

icate has been delivered to the Administrator under subsection (c) of section 561 of this title, a special pension at the rate of \$100, beginning as of the date of application therefore under section 560 of this title.

(b) The receipt of special pension shall not deprive any person of any other pension or other benefit, right, or privilege to which such person is or may hereafter be entitled under any existing or subsequent law. Special pension shall be paid in addition to all other payments under laws of the United States.

(c) Special pension shall not be subject to any attachment, execution, levy, tax lien, or detention under any process whatever.

(d) If any person has been awarded more than one medal of honor, such person shall not receive more than one special pension.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1140; Pub. L. 87-138, § 3, Aug. 4, 1961, 75 Stat. 339; Pub. L. 88-77, § 5(a), July 25, 1963, 77 Stat. 95; Pub. L. 94-169, title I, § 106(44), (45), Dec. 23, 1975, 89 Stat. 1019.)

#### AMENDMENTS

1975—Subsec. (a). Pub. L. 94-169, § 106(44), substituted "delivered to the Administrator" for "delivered to him".

Subsec. (b). Pub. L. 94-169, § 106(45), substituted "such person" for "he".

Subsec. (d). Pub. L. 94-169, § 106(45), substituted "such person" for "he".

1963—Subsec. (a). Pub. L. 88-77 inserted references to the Coast Guard.

1961—Subsec. (a). Pub. L. 87-138 inserted ", and a copy of whose certificate has been delivered to him under subsection (c) of section 561 of this title," following "Medal of Honor roll", and increased the pension from \$10 to \$100.

#### EFFECTIVE DATE OF 1975 AMENDMENT

Section 106 of Pub. L. 94-169 provided in part that the amendment by Pub. L. 94-169 is effective Jan. 1, 1976.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 560, 561 of this title; title 28 section 6334.

### CHAPTER 17—HOSPITAL, NURSING HOME, DOMICILIARY, AND MEDICAL CARE

#### SUBCHAPTER I—GENERAL

Sec.

- 601. Definitions.
- 602. Presumption relating to psychosis.

#### SUBCHAPTER II—HOSPITAL, NURSING HOME, OR DOMICILIARY CARE AND MEDICAL TREATMENT

- 610. Eligibility for hospital, nursing home, and domiciliary care.
- 611. Care during examinations and in emergencies.
- 612. Eligibility for medical treatment.
- 613. Medical care for survivors and dependents of certain veterans.
- 614. Fitting and training in use of prosthetic appliances; seeing-eye dogs.
- 615. Tobacco for hospitalized veterans.
- 616. Hospital care by other agencies of the United States.
- 617. Invalid lifts and other devices.
- 618. Therapeutic and rehabilitative activities.
- 619. Repair or replacement of certain prosthetic and other appliances.
- 620. Transfers for nursing home care.

#### SUBCHAPTER III—MISCELLANEOUS PROVISIONS RELATING TO HOSPITAL AND NURSING HOME CARE AND MEDICAL TREATMENT OF VETERANS

Sec.

- 621. Power to make rules and regulations.
- 622. Statement under oath.
- 623. Furnishing of clothing.
- 624. Hospital care, medical services and nursing home care abroad.
- [625. Repealed.]
- 626. Reimbursement for loss of personal effects by natural disaster.
- 627. Persons eligible under prior law.
- 628. Reimbursement of certain medical expenses.

#### SUBCHAPTER IV—HOSPITAL AND MEDICAL CARE FOR COMMONWEALTH OF THE PHILIPPINES ARMY VETERANS

- 631. Assistance to the Republic of the Philippines.
- 632. Contracts and grants to provide hospital care, medical services and nursing home care.
- 633. Supervision of program by the President.
- 634. Definitions.

#### SUBCHAPTER V—PAYMENTS TO STATE HOMES

- 641. Criteria for payment.
- 642. Inspections of such homes; restrictions on beneficiaries.
- 643. Applications.
- 644. Authorization of appropriations.

#### SUBCHAPTER VI—SICKLE CELL ANEMIA

- 651. Screening, counseling, and medical treatment.
- 652. Research.
- 653. Voluntary participation; confidentiality.
- 654. Reports.

#### AMENDMENTS

1976—Pub. L. 94-581, title II, §§ 202(a), 203(b), Oct. 21, 1976, 90 Stat. 2855, 2856, inserted "NURSING HOME," in the chapter heading, and, in the analysis of subchapter headings and section catchlines, inserted ", NURSING HOME" in the item for subchapter II, inserted ", nursing home" in item 610, substituted "Care" for "Hospitalization" in item 611, and inserted "AND NURSING HOME" in the item for subchapter III.

