

115TH CONGRESS
2D SESSION

S. 3479

AN ACT

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “Department of Veterans Affairs Expiring Authorities Act
 4 of 2018”.

5 (b) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—EXTENSIONS OF AUTHORITY

Subtitle A—Health Care Matters

Sec. 101. Extension of authority for collection of copayments for hospital care and nursing home care.

Sec. 102. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.

Sec. 103. Removal of authorization of appropriations to provide assistance and support services for caregivers.

Sec. 104. Making permanent authority for recovery from third parties of cost of care and services furnished to veterans with health-plan contracts for non-service-connected disability.

Sec. 105. Extension of authority for transfer of real property.

Sec. 106. Extension of authority for pilot program on assistance for child care for certain veterans receiving health care.

Sec. 107. Extension of authority to make grants to veterans service organizations for transportation of highly rural veterans.

Sec. 108. Extension of authority for pilot program on counseling in retreat settings for women veterans newly separated from service.

Sec. 109. Extension of temporary expansion of payments and allowances for beneficiary travel in connection with veterans receiving care from vet centers.

Subtitle B—Benefits Matters

Sec. 121. Making permanent authority for temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty ambulating.

Sec. 122. Extension of authority for specially adapted housing assistive technology grant program.

Sec. 123. Making permanent authority to guarantee payment of principal and interest on certificates or other securities.

Sec. 124. Making permanent authority for calculating net value of real property at time of foreclosure.

Sec. 125. Extension of authority relating to vendee loans.

Sec. 126. Making permanent authority to provide rehabilitation and vocational benefits to members of the Armed Forces with severe injuries or illnesses.

- Sec. 127. Extension of authority to enter into agreement with the National Academy of Sciences regarding associations between diseases and exposure to dioxin and other chemical compounds in herbicides.

Subtitle C—Homeless Veterans Matters

- Sec. 141. Extension of authority for homeless veterans reintegration programs.
 Sec. 142. Extension of authority for homeless women veterans and homeless veterans with children reintegration program.
 Sec. 143. Extension of authority for referral and counseling services for veterans at risk of homelessness transitioning from certain institutions.
 Sec. 144. Extension of authority for treatment and rehabilitation services for seriously mentally ill and homeless veterans.
 Sec. 145. Extension of authority for financial assistance for supportive services for very low-income veteran families in permanent housing.
 Sec. 146. Extension of authority for grant program for homeless veterans with special needs.
 Sec. 147. Extension of authority for the Advisory Committee on Homeless Veterans.

Subtitle D—Other Matters

- Sec. 161. Extension of authority for transportation of individuals to and from Department of Veterans Affairs facilities.
 Sec. 162. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
 Sec. 163. Extension of authority for monthly assistance allowances under the Office of National Veterans Sports Programs and Special Events.
 Sec. 164. Extension of requirement to provide reports to Congress regarding equitable relief in the case of administrative error.
 Sec. 165. Extension of authorization of appropriations for adaptive sports programs for disabled veterans and members of the armed forces.
 Sec. 166. Extension of authority for Advisory Committee on Minority Veterans.

TITLE II—IMPROVEMENT OF HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS

- Sec. 201. Treatment of modifications of contracts under Veterans Community Care program.
 Sec. 202. Modification of provision requiring recognition and acceptance, on an interim basis, of credentials and qualifications of health care providers under community care program.
 Sec. 203. Expansion of coverage of Veterans Care Agreements.
 Sec. 204. Modification of authority for deduction of overpayments for health care.
 Sec. 205. Modification of eligibility of former members of the Armed Forces for mental and behavioral health care from the Department of Veterans Affairs.
 Sec. 206. Access of health care providers of the Department of Veterans Affairs to drug monitoring programs that do not participate in the national network.

- Sec. 207. Elimination of report on activities and proposals involving contracting for performance by contractor personnel of work previously performed by Department employees.
- Sec. 208. Additional report on increased availability of opioid receptor antagonists.
- Sec. 209. Expansion of health care assessment to include all territories of the United States and the assessment of extended care services.
- Sec. 210. Authorization of major medical facility project at Department of Veterans Affairs West Los Angeles Medical Center.
- Sec. 211. Technical amendments to VA MISSION Act of 2018 and amendments made by that Act.

TITLE III—OTHER MATTERS

- Sec. 301. Approval of courses of education provided by public institutions of higher education for purposes of training and rehabilitation for veterans with service-connected disabilities conditional on in-State tuition rate for veterans.
- Sec. 302. Corrective action for certain Department of Veterans Affairs employees for conflicts of interest with educational institutions operated for profit.
- Sec. 303. Modification of compliance requirements for particular leases relating to Department of Veterans Affairs West Los Angeles Campus.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 Except as otherwise expressly provided, whenever in
 3 this Act an amendment or repeal is expressed in terms
 4 of an amendment to, or repeal of, a section or other provi-
 5 sion, the reference shall be considered to be made to a
 6 section or other provision of title 38, United States Code.

