

2004—Subsec. (d). Pub. L. 108-422 added subsec. (d).

1996—Subsec. (a). Pub. L. 104-262, §104(b)(1), struck out “or 1712” after “, as authorized in section 1710” in introductory provisions.

Subsec. (a)(2)(A). Pub. L. 104-262, §104(b)(2)(A), substituted “1710(a)(1)(B)” for “1712(a)(1)(B)”.

Subsec. (a)(2)(B). Pub. L. 104-262, §104(b)(2)(B), added subpar. (B) and struck out former subpar. (B) which read as follows: “a veteran described in paragraph (2), (3), or (4) of section 1712(a) of this title, for a purpose described in section 1712(a)(5)(B) of this title;”.

Subsec. (a)(2)(C). Pub. L. 104-262, §104(b)(2)(C), substituted “section 1710(a)(2)(E) of this title, or a veteran who is in receipt of increased pension, or additional compensation or allowances based on the need of regular aid and attendance or by reason of being permanently housebound (or who, but for the receipt of retired pay, would be in receipt of such pension, compensation, or allowance),” for “section 1712(a)(3) (other than a veteran who is a former prisoner of war) of this title”.

Subsec. (a)(7). Pub. L. 104-262, §104(b)(3), substituted “1712(a)(1)(F)” for “1712(b)(1)(F)”.

1992—Subsec. (a)(1)(C). Pub. L. 102-585 added subpar. (C).

1991—Pub. L. 102-83, §5(a), renumbered section 603 of this title as this section.

Pub. L. 102-83, §4(a)(5), substituted “non-Department” for “non-Veterans Administration” in section catchline.

Subsec. (a). Pub. L. 102-83, §5(c)(1), substituted “1710 or 1712” for “610 or 612” in introductory provisions, “1712(a)(1)(B)” for “612(a)(1)(B)” in par. (2)(A), “1712(a)” for “612(a)” and “1712(a)(5)(B)” for “612(a)(5)(B)” in par. (2)(B), “1712(a)(3)” for “612(a)(3)” in par. (2)(C), “1720” for “620” in par. (3), and “1712(b)(1)(F)” for “612(b)(1)(F)” in par. (7).

Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in introductory provisions and in par. (2)(C).

Pub. L. 102-83, §4(a)(5), substituted “non-Department” for “non-Veterans Administration” in introductory provisions and in pars. (3) and (5).

Pub. L. 102-83, §4(a)(3), (4), substituted “Department” for “Veterans Administration” wherever appearing in introductory provisions and pars. (2), (3), (5), and (6).

Subsec. (a)(2)(B). Pub. L. 102-54, §14(b)(9)(A), struck out “section” before “paragraph”.

Subsec. (a)(7). Pub. L. 102-54, §14(b)(9)(B), substituted “section 612(b)(1)(F)” for “section 612(b)(1)(G)”.

Subsec. (a)(8). Pub. L. 102-83, §4(a)(1), substituted “administered by the Secretary” for “administered by the Veterans Administration”.

Subsec. (b). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in two places.

Pub. L. 102-83, §4(a)(5), substituted “non-Department” for “non-Veterans Administration”.

Subsec. (c). Pub. L. 102-83, §5(c)(1), substituted “1712A, 1720, 1720A, 1724, and 1732” for “612A, 620, 620A, 624, and 632”.

Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in two places.

Pub. L. 102-54, §14(b)(9)(C), inserted before period at end “(Public Law 100-322: 102 Stat. 501)”.

1988—Subsec. (a). Pub. L. 100-322, §104(b)(1), substituted “furnish any of the following:” for “furnish—”.

Subsec. (a)(1). Pub. L. 100-322, §104(b)(2), (3), substituted “Hospital” for “hospital” and the period for semicolon at end.

Subsec. (a)(2). Pub. L. 100-322, §104(b)(2), (3), substituted “Medical” for “medical” and the period for semicolon at end.

Subsec. (a)(2)(B). Pub. L. 100-687 substituted “paragraph (2), (3), or (4) of section 612(a)” for “612(a)(4)”, and “612(a)(5)(B)” for “612(a)(5)”.

