

105TH CONGRESS  
2D SESSION

# H. R. 4374

To amend title 38, United States Code, to provide that health-care benefits shall be furnished by the Department of Veterans Affairs to veterans with tobacco-related illnesses in accordance with the standards in effect under Department of Veterans Affairs General Counsel opinions issued before the enactment of the Transportation Equity Act for the 21st Century.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1998

Mr. KENNEDY of Rhode Island (for himself and Mr. ENGLISH of Pennsylvania) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide that health-care benefits shall be furnished by the Department of Veterans Affairs to veterans with tobacco-related illnesses in accordance with the standards in effect under Department of Veterans Affairs General Counsel opinions issued before the enactment of the Transportation Equity Act for the 21st Century.

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. MEDICAL CARE FOR VETERANS WITH TO-**  
2 **BACCO-RELATED ILLNESSES.**

3 (a) **HEALTH-CARE ELIGIBILITY.**—Subsection  
4 (a)(2)(F) of section 1710 of title 38, United States Code,  
5 is amended by inserting “or who has a tobacco-related ill-  
6 ness,” after “hazard,”.

7 (b) **TERMS OF ELIGIBILITY.**—Subsection (e)(1) of  
8 such section is amended by adding at the end the follow-  
9 ing:

10 “(D) A veteran who has a tobacco-related illness (as  
11 determined under regulations prescribed by the Secretary)  
12 is eligible for hospital care, medical services, and nursing  
13 home care under subsection (a)(2)(F) for that illness if,  
14 and to the extent that, the veteran would have been eligi-  
15 ble for such care and services under the laws and regula-  
16 tions (including Department General Counsel opinions) in  
17 effect before the enactment of the Transportation Equity  
18 Act for the 21st Century.”.

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