1973—Pub. L. 93-82, title I, §§ 103(c), 106(b), 107(b), 109(b), Aug. 2, 1973, 87 Stat. 182, 184, 186, 187, substituted "Medical care for survivors and dependents of certain veterans" and "Fitting and training in use of prosthetic appliances; seeing-eye dogs" for "Fitting and training in use of prosthetic appliances" and "Seeing-eye dogs" in items 613 and 614 respectively, substituted "natural disaster" for "fire" in item 626, added item 628, substituted "Assistance to the Republic of the Philippines" and "Contracts and grants to provide hospital care, medical services and nursing home care" for "Grants to the Republic of the Philippines" and "Modification of agreement with the Republic of the Philippines effectuating the Act of July 1, 1948" in items 631 and 632, respectively, and added "Subchapter VI—Sickle Cell Anemia" comprising items 651 to 654.

Pub. L. 93-43, § 4(c)(2), June 18, 1973, 87 Stat. 79, deleted item 625.

1969—Pub. L. 91-178, § 2(b), Dec. 30, 1969, 83 Stat. 837, added item 644.

1968—Pub. L. 90-493, § 3(b), Aug. 19, 1968, 82 Stat. 809, substituted "Invalid lifts and other devices" for "Invalid lifts and other devices for pensioners" in item 617.

1964—Pub. L. 88-450, §§ 2(b), 6(b), Aug. 19, 1964, 78 Stat. 500, 504, inserted words "and other devices" in item 617, and added item 620.

1962—Pub. L. 87-850, § 1(b), Oct. 23, 1962, 76 Stat. 1126, added item 619.

Pub. L. 87-574, § 2(2), Aug. 6, 1962, 76 Stat. 308, added item 618.

1959—Pub. L. 86-211, § 7(b), Aug. 29, 1959, 73 Stat. 436, added item 617.

#### CROSS REFERENCES

Third party tort liability to United States for hospital and medical care, except for treatment of veterans under this chapter, see section 2651 et seq. of Title 42, The Public Health and Welfare.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 106, 1506, 1685, 1903, 4133, 5053 of this title.

### SUBCHAPTER I—GENERAL

#### § 601. Definitions

For the purposes of this chapter—

(1) The term "disability" means a disease, injury, or other physical or mental defect.

(2) The term "veteran of any war" includes any veteran of the Indian Wars, or any veteran awarded the Medal of Honor.

(3) The term "period of war" includes each of the Indian Wars.

(4) The term "Veterans' Administration facilities" means—

(A) facilities over which the Administrator has direct jurisdiction;

(B) Government facilities for which the Administrator contracts; and

(C) private facilities for which the Administrator contracts when facilities described in clause (A) or (B) of this paragraph are not capable of furnishing economical care because of geographical inaccessibility or of furnishing the care or services required in order to provide (i) hospital care or medical services to a veteran for the treatment of a service-connected disability or a disability for which a veteran was discharged or released from the active military, naval, or air service; (ii) medical services for the treatment of any disability of a veteran described in clause (1)(B) or (2) of section 612(f) of this title, (iii) hospital care or medical services for the treatment of medical emergencies which pose a serious threat to the life or health of a veteran receiving hospital care in a facility described in clause (A) or (B) of this paragraph; (iv) hospital care for women veterans; or (v) hospital care for veterans in a State, territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, except that the annually determined average hospital patient load per thousand veteran population hospitalized at Veterans' Administration expense in Government and private facilities in each such non-contiguous State may not exceed the average patient load per thousand veteran population hospitalized by the Veterans' Administration within the forty-eight contiguous States; but authority under this subclause (v) shall expire on December 31, 1978.

(5) The term "hospital care" includes—

(A)(i) medical services rendered in the course of the hospitalization of any veteran, and (ii) transportation and incidental expenses pursuant to the provisions of section 111 of this title;

(B) such mental health services, consultation, professional counseling, and training for the members of the immediate family or legal

guardian of a veteran, or the individual in whose household such veteran certifies an intention to live, as may be essential to the effective treatment and rehabilitation of a veteran or dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title; and

(C)(i) medical services rendered in the course of the hospitalization of a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title, and (ii) transportation and incidental expenses for such dependent or survivor of a veteran who is in need of treatment for any injury, disease, or disability and is unable to defray the expense of transportation.