Pub. L. 100-322, §101(e)(3)(A), substituted “section 612(a)(4) of this title, for a purpose described in section 612(a)(5) of this title” for “section 612(f)(1)(A)(ii) of this title”.

Subsec. (a)(2)(C). Pub. L. 100-322, §101(e)(3)(B), substituted “section 612(a)(3) (other than a veteran who is a former prisoner of war)” for “section 612(g)”.

Subsec. (a)(3). Pub. L. 100-322, §104(a)(1), (b)(2), (3), substituted “Hospital” for “hospital”, inserted “or nursing home care under section 620 of this title”, and substituted the period for semicolon at end.

Subsec. (a)(4), (5). Pub. L. 100-322, §104(b)(2), (3), substituted “Hospital” for “hospital” and the period for semicolon at end.

Subsec. (a)(6). Pub. L. 100-322, §104(b)(2), (4), substituted “Diagnostic” for “diagnostic” and the period for “; or”.

Subsec. (a)(7). Pub. L. 100-322, §104(b)(2), substituted “Outpatient” for “outpatient”.

Subsec. (a)(8). Pub. L. 100-322, §104(a)(2), added par. (8).

Subsec. (c). Pub. L. 100-322, §112(a), added subsec. (c). 1986—Subsec. (a)(5). Pub. L. 99-272, §19012(c)(5)(A), made conforming amendment to Pub. L. 99-166, §102(b)(1). See 1985 Amendment note below.

1985—Subsec. (a)(5). Pub. L. 99-166, §102(b)(1), as amended by Pub. L. 99-272, §19012(c)(5)(A), inserted “(other than the Commonwealth of Puerto Rico)” after “in a State” and substituted “contiguous States and the Commonwealth of Puerto Rico” for “contiguous States, but the authority of the Administrator under this paragraph with respect to the Commonwealth of Puerto Rico shall expire on September 30, 1988, and until such date the Administrator may, if necessary to prevent hardship, waive the applicability to the Commonwealth of Puerto Rico of the restrictions in this paragraph with respect to hospital patient loads and the incidence of the furnishing of medical services”.

EFFECTIVE DATE OF 1988 AMENDMENTS

Section 1503(b) of Pub. L. 100-687 provided that: “The amendments made by subsection (a)(1) [amending this section] shall apply with respect to the furnishing of medical services by contract to veterans who apply to the Veterans Administration for medical services after June 30, 1988.”

Section 101(i) of Pub. L. 100-322 provided that: “The amendments made by this section [amending this section and sections 612 and 617 [now 1712 and 1717] of this title] shall apply with respect to the furnishing of medical services to veterans who apply for such services after June 30, 1988.”

EFFECTIVE DATE OF 1985 AMENDMENT

Section 102(b)(1) of Pub. L. 99-166, as amended by Pub. L. 99-272, title XIX, §19012(c)(5)(A), Apr. 7, 1986, 100 Stat. 382, provided that the amendment made by that section is effective Oct. 1, 1988.

RATIFICATION OF MEDICAL SERVICES CONTRACTS

Section 1503(c) of Pub. L. 100-687 ratified actions of the Administrator in contracting with facilities other than Veterans Administration facilities for furnishing medical services incident to treatment of certain veterans receiving hospital, nursing home, or domiciliary care, who applied for such services during the period beginning July 1, 1988, and ending Nov. 18, 1988.

PUERTO RICO CONTRACT CARE; LIMITATION ON INCURRING OF OBLIGATIONS

Section 102(b)(2)–(5) of Pub. L. 99-166, as amended by Pub. L. 99-272, title XIX, §19012(c)(5)(B), Apr. 7, 1986, 100 Stat. 382, limited Administrator’s authority to incur obligations for medical services for veterans residing in Puerto Rico during fiscal years 1986 to 1988.