7 TITLE I—EXTENSIONS OF 8 AUTHORITY

9 Subtitle A—Health Care Matters

10 SEC. 101. EXTENSION OF AUTHORITY FOR COLLECTION OF 11 COPAYMENTS FOR HOSPITAL CARE AND 12 NURSING HOME CARE.

13 Section 1710(f)(2)(B) is amended by striking “Sep-
 14 tember 30, 2019” and inserting “September 30, 2020”.

1 **SEC. 102. EXTENSION OF REQUIREMENT TO PROVIDE**
 2 **NURSING HOME CARE TO CERTAIN VET-**
 3 **ERANS WITH SERVICE-CONNECTED DISABIL-**
 4 **ITIES.**

5 Section 1710A(d) is amended by striking “September
 6 30, 2019” and inserting “September 30, 2020”.

7 **SEC. 103. REMOVAL OF AUTHORIZATION OF APPROPRIA-**
 8 **TIONS TO PROVIDE ASSISTANCE AND SUP-**
 9 **PORT SERVICES FOR CAREGIVERS.**

10 Section 1720G is amended by striking subsection (e).

11 **SEC. 104. MAKING PERMANENT AUTHORITY FOR RECOV-**
 12 **ERY FROM THIRD PARTIES OF COST OF CARE**
 13 **AND SERVICES FURNISHED TO VETERANS**
 14 **WITH HEALTH-PLAN CONTRACTS FOR NON-**
 15 **SERVICE-CONNECTED DISABILITY.**

16 Section 1729(a)(2)(E) is amended, in the matter pre-
 17 ceding clause (i), by striking “before September 30,
 18 2019,”.

19 **SEC. 105. EXTENSION OF AUTHORITY FOR TRANSFER OF**
 20 **REAL PROPERTY.**

21 Section 8118(a)(5) is amended by striking “Decem-
 22 ber 31, 2018” and inserting “September 30, 2020”.

1 **SEC. 106. EXTENSION OF AUTHORITY FOR PILOT PROGRAM**
2 **ON ASSISTANCE FOR CHILD CARE FOR CER-**
3 **TAIN VETERANS RECEIVING HEALTH CARE.**

4 (a) EXTENSION.—Subsection (e) of section 205 of
5 the Caregivers and Veterans Omnibus Health Services Act
6 of 2010 (Public Law 111–163; 124 Stat. 1144; 38 U.S.C.
7 1710 note) is amended by striking “September 30, 2019”
8 and inserting “September 30, 2020”.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-
10 section (h) of such section is amended by striking “and
11 2019” and inserting “2019, and 2020”.

12 **SEC. 107. EXTENSION OF AUTHORITY TO MAKE GRANTS TO**
13 **VETERANS SERVICE ORGANIZATIONS FOR**
14 **TRANSPORTATION OF HIGHLY RURAL VET-**
15 **ERANS.**

16 Section 307(d) of the Caregivers and Veterans Omni-
17 bus Health Services Act of 2010 (Public Law 111–163;
18 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by
19 striking “2019” and inserting “2020”.

20 **SEC. 108. EXTENSION OF AUTHORITY FOR PILOT PROGRAM**
21 **ON COUNSELING IN RETREAT SETTINGS FOR**
22 **WOMEN VETERANS NEWLY SEPARATED FROM**
23 **SERVICE.**

24 (a) EXTENSION.—Subsection (d) of section 203 of
25 the Caregivers and Veterans Omnibus Health Services Act
26 of 2010 (Public Law 111–163; 124 Stat. 1143; 38 U.S.C.

1 1712A note) is amended by striking “September 30,
2 2019” and inserting “September 30, 2020”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-
4 section (f) of such section is amended by striking “and
5 2019” and inserting “2019, and 2020”.

6 **SEC. 109. EXTENSION OF TEMPORARY EXPANSION OF PAY-**
7 **MENTS AND ALLOWANCES FOR BENEFICIARY**
8 **TRAVEL IN CONNECTION WITH VETERANS**
9 **RECEIVING CARE FROM VET CENTERS.**

10 Section 104(a) of the Honoring America’s Veterans
11 and Caring for Camp Lejeune Families Act of 2012 (Pub-
12 lic Law 112–154; 126 Stat. 1169), as amended by section
13 109(a) of the Department of Veterans Affairs Expiring
14 Authorities Act of 2017 (Public Law 115–62; 131 Stat.
15 1162), is amended by striking “September 30, 2018” and
16 inserting “September 30, 2019”.

17 **Subtitle B—Benefits Matters**

18 **SEC. 121. MAKING PERMANENT AUTHORITY FOR TEM-**
19 **PORARY EXPANSION OF ELIGIBILITY FOR**
20 **SPECIALLY ADAPTED HOUSING ASSISTANCE**
21 **FOR CERTAIN VETERANS WITH DISABILITIES**
22 **CAUSING DIFFICULTY AMBULATING.**

23 Section 2101(a)(4) is amended by striking “(A) Ex-
24 cept” and all that follows through “(B) In each of fiscal

1 years 2014 through 2018, the Secretary” and inserting
 2 “In any fiscal year, the Secretary”.

3 **SEC. 122. EXTENSION OF AUTHORITY FOR SPECIALLY**
 4 **ADAPTED HOUSING ASSISTIVE TECHNOLOGY**
 5 **GRANT PROGRAM.**

6 Section 2108(g) is amended by striking “September
 7 30, 2018” and inserting “September 30, 2020”.

8 **SEC. 123. MAKING PERMANENT AUTHORITY TO GUAR-**
 9 **ANTEE PAYMENT OF PRINCIPAL AND INTER-**
 10 **EST ON CERTIFICATES OR OTHER SECURI-**
 11 **TIES.**

12 Section 3720(h) is amended—

13 (1) by striking paragraph (2); and

14 (2) by striking “(1)”.

