

116TH CONGRESS
1ST SESSION

S. 1934

To amend title 38, United States Code, to provide benefits from the Department of Veterans Affairs for persons disabled by treatment under the Veterans Community Care Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2019

Mr. TESTER (for himself, Mrs. MURRAY, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide benefits from the Department of Veterans Affairs for persons disabled by treatment under the Veterans Community Care Program, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Parity in Veterans
5 Health Care Rights Act”.

1 **SEC. 2. BENEFITS FOR PERSONS DISABLED BY TREATMENT**
2 **UNDER VETERANS COMMUNITY CARE PRO-**
3 **GRAM.**

4 Subsection (a) of section 1151 of title 38, United
5 States Code, is amended—

6 (1) by redesignating paragraph (2) as para-
7 graph (3);

8 (2) in paragraph (1)(B), by striking “or” at the
9 end; and

10 (3) by inserting after paragraph (1) the fol-
11 lowing new paragraph (2):

12 “(2) the disability or death was caused by hos-
13 pital care, a medical service, or an extended care
14 service furnished the veteran by a non-Department
15 provider under section 1703 of this title and the
16 proximate cause of the disability or death was—

17 “(A) carelessness, negligence, lack of prop-
18 er skill, error in judgment, or similar instance
19 of fault on the part of the provider in fur-
20 nishing the hospital care, medical or surgical
21 treatment, or examination; or

22 “(B) an event not reasonably foreseeable;
23 or”.

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