§ 1704. Preventive health services: annual report

Not later than October 31 each year, the Secretary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives a report on preventive health services. Each such report shall include the following:

(1) A description of the programs and activities of the Department with respect to preventive health services during the preceding fiscal year, including a description of the following:

(A) The programs conducted by the Department—

(i) to educate veterans with respect to health promotion and disease prevention; and

(ii) to provide veterans with preventive health screenings and other clinical services, with such description setting forth the types of resources used by the Department to conduct such screenings and services and the number of veterans reached by such screenings and services.

(B) The means by which the Secretary addressed the specific preventive health services needs of particular groups of veterans (including veterans with service-connected disabilities, elderly veterans, low-income veterans, women veterans, institutionalized veterans, and veterans who are at risk for mental illness).

(C) The manner in which the provision of such services was coordinated with the activities of the Medical and Prosthetic Research Service of the Department and the National Center for Preventive Health.

(D) The manner in which the provision of such services was integrated into training programs of the Department, including initial and continuing medical training of medical students, residents, and Department staff.

(E) The manner in which the Department participated in cooperative preventive health efforts with other governmental and private entities (including State and local health promotion offices and not-for-profit organizations).

(F) The specific research carried out by the Department with respect to the long-term relationships among screening activities, treatment, and morbidity and mortality outcomes.

(G) The cost effectiveness of such programs and activities, including an explanation of the means by which the costs and benefits (including the quality of life of veterans who participate in such programs and activities) of such programs and activities are measured.

(2) A specific description of research activities on preventive health services carried out during that period using employees, funds, equipment, office space, or other support services of the Department, with such description setting forth—

(A) the source of funds for those activities;

(B) the articles or publications (including the authors of the articles and publications) in which those activities are described;

(C) the Federal, State, or local governmental entity or private entity, if any, with which such activities were carried out; and

(D) the clinical, research, or staff education projects for which funding applications were submitted (including the source of the funds applied for) and upon which a decision is pending or was denied.

(3) An accounting of the expenditure of funds during that period by the National Center for Preventive Health under section 7318 of this title.

(Added Pub. L. 102-585, title V, § 512(a), Nov. 4, 1992, 106 Stat. 4957.)

§ 1705. Management of health care: patient enrollment system

(a) In managing the provision of hospital care and medical services under section 1710(a) of this title, the Secretary, in accordance with regulations the Secretary shall prescribe, shall establish and operate a system of annual patient enrollment. The Secretary shall manage the enrollment of veterans in accordance with the following priorities, in the order listed:

(1) Veterans with service-connected disabilities rated 50 percent or greater.

(2) Veterans with service-connected disabilities rated 30 percent or 40 percent.

(3) Veterans who are former prisoners of war or who were awarded the Purple Heart, veterans with service-connected disabilities rated 10 percent or 20 percent, and veterans described in subparagraphs (B) and (C) of section 1710(a)(2) of this title.

(4) Veterans who are in receipt of increased pension based on a need of regular aid and attendance or by reason of being permanently housebound and other veterans who are catastrophically disabled.

(5) Veterans not covered by paragraphs (1) through (4) who are unable to defray the expenses of necessary care as determined under section 1722(a) of this title.

(6) All other veterans eligible for hospital care, medical services, and nursing home care under section 1710(a)(2) of this title.

(7) Veterans described in section 1710(a)(3) of this title who are eligible for treatment as a low-income family under section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) for the area in which such veterans reside, regardless of whether such veterans are treated as single person families under paragraph (3)(A) of such section 3(b) or as families under paragraph (3)(B) of such section 3(b).

(8) Veterans described in section 1710(a)(3) of this title who are not covered by paragraph (7).

(b) In the design of an enrollment system under subsection (a), the Secretary—

(1) shall ensure that the system will be managed in a manner to ensure that the provision of care to enrollees is timely and acceptable in quality;

(2) may establish additional priorities within each priority group specified in subsection (a), as the Secretary determines necessary; and

(3) may provide for exceptions to the specified priorities where dictated by compelling medical reasons.

(c)(1) The Secretary may not provide hospital care or medical services to a veteran under paragraph (2) or (3) of section 1710(a) of this title unless the veteran enrolls in the system of patient enrollment established by the Secretary under subsection (a).