

**Expand Veteran Eligibility for Reimbursement of Emergency
Treatment Received in a Non-VA Facility
Public Law 111-137**

(H.R. 1377)

Title: This bill amends title 38 to expand veteran eligibility for reimbursement by the VA for emergency treatment received in a non-VA facility.

Mr. Filner introduced H.R. 1377 on March 6, 2009.

Public Law 111-137 will:

1. Expand veteran eligibility to require the VA to pay for emergency treatment for a non-service connected condition if a third party is not responsible for paying for the full cost of care.
2. Set limitations on reimbursement as follows:
 - a. Defines the VA as a secondary payor where a third party insurer covers a part of the veteran's medical liability.
 - b. Explains that the VA is only responsible for the difference between the amount paid by the third party insurer and the VA allowable amount. Veterans would continue to be responsible for co-payments owed to the third party insurer.
 - c. Protects veterans by clarifying that they are not liable for any remaining balance due to the provider after the third party insurer and the VA have made their payments.
3. Make the effective date as the date of the enactment of the Act. In addition, the Secretary of the VA has the authority to reimburse certain veterans for emergency treatment provided before the effective date if he determines that it is appropriate to do so.

Effective Date: Date of Enactment

Cost: CBO estimates that implementing the bill would cost \$5 million over the 2010-2014 period, assuming appropriation of the estimated amounts.

Legislative History:

March 19, 2009: Ordered reported, amended, by the Subcommittee on Health.
March 25, 2009: Ordered reported, amended, by the Committee on Veterans' Affairs.
March 26, 2009: Reported, as amended, H. Rept. 111-55.
March 30, 2009: Passed the House under suspension by voice vote.
Dec. 18, 2009: Passed Senate without amendment by Unanimous Consent.
Feb. 1, 2010: Signed by the President. P.L. 111-137