

112TH CONGRESS
2D SESSION

H. R. 4245

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to reimburse eligible veterans who are entitled to Medicare benefits for Medicare deductibles and other expenses that are owed by the veterans for emergency medical treatment provided in non-Department of Veterans Affairs facilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2012

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

A BILL

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to reimburse eligible veterans who are entitled to Medicare benefits for Medicare deductibles and other expenses that are owed by the veterans for emergency medical treatment provided in non-Department of Veterans Affairs facilities.

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 Co-Pay Fair-
5 ness Act”.

1 **SEC. 2. REIMBURSEMENT BY THE SECRETARY OF VET-**
2 **ERANS AFFAIRS OF MEDICARE DEDUCTIBLES**
3 **AND OTHER EXPENSES OWED BY ELIGIBLE**
4 **VETERANS FOR EMERGENCY MEDICAL**
5 **TREATMENT PROVIDED IN NON-DEPART-**
6 **MENT OF VETERANS AFFAIRS FACILITIES.**

7 (a) IN GENERAL.—Section 1725(c)(4)(D) is amend-
8 ed—

9 (1) by striking “The Secretary” and inserting
10 “(i) Except as provided in clause (ii), the Sec-
11 retary”; and

12 (2) by adding at the end the following new
13 clause:

14 “(ii) In the case of a veteran who is entitled to bene-
15 fits under part A of title XVIII of the Social Security Act
16 or enrolled under part B of such title, the Secretary shall
17 reimburse such veteran under this section, with respect
18 to items and services furnished to such veteran as part
19 of emergency treatment, for—

20 “(I) the amount by which—

21 “(aa) the amount otherwise payable under
22 such part A for such items and services, is re-
23 duced by

24 “(bb) the deductible under section 1813 of
25 such Act or by any copayment or coinsurance

1 applied under such part with respect to such
2 items and services; and

3 “(II) the amount by which—

4 “(aa) the total amount of expenses in-
5 curred by the veteran during the year involved
6 which would constitute expenses for which bene-
7 fits payable under section 1833(a) of such Act
8 are determinable, is reduced by

9 “(bb) the deductible under section 1833(b)
10 of such Act or by any copayment or coinsurance
11 applied under part B of such title with respect
12 to such items and services.”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 subsection (a) shall apply with respect to emergency med-
15 ical treatment furnished on or after the date of the enact-
16 ment of this Act.

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