15 **SEC. 124. MAKING PERMANENT AUTHORITY FOR CALCU-**
 16 **LATING NET VALUE OF REAL PROPERTY AT**
 17 **TIME OF FORECLOSURE.**

18 Section 3732(c) is amended by striking paragraph
 19 (11).

20 **SEC. 125. EXTENSION OF AUTHORITY RELATING TO VEND-**
 21 **EE LOANS.**

22 Section 3733(a)(7) is amended—

23 (1) in the matter preceding subparagraph (A),

24 by striking “September 30, 2018” and inserting

25 “September 30, 2019”; and

1 (2) in subparagraph (C), by striking “Sep-
 2 tember 30, 2018,” and inserting “September 30,
 3 2019,”.

4 **SEC. 126. MAKING PERMANENT AUTHORITY TO PROVIDE**
 5 **REHABILITATION AND VOCATIONAL BENE-**
 6 **FITS TO MEMBERS OF THE ARMED FORCES**
 7 **WITH SEVERE INJURIES OR ILLNESSES.**

8 Section 1631(b) of the Wounded Warrior Act (title
 9 XVI of Public Law 110–181; 10 U.S.C. 1071 note) is
 10 amended—

11 (1) by striking paragraph (2); and

12 (2) by striking “(1) **IN GENERAL.**—”.

13 **SEC. 127. EXTENSION OF AUTHORITY TO ENTER INTO**
 14 **AGREEMENT WITH THE NATIONAL ACADEMY**
 15 **OF SCIENCES REGARDING ASSOCIATIONS BE-**
 16 **TWEEN DISEASES AND EXPOSURE TO DIOXIN**
 17 **AND OTHER CHEMICAL COMPOUNDS IN HER-**
 18 **BICIDES.**

19 Section 3(i) of the Agent Orange Act of 1991 (Public
 20 Law 102–4; 38 U.S.C. 1116 note) is amended by striking
 21 “September 30, 2018” and inserting “September 30,
 22 2020”.

Subtitle C—Homeless Veterans Matters

SEC. 141. EXTENSION OF AUTHORITY FOR HOMELESS VETERANS REINTEGRATION PROGRAMS.

Section 2021(e)(1)(F) is amended by striking “2018” and inserting “2020”.

SEC. 142. EXTENSION OF AUTHORITY FOR HOMELESS WOMEN VETERANS AND HOMELESS VETERANS WITH CHILDREN REINTEGRATION PROGRAM.

Section 2021A(f)(1) is amended by striking “2018” and inserting “2020”.

SEC. 143. EXTENSION OF AUTHORITY FOR REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK OF HOMELESSNESS TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023(d) is amended by striking “September 30, 2018” and inserting “September 30, 2020”.

SEC. 144. EXTENSION OF AUTHORITY FOR TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) GENERAL TREATMENT.—Section 2031(b) is amended by striking “September 30, 2019” and inserting “September 30, 2020”.

1 (b) ADDITIONAL SERVICES AT CERTAIN LOCA-
2 TIONS.—Section 2033(d) is amended by striking “Sep-
3 tember 30, 2019” and inserting “September 30, 2020”.

4 **SEC. 145. EXTENSION OF AUTHORITY FOR FINANCIAL AS-**
5 **SISTANCE FOR SUPPORTIVE SERVICES FOR**
6 **VERY LOW-INCOME VETERAN FAMILIES IN**
7 **PERMANENT HOUSING.**

8 Section 2044(e)(1) is amended by striking subpara-
9 graph (F) and inserting the following:

10 “(F) \$340,000,000 for fiscal year 2018.

11 “(G) \$380,000,000 for fiscal year 2019.”.

12 **SEC. 146. EXTENSION OF AUTHORITY FOR GRANT PRO-**
13 **GRAM FOR HOMELESS VETERANS WITH SPE-**
14 **CIAL NEEDS.**

15 Section 2061(d)(1) is amended by striking “2019”
16 and inserting “2020”.

17 **SEC. 147. EXTENSION OF AUTHORITY FOR THE ADVISORY**
18 **COMMITTEE ON HOMELESS VETERANS.**

19 Section 2066(d) is amended by striking “September
20 30, 2018” and inserting “September 30, 2022”.

1 **Subtitle D—Other Matters**

2 **SEC. 161. EXTENSION OF AUTHORITY FOR TRANSPOR-**
3 **TATION OF INDIVIDUALS TO AND FROM DE-**
4 **PARTMENT OF VETERANS AFFAIRS FACILI-**
5 **TIES.**

6 Section 111A(a)(2) is amended by striking “Sep-
7 tember 30, 2019” and inserting “September 30, 2020”.

8 **SEC. 162. EXTENSION OF AUTHORITY FOR OPERATION OF**
9 **THE DEPARTMENT OF VETERANS AFFAIRS**
10 **REGIONAL OFFICE IN MANILA, THE REPUB-**
11 **LIC OF THE PHILIPPINES.**

12 Section 315(b) is amended by striking “September
13 30, 2018” and inserting “September 30, 2019”.

14 **SEC. 163. EXTENSION OF AUTHORITY FOR MONTHLY AS-**
15 **SISTANCE ALLOWANCES UNDER THE OFFICE**
16 **OF NATIONAL VETERANS SPORTS PROGRAMS**
17 **AND SPECIAL EVENTS.**