(6) The term "medical services" includes, in addition to medical examination, treatment, and rehabilitative services—

(A)(i) surgical services, dental services and appliances as authorized in section 612(b), (c), (d), and (e) of this title, optometric and podiatric services, and (except under the conditions described in section 612(f)(1)(A) of this title), wheelchairs, artificial limbs, trusses, and similar appliances, special clothing made necessary by the wearing of prosthetic appliances, and such other supplies or services as the Administrator determines to be reasonable and necessary, and (ii) travel and incidental expenses pursuant to the provisions of section 111 of this title; and

(B) such consultation, professional counseling, training, and mental health services as are necessary in connection with the treatment—

(i) of the service-connected disability of a veteran pursuant to section 612(a) of this title, and

(ii) in the discretion of the Administrator, of the non-service-connected disability of a veteran eligible for treatment under section 612(f)(1)(B) of this title where such services were initiated during the veteran's hospitalization and the provision of such services on an outpatient basis is essential to permit the discharge of the veteran from the hospital,

for the members of the immediate family or legal guardian of a veteran, or the individual in whose household such veteran certifies an intention to live, as may be essential to the effective treatment and rehabilitation of the veteran (including, under the terms and conditions set forth in section 111 of this title, necessary expenses of travel and subsistence of such family member or individual in the case of a veteran who is receiving care for a service-connected disability, or in the case of dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title). For the purposes of this paragraph, a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title shall be eligible for the same medical services as a veteran.

(7) The term "domiciliary care" includes necessary medical services and travel and incidental expenses pursuant to the provisions of section 111 of this title.

(8) The term "rehabilitative services" means such professional, counseling, and guidance services and treatment programs (other than those types of vocational rehabilitation services provided under chapter 31 of this title) as are necessary to restore, to the maximum extent possible, the physical, mental, and psychological functioning of an ill or disabled person.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1141; Pub. L. 86-598, July 7, 1960, 74 Stat. 335; Pub. L. 86-639, § 2, July 12, 1960, 74 Stat. 472; Pub. L. 88-481, Aug. 22, 1964, 78 Stat. 593; Pub. L. 90-612, § 2, Oct. 21, 1968, 82 Stat. 1202; Pub. L. 93-82, title I, § 101, Aug. 2, 1973, 87 Stat. 179; Pub. L. 94-581, title I, § 102, title II, § 202(b), Oct. 21, 1976, 90 Stat. 2843, 2855.)

#### AMENDMENTS

1976—Par. (4)(A). Pub. L. 94-581, § 202(b)(1), substituted "direct jurisdiction" for "direct and exclusive jurisdiction".

Par. (4)(C). Pub. L. 94-581, § 202(b)(2), inserted "when facilities described in clause (A) or (B) of this paragraph are not capable of furnishing economical care because of geographical inaccessibility or of furnishing the care or services required" following "contracts" in the provisions preceding subcl. (i), substituted "to a veteran for the treatment of a service-connected disability or a disability for which a veteran was discharged" for "for persons suffering from service-connected disabilities or from disabilities for which such persons were discharged" in subcl. (i), added subcls. (ii) and (iii), redesignated former subcls. (ii) and (iii) as (iv) and (v), respectively, and in subcl. (v) as so redesignated, substituted "subclause (v)" for "clause (iii)".

Par. (5)(A)(ii). Pub. L. 94-581, § 202(b)(3), substituted "pursuant to the provisions of section 111 of this title" for "for any veteran who is in need of treatment for a service-connected disability or who is unable to defray the expense of transportation".

Par. (5)(B). Pub. L. 94-581, § 102(1), substituted "for the members of the immediate family or legal guardian of a veteran, or the individual in whose household such veteran certifies an intention to live, as may be essential to the effective treatment and rehabilitation of a veteran or dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title; and "for" (including (i) necessary expenses for transportation if unable to defray such expenses; or (ii) necessary expenses of transportation and subsistence in the case of a veteran who is receiving care for a service-connected disability, or in the case of a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title, under the terms and conditions set forth in section 111 of this title) of the members of the immediate family (including legal guardians) of a veteran or such a dependent or survivor of a veteran, or in the case of a veteran or such dependent or survivor of a veteran who has no immediate family members (or legal guardian), the person in whose household such veteran, or such a dependent or survivor certifies his intention to live, as may be necessary or appropriate to the effective treatment and rehabilitation of a veteran or such a dependent or a survivor of a veteran; and".

Par. (6). Pub. L. 94-581, § 102(2), expanded the definition of "medical services" to include rehabilitation services, podiatric services, and travel and incidental expenses pursuant to the provisions of section 111 of this title, and, for the members of the immediate family or legal guardian of a veteran, or the individual in whose household such veteran certifies an intention to live, as may be essential to the effective treatment and rehabilitation of the veteran, such consultation, professional counseling, training, and mental health services as are necessary in connection with the treatment of the service-connected disability of a veteran pursuant to section 612(a) of this title, and, in the dis-

cretion of the Administrator, of the non-service-connected disability of a veteran eligible for treatment under section 612(f)(1)(B) of this title where such services were initiated during the veteran's hospitalization and the provision of such services on an outpatient basis is essential to permit the discharge of the veteran from the hospital.

