

112TH CONGRESS
1ST SESSION

S. 1799

To amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2011

Mr. TESTER (for himself, Mr. WYDEN, Mr. BEGICH, and Mr. PRYOR) 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 for certain requirements relating to the immunization of veterans, 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 “Access to Appropriate
5 Immunizations for Veterans Act of 2011”.

6 **SEC. 2. ENSURING VETERAN ACCESS TO APPROPRIATE IM-**
7 **MUNIZATIONS.**

8 (a) INCLUSION OF RECOMMENDED ADULT VACCINA-
9 TIONS AS MEDICAL SERVICES.—

1 (1) COVERED BENEFIT.—Subparagraph (F) of
2 section 1701(9) of title 38, United States Code, is
3 amended to read as follows:

4 “(F) immunizations against infectious dis-
5 eases, including each immunization on the rec-
6 ommended adult immunization schedule at the
7 time such immunization is indicated on that
8 schedule;”.

9 (2) DEFINITION.—Section 1701 of such title is
10 amended by adding after paragraph (9) the fol-
11 lowing new paragraph:

12 “(10) The term ‘recommended adult immuniza-
13 tion schedule’ means the schedule established (and
14 periodically reviewed and, as appropriate, revised) by
15 the Advisory Committee on Immunization Practices
16 established by the Secretary of Health and Human
17 Services and delegated to the Centers for Disease
18 Control and Prevention.”.

19 (b) REPORT TO CONGRESS.—Section 1704(1)(A) of
20 such title is amended—

21 (1) in clause (i), by striking “and” at the end;

22 (2) in clause (ii), by striking the period at the
23 end and inserting “; and”; and

24 (3) by inserting after clause (ii) the following
25 new clause:

1 “(iii) to ensure that veterans have re-
2 ceived each immunization on the rec-
3 ommended adult immunization schedule at
4 the time such immunization is indicated on
5 that schedule.”.

6 (c) ASSURANCE THAT ADMINISTRATION OF VACCINA-
7 TIONS CONSTITUTES APPROPRIATE MANAGEMENT AND
8 COST-EFFECTIVE DELIVERY OF HEALTH CARE SERV-
9 ICES.—

10 (1) IN GENERAL.—Section 1706(a) of such title
11 is amended—

12 (A) by striking “In managing the provi-
13 sion” and inserting “(1) In managing the provi-
14 sion”; and

15 (B) by adding at the end the following new
16 paragraph:

17 “(2)(A) In managing the provision of medical services
18 under such section, the Secretary shall develop and imple-
19 ment quality measures and metrics to ensure that veterans
20 receiving medical services under this title receive each im-
21 munization on the recommended adult immunization
22 schedule at the time such immunization is indicated on
23 that schedule.

1 “(B) Quality measures and metrics developed and im-
2 plemented under subparagraph (A) shall include targets
3 for compliance.

4 “(C) The Secretary shall, to the maximum extent fea-
5 sible, develop and implement measures and metrics re-
6 quired by subparagraph (A) concurrently and consistently
7 with the metrics in place, as of the date of the enactment
8 of this paragraph, with respect to influenza and pneumo-
9 coccal vaccinations.”.

10 (2) REPORT TO CONGRESS.—Section 1704(1) of
11 such title is amended by adding at the end the fol-
12 lowing new subparagraph:

13 “(H) Statistics related to the quality meas-
14 ures and metrics developed and implemented
15 under section 1706(a)(2) of this title.”.

16 (3) EFFECTIVE DATES.—

17 (A) DEVELOPMENT OF INITIAL SCHED-
18 ULE.—The Secretary shall establish the quality
19 measures and metrics described in paragraph
20 (2) of section 1706(a) of such title, as added by
21 paragraph (1), through notice and comment
22 rulemaking. The Secretary shall publish in the
23 Federal Register proposed measures and
24 metrics by no later than July 1, 2011, and shall

1 finalize such measures and metrics by no later
2 than December 31, 2011.

3 (B) IMPLEMENTATION OF MEASURES AND
4 METRICS.—The Secretary shall implement para-
5 graph (2) of such section on January 1, 2012.

6 (C) REPORT TO CONGRESS.—Subpara-
7 graph (H) of paragraph (1) of section 1704 of
8 such title, as added by paragraph (2), shall
9 apply with respect to the first report submitted
10 under such section after January 1, 2012.

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