18 Section 322(d)(4) is amended by striking “2019” and
19 inserting “2020”.

20 **SEC. 164. EXTENSION OF REQUIREMENT TO PROVIDE RE-**
21 **PORTS TO CONGRESS REGARDING EQUI-**
22 **TABLE RELIEF IN THE CASE OF ADMINISTRA-**
23 **TIVE ERROR.**

24 Section 503(c) is amended by striking “December 31,
25 2018” and inserting “December 31, 2020”.

1 **SEC. 165. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
 2 **TIONS FOR ADAPTIVE SPORTS PROGRAMS**
 3 **FOR DISABLED VETERANS AND MEMBERS OF**
 4 **THE ARMED FORCES.**

5 Section 521A is amended—

6 (1) in subsection (g)(1), by striking “2019”
 7 and inserting “2020”; and

8 (2) in subsection (l), by striking “2019” and in-
 9 serting “2020”.

10 **SEC. 166. EXTENSION OF AUTHORITY FOR ADVISORY COM-**
 11 **MITTEE ON MINORITY VETERANS.**

12 (a) EXTENSION OF AUTHORITY.—Subsection (e) of
 13 section 544 is amended by striking “September 30, 2018”
 14 and inserting “September 30, 2022”.

15 (b) MODIFICATION OF REPORTING REQUIREMENT.—
 16 Subsection (c)(1) of such section is amended, in the mat-
 17 ter preceding subparagraph (A), by striking “each year”
 18 and inserting “every other year”.

19 **TITLE II—IMPROVEMENT OF**
 20 **HEALTH CARE FROM DE-**
 21 **PARTMENT OF VETERANS AF-**
 22 **FAIRS**

23 **SEC. 201. TREATMENT OF MODIFICATIONS OF CONTRACTS**
 24 **UNDER VETERANS COMMUNITY CARE PRO-**
 25 **GRAM.**

26 (a) IN GENERAL.—Section 1703(h)(1) is amended—

1 (1) by striking “The Secretary shall” and in-
2 serting “(A) The Secretary shall”; and

3 (2) by adding at the end the following new sub-
4 paragraph:

5 “(B) For purposes of subparagraph (A), the require-
6 ment to enter into consolidated, competitively bid con-
7 tracts shall not restrict the authority of the Secretary
8 under other provisions of law when modifying such a con-
9 tract after entering into the contract.”.

10 (b) **EFFECTIVE DATE.**—The amendments made by
11 subsection (a) shall take effect on the effective date speci-
12 fied in section 101(b) of the John S. McCain III, Daniel
13 K. Akaka, and Samuel R. Johnson VA Maintaining Inter-
14 nal Systems and Strengthening Integrated Outside Net-
15 works Act of 2018 (Public Law 115–182).

16 **SEC. 202. MODIFICATION OF PROVISION REQUIRING REC-**
17 **OGNITION AND ACCEPTANCE, ON AN IN-**
18 **TERIM BASIS, OF CREDENTIALS AND QUALI-**
19 **FICATIONS OF HEALTH CARE PROVIDERS**
20 **UNDER COMMUNITY CARE PROGRAM.**

21 Section 1703(h)(5)(A) is amended by striking “the
22 date of the enactment” and inserting “the effective date
23 specified in section 101(b)”.

1 **SEC. 203. EXPANSION OF COVERAGE OF VETERANS CARE**

2 **AGREEMENTS.**

3 (a) IN GENERAL.—Section 1703A is amended by
4 adding at the end the following new subsection:

5 “(l) COVERED INDIVIDUAL DEFINED.—In this sec-
6 tion, the term ‘covered individual’ means any individual
7 eligible for hospital care, medical services, or extended
8 care services under this title or any other law administered
9 by the Secretary.”.

10 (b) CONFORMING AMENDMENTS.—Section 1703A is
11 amended—

12 (1) in subsection (a)(1)—

13 (A) in subparagraph (A), by striking “vet-
14 eran” each place it appears and inserting “cov-
15 ered individual”; and

16 (B) in subparagraph (C)—

17 (i) by striking “veteran” and inserting
18 “covered individual”; and

19 (ii) by striking “veteran’s” and insert-
20 ing “covered individual’s”;

21 (2) in subsection (e)(2)(B), by striking “vet-
22 eran” each place it appears and inserting “covered
23 individual”;

24 (3) in subsection (f)(2)—

25 (A) in subparagraph (C), by striking “vet-
26 erans” and inserting “covered individuals”; and

1 (B) in subparagraph (D), by striking “vet-
 2 eran” and inserting “covered individual”;

3 (4) in subsection (g), by striking “to veterans”
 4 and inserting “to covered individuals”; and

5 (5) in subsection (j)—

6 (A) by striking “any veteran” and insert-
 7 ing “any covered individual”; and

8 (B) by striking “to veterans” each place it
 9 appears and inserting “to covered individuals”.

10 **SEC. 204. MODIFICATION OF AUTHORITY FOR DEDUCTION**
 11 **OF OVERPAYMENTS FOR HEALTH CARE.**

12 Section 1703D(e)(1) is amended—

13 (1) by striking “shall” and inserting “may”;
 14 and

15 (2) by inserting before the period at the end the
 16 following: “and may use any other means authorized
 17 by another provision of law to correct or recover
 18 overpayments”.

