308(h) of Pub. L. 107–330 is effective as of Dec. 27, 2001, and as if included in section 103(c) of the Veterans Education and Benefits Expansion Act of 2001, Pub. L. 107–103, as originally enacted.

EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107–103 effective Sept. 11, 2001, see section 103(e) of Pub. L. 107–103, set out as a note under section 3013 of this title.

EFFECTIVE DATE

Section effective Apr. 1, 1981, see section 802(a)(1) of Pub. L. 96–466, set out as a note under section 3100 of this title.

§ 3104. Scope of services and assistance

(a) Services and assistance which the Secretary may provide under this chapter, pursuant to regulations which the Secretary shall prescribe, include the following:

(1) Evaluation, including periodic reevaluations as appropriate with respect to a veteran participating in a rehabilitation program, of the potential for rehabilitation of a veteran, including diagnostic and related services (A) to determine whether the veteran has an employment handicap or a serious employment handicap and whether a vocational goal is reasonably feasible for such veteran, and (B) to provide a basis for planning a suitable vocational rehabilitation program or a program of services and assistance to improve the vocational rehabilitation potential or independent living status of such veteran, as appropriate.

(2) Educational, vocational, psychological, employment, and personal adjustment counseling.

(3) An allowance and other appropriate assistance, as authorized by section 3108 of this title.

(4) A work-study allowance as authorized by section 3485 of this title.

(5) Placement services to effect suitable placement in employment, and postplacement services to attempt to insure satisfactory adjustment in employment.

(6) Personal adjustment and work adjustment training.

(7)(A) Vocational and other training services and assistance, including individualized tutorial assistance, tuition, fees, books, supplies, handling charges, licensing fees, and equipment and other training materials determined by the Secretary to be necessary to accomplish the purposes of the rehabilitation program in the individual case.

(B) Payment for the services and assistance provided under subparagraph (A) of this paragraph shall be made from funds available for the payment of readjustment benefits.

(8) Loans as authorized by section 3112 of this title.

(9) Treatment, care, and services described in chapter 17 of this title.

(10) Prosthetic appliances, eyeglasses, and other corrective and assistive devices.

(11) Services to a veteran's family as necessary for the effective rehabilitation of such veteran.

(12) For veterans with the most severe service-connected disabilities who require homebound training or self-employment, or both homebound training and self-employment, such license fees and essential equipment, supplies, and minimum stocks of materials as the Secretary determines to be necessary for such a veteran to begin employment and are within the criteria and cost limitations that the Secretary shall prescribe in regulations for the furnishing of such fees, equipment, supplies, and stocks.

(13) Travel and incidental expenses under the terms and conditions set forth in section 111 of this title, plus, in the case of a veteran who because of such veteran's disability has transportation expenses in addition to those incurred by persons not so disabled, a special transportation allowance to defray such additional expenses during rehabilitation, job seeking, and the initial employment stage.

(14) Special services (including services related to blindness and deafness) including—

(A) language training, speech and voice correction, training in ambulation, and one-hand typewriting;

(B) orientation, adjustment, mobility, reader, interpreter, and related services; and

(C) telecommunications, sensory, and other technical aids and devices.

(15) Services necessary to enable a veteran to achieve maximum independence in daily living.

(16) Other incidental goods and services determined by the Secretary to be necessary to accomplish the purposes of a rehabilitation program in an individual case.

(b) A rehabilitation program (including individual courses) to be pursued by a veteran shall be subject to the approval of the Secretary.

(Added Pub. L. 96–466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2174, § 1504; amended Pub. L. 100–323, § 11(a)(3)(A), May 20, 1988, 102 Stat. 568; Pub. L. 101–237, title IV, § 423(b)(1)(A), Dec. 18, 1989, 103 Stat. 2092; Pub. L. 102–16, § 3(b)(1), Mar. 22, 1991, 105 Stat. 49; Pub. L. 102–54, § 14(c)(3), June 13, 1991, 105 Stat. 285; renumbered § 3104 and amended Pub. L. 102–83, § 5(a), (c)(1), Aug. 6, 1991, 105 Stat. 406; Pub. L. 104–275, title I, § 101(d), Oct. 9, 1996, 110 Stat. 3324.)