Par. (7). Pub. L. 94-581, § 102(3), substituted "necessary medical services and travel and incidental expenses pursuant to the provisions of section 111 of this title" for "transportation and incidental expenses for veterans who are unable to defray the expenses of transportation".

Par. (8). Pub. L. 94-581, § 102(4), added par. (8).

1973—Par. (4)(C). Pub. L. 93-82, § 101(a), extended the Administrator's contract authority for providing hospital care and medical services to persons suffering from service-connected disabilities or from disabilities for which such persons were discharged or released from the active military, naval, or air service and removed the limitation on such authority that such care be rendered in emergency cases only.

Par. (5). Pub. L. 93-82, § 101(b), incorporated existing provisions in subpar. (A), and added subpars. (B) and (C).

Par. (6). Pub. L. 93-82, § 101(c), expanded the definition of "medical services" to include home health services determined by the Secretary to be necessary or appropriate for the effective and economical treatment of a disability of a veteran or a dependent or survivor of a veteran receiving care under section 613(b) of this title.

1968—Par. (4)(C)(iii). Pub. L. 90-612 expanded the category of veterans of wars in the Territories, Commonwealths, or possessions of the United States to include, until December 31, 1978, veterans of such wars in States not contiguous to the forty-eight contiguous States, with the annually determined average hospital patient load per thousand of hospitalized veteran population in each such noncontiguous States not to exceed the average within the forty-eight contiguous States.

1964—Pub. L. 88-481 included any veteran awarded the Medal of Honor within par. (2).

1960—Pub. L. 86-639 inserted words "(except under the conditions described in section 612(f)(1))" in par. (6).

Pub. L. 86-598 inserted "optometrists' services" following "medical examination and treatment" in par. (6).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581 set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Section 501 of Pub. L. 93-82 provided that: "The provisions of this Act [see Short Title note set out under section 101 of this title] shall become effective the first day of the first calendar month following the date of enactment [Aug. 2, 1973], except that sections 105 and 106 [amending section 626 of this title and enacting section 628 of this title] shall be effective on January 1, 1971; section 107 [enacting sections 631 and 632 of this title and provisions set out as note under section 632 of this title] shall be effective July 1, 1973; and section 203 [amending section 4107 of this title] shall become effective beginning the first pay period following thirty days after the date of enactment of this Act [Aug. 2, 1973]."

#### § 602. Presumption relating to psychosis

For the purposes of this chapter, any veteran of World War II, the Korean conflict, or the Vietnam era who developed an active psychosis (1) within two years after his discharge or release from the active military, naval or air service, and (2) before July 26, 1949, in the case of a

veteran of World War II, or February 1, 1957, in the case of a veteran of the Korean conflict, or before the expiration of two years following termination of the Vietnam era in the case of a Vietnam era veteran, shall be deemed to have incurred such disability in the active military, naval, or air service.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1141; Pub. L. 90-77, title II, § 203(a), Aug. 31, 1967, 81 Stat. 183.)

#### AMENDMENTS

1967—Pub. L. 90-77 made the presumption relating to psychosis applicable to any veteran of the Vietnam era who developed an active psychosis within two years after his discharge from active service and before the expiration of two years following termination of the Vietnam era.

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-77 effective on the first day of the first calendar month which begins more than ten days after Aug. 31, 1967, see section 405 of Pub. L. 90-77, set out as an Effective Date of 1967 Amendment note under section 101 of this title.

### SUBCHAPTER II—HOSPITAL, NURSING HOME, OR DOMICILIARY CARE AND MEDICAL TREATMENT

#### AMENDMENTS

1976—Pub. L. 94-581, title II, § 202(c), Oct. 21, 1976, 90 Stat. 2855, inserted “, Nursing Home,” in the subchapter heading.

§ 610. Eligibility for hospital, nursing home, and domiciliary care

(a) The Administrator, within the limits of Veterans' Administration facilities, may furnish hospital care or nursing home care which the Administrator determines is needed to—

(1)(A) any veteran for a service-connected disability; or

(B) any veteran for a non-service-connected disability if such veteran is unable to defray the expenses of necessary hospital or nursing home care;

(2) a veteran whose discharge or release from the active military, naval, or air service was for a disability incurred or aggravated in line of duty;

(3) a person who is in receipt of, or but for the receipt of retirement pay would be entitled to, disability compensation; and

(4) any veteran for a non-service-connected disability if such veteran is sixty-five years of age or older.