19 **SEC. 205. MODIFICATION OF ELIGIBILITY OF FORMER MEM-**
 20 **BERS OF THE ARMED FORCES FOR MENTAL**
 21 **AND BEHAVIORAL HEALTH CARE FROM THE**
 22 **DEPARTMENT OF VETERANS AFFAIRS.**

23 Section 1720I(b)(3) is amended by striking “is not
 24 otherwise eligible to enroll” and inserting “is not en-
 25 rolled”.

1 **SEC. 206. ACCESS OF HEALTH CARE PROVIDERS OF THE**
2 **DEPARTMENT OF VETERANS AFFAIRS TO**
3 **DRUG MONITORING PROGRAMS THAT DO**
4 **NOT PARTICIPATE IN THE NATIONAL NET-**
5 **WORK.**

6 Section 1730B is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by inserting “, or
9 any individual State or regional prescription
10 drug monitoring program,” after “programs”;

11 (B) in paragraph (2)(A), by striking “such
12 network” and inserting “the national network
13 of State-based prescription monitoring pro-
14 grams, or, if providing care in a State that does
15 not participate in such national network, an in-
16 dividual State or regional prescription drug
17 monitoring program,”; and

18 (C) in paragraph (3), by inserting “, or
19 any individual State or regional prescription
20 drug monitoring program,” after programs; and

21 (2) in subsection (c)(2) by inserting “, or any
22 individual State or regional prescription drug moni-
23 toring program,” after “programs”.

1 **SEC. 207. ELIMINATION OF REPORT ON ACTIVITIES AND**
 2 **PROPOSALS INVOLVING CONTRACTING FOR**
 3 **PERFORMANCE BY CONTRACTOR PER-**
 4 **SONNEL OF WORK PREVIOUSLY PERFORMED**
 5 **BY DEPARTMENT EMPLOYEES.**

6 Section 8110 is amended—

- 7 (1) by striking subsection (c); and
 8 (2) by redesignating subsections (d), (e), and
 9 (f) as subsections (c), (d), and (e), respectively.

10 **SEC. 208. ADDITIONAL REPORT ON INCREASED AVAIL-**
 11 **ABILITY OF OPIOID RECEPTOR ANTAGO-**
 12 **NISTS.**

13 Section 911(e)(2) of the Jason Simeakoski Memorial
 14 and Promise Act (Public Law 114–198; 38 U.S.C. 1701
 15 note) is amended by inserting “and not later than one year
 16 after the date of the enactment of the Department of Vet-
 17 erans Affairs Expiring Authorities Act of 2018” before
 18 “the Secretary shall”.

19 **SEC. 209. EXPANSION OF HEALTH CARE ASSESSMENT TO**
 20 **INCLUDE ALL TERRITORIES OF THE UNITED**
 21 **STATES AND THE ASSESSMENT OF EXTENDED**
 22 **CARE SERVICES.**

23 Section 213 of the John S. McCain III, Daniel K.
 24 Akaka, and Samuel R. Johnson VA Maintaining Internal
 25 Systems and Strengthening Integrated Outside Networks
 26 Act of 2018 (Public Law 115–182) is amended—

(1) in the section header, by striking “**PACIFIC TERRITORIES**” and inserting “**TERRITORIES OF THE UNITED STATES**”;

(2) in subsection (a)—

(A) by striking “180 days” and inserting “270 days”; and

(B) by striking “Pacific territories” and inserting “territories of the United States”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “Pacific territories” and inserting “territories of the United States”; and

(ii) by adding at the end the following:

“(E) Extended care.”; and

(B) in paragraph (2)—

(i) by striking “community-based outpatient clinic” and inserting “medical facility”; and

(ii) by striking “Pacific territory” and inserting “territory of the United States”; and

(4) in subsection (c)—

1 (A) by striking “Pacific territories” and in-
 2 serting “territories of the United States”;

3 (B) by striking “and”; and

4 (C) by inserting before the period at the
 5 end the following: “, Puerto Rico, and the
 6 United States Virgin Islands”.

7 **SEC. 210. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
 8 **PROJECT AT DEPARTMENT OF VETERANS AF-**
 9 **FAIRS WEST LOS ANGELES MEDICAL CENTER.**

10 (a) IN GENERAL.—The Secretary of Veterans Affairs
 11 may carry out the major medical facility project described
 12 in subsection (b) in fiscal year 2019, in an amount not
 13 to exceed \$35,000,000.

14 (b) MAJOR MEDICAL FACILITY PROJECT.—The
 15 major medical facility project described in this subsection
 16 is the construction of a new regional food services facility
 17 building on the campus of the medical center of the De-
 18 partment of Veterans Affairs in West Los Angeles, Cali-
 19 fornia, to replace the seismically deficient Building 300,
 20 Regional Food Service Facility, which is located on the
 21 north campus of the medical center as of the date of the
 22 enactment of this Act.

1 **SEC. 211. TECHNICAL AMENDMENTS TO VA MISSION ACT**
 2 **OF 2018 AND AMENDMENTS MADE BY THAT**
 3 **ACT.**

4 (a) TITLE 38.—

5 (1) ANNUAL REPORT ON PERFORMANCE
 6 AWARDS AND BONUSES.—Section 726(c)(3) is
 7 amended by striking “, United States Code”.