PRIOR PROVISIONS

Prior section 3104 was renumbered section 5304 of this title.

AMENDMENTS

1996—Subsec. (a)(1). Pub. L. 104–275, § 101(d)(1)(A), substituted "the veteran has an employment handicap or" for "such veteran's disability or disabilities cause" and inserted "reasonably" after "goal is".

Subsec. (a)(7)(A). Pub. L. 104–275, § 101(d)(1)(B), struck out "(i)" after "assistance, including" and ", and (ii) job-readiness skills development and counseling under section 14(a)(2) of the Veterans' Job Training Act (29 U.S.C. 1721 note) for a participant in a program of training under such Act" after "individual case".

Subsec. (a)(12). Pub. L. 104–275, § 101(d)(1)(C), substituted "For veterans with the most severe service-connected disabilities who require" for "For the most severely disabled veterans requiring".

Subsecs. (b), (c). Pub. L. 104–275, § 101(d)(2), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: "A program of independent living services and assistance may include the types of services and assistance described in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)."

1991—Pub. L. 102–83, § 5(a), renumbered section 1504 of this title as this section.

Subsec. (a)(3). Pub. L. 102–83, § 5(c)(1), substituted ''3108'' for ''1508''.

Subsec. (a)(4). Pub. L. 102–83, § 5(c)(1), substituted ''3485'' for ''1685''.

Subsec. (a)(7). Pub. L. 102–16 designated existing provisions as subpar. (A), redesignated former cls. (A) and (B) as cls. (i) and (ii), respectively, substituted ''handling charges, licensing'' for ''and licensing'', and added subpar. (B).

Subsec. (a)(8). Pub. L. 102–83, § 5(c)(1), substituted ''3112'' for ''1512''.

Subsec. (b). Pub. L. 102–54 substituted ''(29 U.S.C. 796a)'' for ''(29 U.S.C. 796)''.

1989—Subsecs. (a), (c). Pub. L. 101–237 substituted ''Secretary'' for ''Administrator'' wherever appearing.

1988—Subsec. (a)(7). Pub. L. 100–323 designated existing provisions as subpar. (A) and added subpar. (B).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104–275 effective Oct. 9, 1996, with amendment by section 101(d)(1)(C), (2) of Pub. L. 104–275 only applicable with respect to claims of eligibility or entitlement to services and assistance (including claims for extension of such services and assistance) under this chapter received by the Secretary of Veterans Affairs on or after Oct. 9, 1996, including those claims based on original applications, and applications seeking to reopen, revise, reconsider, or otherwise adjudicate or readjudicate on any basis claims for services and assistance under this chapter, see section 101(j) of Pub. L. 104–275, set out as a note under section 3101 of this title.

EFFECTIVE DATE OF 1991 AMENDMENT

Section 3(b)(2) of Pub. L. 102–16 provided that: ''The amendments made by this subsection [amending this section] shall apply only to payments made on or after the date of the enactment of this Act [Mar. 22, 1991].''

EFFECTIVE DATE OF 1988 AMENDMENT

Section 16 of Pub. L. 100–323 provided that:

''(a) IN GENERAL.—Except as provided in subsection (b), the provisions of and amendments made by this Act [see Tables for classification] shall take effect on the date of the enactment of this Act [May 20, 1988].

''(b) EXCEPTIONS.—(1) The following provisions of or amendments made by this Act shall take effect for all of fiscal year 1988 and subsequent fiscal years:

''(A) Clause (5) of subsection (b) of section 2002A [now 4102A] of title 38, United States Code, as added by section 2(a)(2) of this Act.

''(B) Subsection (a) of section 2003A [now 4103A] of such title, as amended by section 2(e)(1)(A) of this Act.

