

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5392

To amend title 38, United States Code, to enable the Department of Veterans Affairs to recover costs of medical care from third parties in the same manner as if the health care system of the Department were a preferred provider organization.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2002

Mr. SMITH of New Jersey (for himself and Mr. EVANS) 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 enable the Department of Veterans Affairs to recover costs of medical care from third parties in the same manner as if the health care system of the Department were a preferred provider organization.

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. AUTHORITY FOR DEPARTMENT OF VETERANS**  
2 **AFFAIRS TO RECOVER MEDICAL COSTS FROM**  
3 **THIRD-PARTY PROVIDERS AS IF IT IS A PRE-**  
4 **FERRED PROVIDER ORGANIZATION.**

5 (a) **AUTHORITY.**—Section 1729(f) of title 38, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing new sentence: “The absence of a participation  
8 agreement or other contractual arrangement entered into  
9 by the Secretary under a health-plan contract or with a  
10 third party that is a preferred provider organization may  
11 not be used, or operate to, prevent, or reduce the amount  
12 of, any such recovery or collection by the United States.”.

13 (b) **EFFECTIVE DATE.**—The amendment made by  
14 subsection (a) shall apply with respect to care and services  
15 provided under chapter 17 of title 38, United States Code,  
16 on and after the date of the enactment of this Act.

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