701 note) is amended by striking “, or the date

1 that is 3 years after the date of the enactment of this
2 Act, whichever occurs first”.

3 **SEC. 2. ELIMINATION OF REQUIREMENT TO ACT AS SEC-**
4 **ONDARY PAYER FOR CARE RELATING TO**
5 **NON-SERVICE-CONNECTED DISABILITIES**
6 **AND RECOVERY OF COSTS FOR CERTAIN**
7 **CARE UNDER CHOICE PROGRAM.**

8 (a) IN GENERAL.—Section 101(e) of the Veterans
9 Access, Choice, and Accountability Act of 2014 (Public
10 Law 113–146; 38 U.S.C. 1701 note) is amended—

11 (1) in the subsection heading, by striking
12 “OTHER HEALTH-CARE PLAN” and inserting “RE-
13 SPONSIBILITY FOR COSTS OF CERTAIN CARE”;

14 (2) in paragraph (1), in the paragraph heading,
15 by striking “TO SECRETARY” and inserting “ON
16 HEALTH-CARE PLANS”;

17 (3) by striking paragraphs (2) and (3);

18 (4) by redesignating paragraph (4) as para-
19 graph (2); and

20 (5) by adding at the end the following new
21 paragraph:

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

24 “(A) IN GENERAL.—In any case in which
25 an eligible veteran is furnished hospital care or

1 medical services under this section for a non-
2 service-connected disability described in sub-
3 section (a)(2) of section 1729 of title 38,
4 United States Code, or for a condition for
5 which recovery is authorized or with respect to
6 which the United States is deemed to be a third
7 party beneficiary under Public Law 87–693,
8 commonly known as the ‘Federal Medical Care
9 Recovery Act’ (42 U.S.C. 2651 et seq.), the
10 Secretary shall recover or collect from a third
11 party (as defined in subsection (i) of such sec-
12 tion 1729) reasonable charges for such care or
13 services to the extent that the veteran (or the
14 provider of the care or services) would be eligi-
15 ble to receive payment for such care or services
16 from such third party if the care or services
17 had not been furnished by a department or
18 agency of the United States.

19 “(B) USE OF AMOUNTS.—Amounts col-
20 lected by the Secretary under subparagraph (A)
21 shall be deposited in the Medical Community
22 Care account of the Department. Amounts so
23 deposited shall remain available until ex-
24 pended.”.

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

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

8 Section 7332(b)(2) of title 38, United States Code,
9 is amended by adding at the end the following new sub-
10 paragraph:

11 “(H)(i) To a non-Department entity (including
12 private entities and other Federal agencies) that
13 provides hospital care or medical services to veterans
14 as authorized by the Secretary.

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

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