''(C) Paragraphs (1), (2), and (3) of section 2004(a) [now 4104(a)] of such title, as amended by section 3(a) of this Act.

''(D) Paragraphs (2) through (5) of section 1774(a) [now 3674(a)] of such title, as added by section 13(a)(1) of this Act.

''(2) The provisions of and amendments made by sections 4 through 11 [see Tables for classification] shall take effect on the 60th day after the date of the enactment of this Act [May 20, 1988].''

EFFECTIVE DATE

Section effective Apr. 1, 1981, see section 802(a)(1) of Pub. L. 96–466, set out as a note under section 3100 of this title.

BLIND REHABILITATION OUTPATIENT SPECIALISTS

Pub. L. 109–461, title II, § 207, Dec. 22, 2006, 120 Stat. 3412, provided that:

''(a) FINDINGS.—Congress makes the following findings:

''(1) There are approximately 135,000 blind veterans throughout the United States, including approximately 35,000 who are enrolled with the Department of Veterans Affairs. An aging veteran population and injuries incurred in Operation Iraqi Freedom and Operation Enduring Freedom are increasing the number of blind veterans.

''(2) Since 1996, when the Department of Veterans Affairs hired its first 14 blind rehabilitation outpatient specialists (referred to in this section as 'Specialists'), Specialists have been a critical part of the continuum of care for blind and visually impaired veterans.

''(3) The Department of Veterans Affairs operates 10 residential blind rehabilitation centers that are considered among the best in the world. These centers have had long waiting lists, with as many as 1,500 blind veterans waiting for openings in 2004.

''(4) Specialists provide—

''(A) critically needed services to veterans who are unable to attend residential centers or are waiting to enter a residential center program;

''(B) a range of services for blind veterans, including training with living skills, mobility, and adaptation of manual skills; and

''(C) pre-admission screening and follow-up care for blind rehabilitation centers.

''(5) There are not enough Specialist positions to meet the increased numbers and needs of blind veterans.

''(b) ESTABLISHMENT OF ADDITIONAL SPECIALIST POSITIONS.—Not later than 30 months after the date of the enactment of this Act [Dec. 22, 2006], the Secretary of Veterans Affairs shall establish an additional Specialist position at not fewer than 35 additional facilities of the Department of Veterans Affairs.

''(c) SELECTION OF FACILITIES.—In identifying the most appropriate facilities to receive a Specialist position under this section, the Secretary shall—

''(1) give priority to facilities with large numbers of enrolled legally blind veterans;

''(2) ensure that each facility does not have such a position; and

''(3) ensure that each facility is in need of the services of a Specialist.

''(d) COORDINATION.—The Secretary shall coordinate the provision of blind rehabilitation services for veterans with services for the care of the visually impaired offered by State and local agencies, especially to the extent to which such State and local agencies can provide necessary services to blind veterans in settings located closer to the residences of such veterans at similar quality and cost to the veteran.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of Veterans Affairs to carry out this section $3,500,000 for each of fiscal years 2007 through 2012.''

VETERANS PURSUING PROGRAM OF VOCATIONAL REHABILITATION UNDER FORMER SECTION 1504 OF THIS TITLE

During the period beginning on Oct. 1, 1980, and ending on Mar. 31, 1981, the provisions of section 3108 [formerly 1508] of this title, as added by Pub. L. 96–466, title I, § 101(a), Oct. 17, 1980, 94 Stat. 2178, shall apply to veterans pursuing a program of vocational rehabilitation training under this chapter in the same manner as former section 1504 of this title applied to veterans pursuing such a program under this chapter on Sept. 30, 1980. See section 802(a)(4) of Pub. L. 96–466, set out as an Effective Date note under section 3100 of this title.

§ 3105. Duration of rehabilitation programs

(a) In any case in which the Secretary is unable to determine whether it currently is reasonably feasible for a veteran to achieve a vocational goal, the period of extended evaluation under section 3106(c) of this title may not exceed twelve months, except that such period may be extended for additional periods of up to six