8 (2) VETERANS CARE AGREEMENTS.—Section
 9 1703A(h)(4) is amended by striking “, United
 10 States Code”.

11 (3) ACCESS STANDARDS.—Section 1703B(i) is
 12 amended—

13 (A) by striking “(1) The term” and insert-
 14 ing “In this section:

15 “(1) The term”;

16 (B) in paragraph (1), by moving subpara-
 17 graphs (A) and (B) two ems to the right;

18 (C) by moving paragraph (2) two ems to
 19 the right; and

20 (D) in paragraph (2), by striking “refers
 21 to” and inserting “means”.

22 (4) STANDARDS FOR QUALITY.—Section
 23 1703C(c) is amended—

24 (A) by striking “(c)(1) The term” and in-
 25 serting “(c) DEFINITIONS.— In this section:

26 “(1) The term”;

1 (B) in paragraph (1), by moving subpara-
 2 graphs (A) and (B) two ems to the right;

3 (C) by moving paragraph (2) two ems to
 4 the right; and

5 (D) in paragraph (2), by striking “refers
 6 to” and inserting “means”.

7 (5) PROMPT PAYMENT STANDARD.—Section
 8 1703D(g)(3) is amended by striking “of this Act, as
 9 amended by the Caring for Our Veterans Act of
 10 2018,” and inserting “of this title”.

11 (6) REMEDIATION OF MEDICAL SERVICE
 12 LINES.—Section 1706A is amended—

13 (A) in subsection (a), in the matter pre-
 14 ceding paragraph (1), by inserting “of this
 15 title” after “section 1703(e)(1)”; and

16 (B) in subsection (d)(1), by striking “para-
 17 graph (1)” and inserting “subsection (a)”.

18 (7) WALK-IN CARE.—Section 1725A is amend-
 19 ed—

20 (A) in subsection (e), by striking “or other
 21 agreement” and inserting “agreement, or other
 22 arrangement”; and

23 (B) in subsection (f)(4), by striking “Sec-
 24 tion 8153(c)” and inserting “Sections 8153(c)
 25 and 1703A(j)”.

1 (8) AUTHORITY TO RECOVER THE COST OF
2 SERVICES FURNISHED FOR NON-SERVICE-CON-
3 NECTED DISABILITIES.—Section 1729(a)(2)(D) is
4 amending by striking the period at the end and in-
5 serting “; or”.

6 (9) AGREEMENTS WITH STATE HOMES.—Sec-
7 tion 1745(a)(4)(B)(ii)(III) is amended by striking
8 “subchapter V of chapter 17 of this title” and in-
9 serting “this subchapter”.

10 (10) TRANSPLANT PROCEDURES WITH LIVE DO-
11 NORS AND RELATED SERVICES.—Section 1788(c) is
12 amended by striking “this chapter” and inserting
13 “this title”.

14 (11) QUADRENNIAL VETERANS HEALTH ADMIN-
15 ISTRATION REVIEW.—Section 7330C is amended—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by striking “Sec-
18 retary of Veterans Affairs” and inserting
19 “Secretary”;

20 (ii) in paragraph (2)—

21 (I) in subparagraph (B), by
22 striking “Department of Veterans Af-
23 fairs” and inserting “Department”;

24 (II) in subparagraph (C), by
25 striking “of title 38, as added by sec-

1 tion 102” and inserting “of this title”;
2 and

3 (III) in subparagraph (H)(i), by
4 striking “Department of Veterans Af-
5 fairs” and inserting “Depart-
6 ment”;and

7 (iii) in paragraph (4)—

8 (I) in subparagraph (A)(iii), by
9 inserting “of this title” after “section
10 1703C”; and

11 (II) in subparagraph (B), by in-
12 serting “of this title” after “section
13 1703(b)”;

14 (B) in subsection (b)(2)(I), by inserting
15 “of this title” after “section 1706A”; and

16 (C) in subsection (c)—

17 (i) in paragraph (1), by striking “such
18 high performing” and inserting “a high-
19 performing”; and

20 (ii) in paragraph (3), by inserting
21 “such” before “a high-performing”.

22 (12) DEPARTMENT OF VETERANS AFFAIRS SPE-
23 CIALTY EDUCATION LOAN REPAYMENT PROGRAM.—
24 Section 7693(a)(1) is amended by striking “is

1 hired” and inserting “will be eligible for appoint-
2 ment”.

3 (b) VA MISSION ACT.—

4 (1) TRAINING PROGRAM FOR ADMINISTRATION
5 OF NON-DEPARTMENT HEALTH CARE.—Section
6 122(a)(2) of the John S. McCain III, Daniel K.
7 Akaka, and Samuel R. Johnson VA Maintaining In-
8 ternal Systems and Strengthening Integrated Out-
9 side Networks Act of 2018 (Public Law 115–182) is
10 amended by striking “such title” and inserting “title
11 38, United States Code”.

