

Calendar No. 101111TH CONGRESS
1ST SESSION**S. 423****[Report No. 111-41]**

To amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2009

Mr. AKAKA (for himself, Ms. SNOWE, Mr. JOHNSON, Mr. ROCKEFELLER, Mr. SANDERS, Mr. TESTER, Mr. BEGICH, Mr. BINGAMAN, Mrs. BOXER, Mr. FEINGOLD, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. MENENDEZ, Ms. MURKOWSKI, Ms. STABENOW, Mr. THUNE, Mr. VITTER, Mr. SCHUMER, Mr. BURR, Mr. INHOFE, Mrs. LINCOLN, Mr. WYDEN, Mr. SPECTER, Mr. ISAKSON, Mr. ENSIGN, Mr. COBURN, Mr. KERRY, Mr. SESSIONS, Mr. BAUCUS, Mr. BURRIS, Mr. CHAMBLISS, Mrs. HAGAN, Ms. MIKULSKI, Mr. CORKER, Mr. UDALL of Colorado, Mr. LEAHY, Ms. COLLINS, Mrs. MURRAY, Mrs. MCCASKILL, Mr. BENNETT, Mr. LIEBERMAN, Mr. BROWN, Mr. NELSON of Nebraska, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. BROWNBACK, Mr. DURBIN, Mr. BENNET, Mr. JOHANNIS, Mr. REED, Mr. WHITEHOUSE, Mr. CASEY, Mr. MARTINEZ, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

JULY 8, 2009

Reported by Mr. AKAKA without amendment

A BILL

To amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the

Department of Veterans Affairs by providing two-fiscal year budget authority, 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 “Veterans Health Care
5 Budget Reform and Transparency Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Title 38, United States Code, authorizes the
9 Secretary of Veterans Affairs to furnish hospital and
10 domiciliary care, medical services, nursing home
11 care, and related services to eligible and enrolled vet-
12 erans, but only to the extent that appropriated re-
13 sources and facilities are available for such purposes.

14 (2) For 19 of the past 22 fiscal years, funds
15 have not been appropriated for the Department of
16 Veterans Affairs for the provision of health care as
17 of the commencement of the new fiscal year, causing
18 the Department great challenges in planning and
19 managing care for enrolled veterans, to the det-
20 riment of veterans.

21 (3) The cumulative effect of insufficient, late,
22 and unpredictable funding for the Department for
23 health care endangers the viability of the health care
24 system of the Department and impairs the special-

1 ized health care resources the Department requires
2 to maintain and improve the health of sick and dis-
3 abled veterans.

4 (4) Appropriations for the health care programs
5 of the Department have too often proven insufficient
6 over the past decade, requiring the Secretary to ra-
7 tion health care and Congress to approve supple-
8 mental appropriations for those programs.

9 (5) Providing sufficient, timely, and predictable
10 funding would ensure the Government meets its obli-
11 gation to provide health care to sick and disabled
12 veterans and ensure that all veterans enrolled for
13 health care through the Department have ready ac-
14 cess to timely and high quality care.

15 (6) Providing sufficient, timely, and predictable
16 funding would allow the Department to properly
17 plan for and meet the needs of veterans.

18 **SEC. 3. TWO-FISCAL YEAR BUDGET AUTHORITY FOR CER-**
19 **TAIN MEDICAL CARE ACCOUNTS OF THE DE-**
20 **PARTMENT OF VETERANS AFFAIRS.**

21 (a) TWO-FISCAL YEAR BUDGET AUTHORITY.—

22 (1) IN GENERAL.—Chapter 1 of title 38, United
23 States Code, is amended by inserting after section
24 113 the following new section:

1 **“§ 113A. Two-fiscal year budget authority for certain**
 2 **medical care accounts**

3 “(a) IN GENERAL.—Beginning with fiscal year 2011,
 4 new discretionary budget authority provided in an appro-
 5 priations Act for the appropriations accounts of the De-
 6 partment specified in subsection (b) shall be made avail-
 7 able for the fiscal year involved, and shall include new dis-
 8 cretionary budget authority for such appropriations ac-
 9 counts that first become available for the first fiscal year
 10 after such fiscal year.

11 “(b) MEDICAL CARE ACCOUNTS.—The medical care
 12 accounts of the Department specified in this subsection
 13 are the medical care accounts of the Veterans Health Ad-
 14 ministration as follows:

15 “(1) Medical Services.

16 “(2) Medical Support and Compliance.

17 “(3) Medical Facilities.”.

18 (2) CLERICAL AMENDMENT.—The table of sec-
 19 tions at the beginning of chapter 1 of such title is
 20 amended by inserting after the item relating to sec-
 21 tion 113 the following new item:

“113A. Two-fiscal year budget authority for certain medical care accounts.”.

1 **SEC. 4. COMPTROLLER GENERAL OF THE UNITED STATES**
2 **STUDY ON ADEQUACY AND ACCURACY OF**
3 **BASELINE MODEL PROJECTIONS OF THE DE-**
4 **PARTMENT OF VETERANS AFFAIRS FOR**
5 **HEALTH CARE EXPENDITURES.**

6 (a) **STUDY OF ADEQUACY AND ACCURACY OF BASE-**
7 **LINE MODEL PROJECTIONS.**—The Comptroller General of
8 the United States shall conduct a study of the adequacy
9 and accuracy of the budget projections made by the En-
10 rollee Health Care Projection Model, its equivalent, or
11 other methodologies, as utilized for the purpose of esti-
12 mating and projecting health care expenditures of the De-
13 partment of Veterans Affairs (in this section referred to
14 as the “Model”) with respect to the fiscal year involved
15 and the subsequent four fiscal years.

16 (b) **REPORTS.**—

17 (1) **IN GENERAL.**—Not later than the date of
18 each year in 2011, 2012, and 2013, on which the
19 President submits the budget request for the next
20 fiscal year under section 1105 of title 31, United
21 States Code, the Comptroller General shall submit to
22 the appropriate committees of Congress and to the
23 Secretary a report.

24 (2) **ELEMENTS.**—Each report under this para-
25 graph shall include, for the fiscal year beginning in

1 the year in which such report is submitted, the fol-
2 lowing:

3 (A) A statement whether the amount re-
4 quested in the budget of the President for ex-
5 penditures of the Department for health care in
6 such fiscal year is consistent with anticipated
7 expenditures of the Department for health care
8 in such fiscal year as determined utilizing the
9 Model.

10 (B) The basis for such statement.

11 (C) Such additional information as the
12 Comptroller General determines appropriate.

13 (3) AVAILABILITY TO THE PUBLIC.—Each re-
14 port submitted under this subsection shall also be
15 made available to the public.

16 (4) APPROPRIATE COMMITTEES OF CONGRESS
17 DEFINED.—In this subsection, the term “appro-
18 priate committees of Congress” means—

19 (A) the Committees on Veterans’ Affairs,
20 Appropriations, and the Budget of the Senate;
21 and

22 (B) the Committees on Veterans’ Affairs,
23 Appropriations, and the Budget of the House of
24 Representatives.

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