12 (2) PROCESSES FOR SAFE OPIOID PRESCRIBING
13 PRACTICES BY NON-DEPARTMENT PROVIDERS.—Sec-
14 tion 131 of the John S. McCain III, Daniel K.
15 Akaka, and Samuel R. Johnson VA Maintaining In-
16 ternal Systems and Strengthening Integrated Out-
17 side Networks Act of 2018 (Public Law 115–182) is
18 amended—

19 (A) in subsection (c)(1)—

20 (i) by inserting “of title 38, United
21 States Code,” after “section
22 1703(a)(2)(A)”;

23 (ii) by striking “of this title” each
24 place it appears and inserting “of this
25 Act”; and

1 (iii) by inserting “of such title” after
 2 “section 1703A(e)(2)(F)”; and
 3 (B) in subsection (d), by striking “covered
 4 veterans” each place it appears and inserting
 5 “veterans”.

6 (3) PLANS FOR SUPPLEMENTAL APPROPRIA-
 7 TIONS.—Section 141 of the John S. McCain III,
 8 Daniel K. Akaka, and Samuel R. Johnson VA Main-
 9 taining Internal Systems and Strengthening Inte-
 10 grated Outside Networks Act of 2018 (Public Law
 11 115–182) is amended by striking “Whenever the
 12 Secretary” and inserting “Whenever the Secretary
 13 of Veterans Affairs”.

14 (4) TELEMEDICINE REPORTING REQUIRE-
 15 MENT.—Section 151(c)(1) of the John S. McCain
 16 III, Daniel K. Akaka, and Samuel R. Johnson VA
 17 Maintaining Internal Systems and Strengthening In-
 18 tegrated Outside Networks Act of 2018 (Public Law
 19 115–182) is amended by striking “section 1730B”
 20 and inserting “section 1730C”.

21 (5) EXPANSION OF FAMILY CAREGIVER PRO-
 22 GRAM.—Section 161(a)(1)(B) of the John S.
 23 McCain III, Daniel K. Akaka, and Samuel R. John-
 24 son VA Maintaining Internal Systems and Strength-
 25 ening Integrated Outside Networks Act of 2018

(Public Law 115–182) is amended by striking “such title” and inserting “title 38, United States Code”.

(6) SPECIALTY EDUCATION LOAN REPAYMENT PROGRAM.—Section 303 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

(A) in subsection (d), by inserting “of Veterans Affairs” after “Department”; and

(B) in subsection (e), in the matter preceding paragraph (1), by striking “established” and inserting “under subchapter VIII of chapter 76 of title 38, United States Code, as enacted”.

(7) VETERANS HEALING VETERANS MEDICAL ACCESS AND SCHOLARSHIP PROGRAM.—Section 304 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182) is amended—

(A) in subsection (a), by striking “covered medical schools” and inserting “covered medical school”; and

1 (B) in subsection (b)—

2 (i) in paragraph (2), by striking “enti-
3 tled to” and inserting “concurrently receiv-
4 ing”;

5 (ii) in paragraph (3), by striking
6 “2019” and inserting “2020”; and

7 (iii) in paragraph (6), by striking
8 “subsection (e)” and inserting “subsection
9 (d)”;

10 (C) in subsection (c)—

11 (i) in paragraph (1), by striking
12 “2019” and inserting “2020”; and

13 (ii) in paragraph (3), by striking
14 “2019” and inserting “2020”;

15 (D) in subsection (e), by striking “2019”
16 and inserting “2020”; and

17 (E) in subsection (f), by striking “Decem-
18 ber 31, 2020” and inserting “December 31,
19 2021”.

20 (8) DEVELOPMENT OF CRITERIA FOR DESIGNA-
21 TION OF CERTAIN MEDICAL FACILITIES AS UNDER-
22 SERVED FACILITIES AND PLAN TO ADDRESS PROB-
23 LEM OF UNDERSERVED FACILITIES.—Section 401 of
24 the John S. McCain III, Daniel K. Akaka, and Sam-
25 uel R. Johnson VA Maintaining Internal Systems

1 and Strengthening Integrated Outside Networks Act
 2 of 2018 (Public Law 115–182) is amended—

3 (A) in subsection (b)(5), by adding “or the
 4 applicable access standards developed under
 5 section 1703B of title 38, United States Code”
 6 after “the wait-time goals of the Department”;
 7 and

8 (B) in subsection (d)(2)(A), by striking
 9 “section 407” and inserting “section 402”.

10 (9) PILOT PROGRAM ON GRADUATE MEDICAL
 11 EDUCATION AND RESIDENCY.—Section 403(b)(4) of
 12 the John S. McCain III, Daniel K. Akaka, and Sam-
 13 uel R. Johnson VA Maintaining Internal Systems
 14 and Strengthening Integrated Outside Networks Act
 15 of 2018 (Public Law 115–182) is amended by in-
 16 serting “under” after “an agreement”.

17 (10) DEPARTMENT OF VETERANS AFFAIRS
 18 MEDICAL SCRIBE PILOT PROGRAM.—Section 507 of
 19 the John S. McCain III, Daniel K. Akaka, and Sam-
 20 uel R. Johnson VA Maintaining Internal Systems
 21 and Strengthening Integrated Outside Networks Act
 22 of 2018 (Public Law 115–182) is amended—

23 (A) in subsection (b)(3), by striking “as
 24 determine” and inserting “as determined”; and

1 (B) in subsection (c)(2)(C), by striking
 2 “speciality” and inserting “specialty”.

3 **TITLE III—OTHER MATTERS**

4 **SEC. 301. APPROVAL OF COURSES OF EDUCATION PRO-**
 5 **VIDED BY PUBLIC INSTITUTIONS OF HIGHER**
 6 **EDUCATION FOR PURPOSES OF TRAINING**
 7 **AND REHABILITATION FOR VETERANS WITH**
 8 **SERVICE-CONNECTED DISABILITIES CONDI-**
 9 **TIONAL ON IN-STATE TUITION RATE FOR**
 10 **VETERANS.**

11 (a) IN GENERAL.—Section 3679(c) is amended—

12 (1) in paragraph (1), by striking “chapter 30 or
 13 33” and inserting “chapter 30, 31, or 33”;

14 (2) in paragraph (2), by adding at the end the
 15 following new subparagraph:

16 “(C) An individual who is entitled to rehabilita-
 17 tion under section 3102(a) of this title.”;

18 (3) in paragraph (3), by striking “paragraph
 19 (2)(A) or (2)(B)” and inserting “paragraph (2)(A),
 20 (2)(B), or (2)(C)”; and

21 (4) in paragraph (6), by striking “chapters 30
 22 and 33” and inserting “chapters 30, 31, and 33”.

23 (b) APPLICABILITY.—The amendments made by sub-
 24 section (a) shall apply with respect to courses of education

1 provided during a quarter, semester, or term, as applica-
 2 ble, that begins after March 1, 2019.

3 **SEC. 302. CORRECTIVE ACTION FOR CERTAIN DEPART-**
 4 **MENT OF VETERANS AFFAIRS EMPLOYEES**
 5 **FOR CONFLICTS OF INTEREST WITH EDU-**
 6 **CATIONAL INSTITUTIONS OPERATED FOR**
 7 **PROFIT.**

8 (a) IN GENERAL.—Section 3683 of title 38, United
 9 States Code, is amended—

10 (1) by striking subsection (a) and inserting the
 11 following:

12 “(a) DEPARTMENT OFFICERS AND EMPLOYEES.—

13 (1) An officer or employee of the Department shall receive
 14 corrective action or disciplinary action if such officer or
 15 employee—

16 “(A) has, while serving as such an officer or
 17 employee, owned any interest in, or received any
 18 wage, salary, dividend, profit, or gift from, any edu-
 19 cational institution operated for profit; or

20 “(B) has, while serving as a covered officer or
 21 employee of the Department, received any service
 22 from any educational institution operated for profit.

23 “(2) In this subsection, the term ‘covered officer or
 24 employee of the Department’ means an officer or employee
 25 of the Department who—

1 “(A) works on the administration of benefits
2 under chapter 30, 31, 32, 33, 34, 35, or 36 of this
3 title; or

4 “(B) has a potential conflict of interest involv-
5 ing an educational institution operated for profit, as
6 determined by the Secretary.”;

7 (2) in subsection (b)—

8 (A) by striking “If the Secretary” and in-
9 serting the following:

10 “(b) STATE APPROVING AGENCY EMPLOYEES.—If
11 the Secretary”;

12 (B) by striking “wages, salary, dividends,
13 profits, gratuities, or services” and inserting
14 “wage, salary, dividend, profit, or gift”;

15 (C) by striking “in which an eligible person
16 or veteran was pursuing a program of education
17 or course under this chapter or chapter 34 or
18 35 of this title”;

19 (D) by striking “terminate the employment
20 of” and inserting “provide corrective action or
21 disciplinary action with respect to”; and

22 (E) by striking “while such person is an
23 officer or employee of the State approving agen-
24 cy, or State department of veterans’ affairs or
25 State department of education” and inserting

1 “until the completion of such corrective action
2 or disciplinary action”;

3 (3) in subsection (c)—

4 (A) by striking “A State approving agen-
5 cy” and inserting the following:

6 “(c) DISAPPROVAL OF COURSES.—A State approving
7 agency”;

8 (B) by striking “of Veterans Affairs”; and

9 (C) by striking “wages, salary, dividends,
10 profits, gratuities, or services” and inserting
11 “wage, salary, dividend, profit, or gift”; and

12 (4) in subsection (d)—

13 (A) by striking “The Secretary may” and
14 inserting the following:

15 “(d) WAIVER AUTHORITY.—(1) The Secretary may”;

16 (B) by striking “of Veterans Affairs”;

17 (C) by striking “, after reasonable notice
18 and public hearings,”; and

19 (D) by adding at the end the following new
20 paragraph:

21 “(2) The Secretary shall provide public notice of any
22 waiver granted under this subsection by not later than 30
23 days after the date on which such waiver is granted.”.

24 (b) EFFECTIVE DATE.—The amendments made by
25 subsection (a) shall take effect on the date of the enact-

1 ment of this Act and shall apply with respect to conflicts
 2 of interest that occur on or after that date.

3 **SEC. 303. MODIFICATION OF COMPLIANCE REQUIREMENTS**
 4 **FOR PARTICULAR LEASES RELATING TO DE-**
 5 **PARTMENT OF VETERANS AFFAIRS WEST LOS**
 6 **ANGELES CAMPUS.**

7 Section 2(h)(1) of the West Los Angeles Leasing Act
 8 of 2016 (Public Law 114–226) is amended by striking
 9 “any lease or land-sharing agreement at the Campus” and
 10 inserting “any new lease or land-sharing agreement at the
 11 Campus that is not in compliance with such laws”.

Passed the Senate September 18, 2018.

Attest:

Secretary.

115TH CONGRESS
2D SESSION

S. 3479

AN ACT

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.