(b) The Administrator, within the limits of Veterans' Administration facilities, may furnish domiciliary care to—

(1) a veteran who was discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or a person who is in receipt of disability compensation, when such person is suffering from a permanent disability or tuberculosis or neuropsychiatric ailment and is incapacitated from earning a living and has no adequate means of support; and

(2) a veteran who is in need of domiciliary care if such veteran is unable to defray the expenses of necessary domiciliary care.

(c) While any veteran is receiving hospital care or nursing home care in any Veterans' Administration facility, the Administrator may, within the limits of Veterans' Administration facilities, furnish medical services to correct or treat any non-service-connected disability of such veteran, in addition to treatment incident to the disability for which such veteran is hospitalized, if the veteran is willing, and the Administrator finds such services to be reasonably necessary to protect the health of such veteran.

(d) In no case may nursing home care be furnished in a hospital not under the direct jurisdiction of the Administrator except as provided in section 620 of this title.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1141; Pub. L. 87-583, § 1, Aug. 14, 1962, 76 Stat. 381; Pub. L. 89-358, § 8, Mar. 3, 1966, 80 Stat. 27; Pub. L. 89-785, title III, § 304, Nov. 7, 1966, 80 Stat. 1377; Pub. L. 91-500, § 4, Oct. 22, 1970, 84 Stat. 1096; Pub. L. 93-82, title I, § 102, Aug. 2, 1973, 87 Stat. 180; Pub. L. 94-581, title II, §§ 202(d), 210(a)(1), Oct. 21, 1976, 90 Stat. 2855, 2862.)

#### AMENDMENTS

1976—Pub. L. 94-581, § 202(d)(1), inserted “, nursing home,” in the section catchline.

Subsec. (a). Pub. L. 94-581, §§ 202(d)(2), 210(a)(1)(A), (B), substituted “the Administrator determines” for “he determines” in the provisions preceding par. (1) and substituted “such veteran” for “he” and “necessary hospital or nursing home care” for “necessary hospital care” in subpar. (B) of par. (1).

Subsec. (b)(1). Pub. L. 94-581, § 210(a)(1)(C), substituted “such person” for “he”.

Subsec. (b)(2). Pub. L. 94-581, §§ 202(d)(3), 210(a)(1)(B), substituted “a veteran who is in need of domiciliary care if such veteran” for “a veteran of any war or of service after January 31, 1955, who is in need of domiciliary care, if he”.

Subsec. (c). Pub. L. 94-581, § 210(a)(1)(B), substituted “for which such veteran is hospitalized” for “for which he is hospitalized”.

Subsec. (d). Pub. L. 94-581, § 202(d)(4), substituted “direct jurisdiction” for “direct and exclusive jurisdiction”.

1973—Subsec. (a). Pub. L. 93-82, § 102(1), (2), extended the authority of the Administrator to furnish nursing home care, and in par. (1)(B), substituted “any veteran for a” for “a veteran of any war or of service after January 31, 1955, for”.

Subsec. (c). Pub. L. 93-82, § 102(3), expanded the provision regarding medical services to include nursing home care and eliminated the requirement that the Administrator make a determination in each instance that the non-service-connected disability would be in the veteran's interest, would not prolong his hospitalization, and, would not interfere with the furnishing of hospital facilities to other veterans.

Subsec. (d). Pub. L. 93-82, § 102(4), added subsec. (d).

1970—Subsec. (a). Pub. L. 91-500 added cl. (4).

1966—Pub. L. 89-358 inserted in subssecs. (a)(1)(B) and (b)(2) “or of service after January 31, 1955,” following “veteran of any war”.

Subsec. (e). Pub. L. 89-785 added subsec. (c).

1962—Subsec. (a)(1). Pub. L. 87-583 provided for hospital care to any veteran for a service-connected disability instead of to a veteran of any war for a service-connected disability incurred or aggravated during a period of war in subpar. (A) and incorporated existing provisions in subpar. (B).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

## EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 612, 622, 903 of this title.

## § 611. Care during examinations and in emergencies

(a) The Administrator may furnish hospital care incident to physical examinations where such examinations are necessary in carrying out the provisions of other laws administered by the Administrator.

(b) The Administrator may furnish hospital care or medical services as a humanitarian service in emergency cases, but the Administrator shall charge for such care at rates prescribed by the Administrator.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1142; Pub. L. 94-581, title II, §§ 202(e), 210(a)(2), Oct. 21, 1976, 90 Stat. 2856, 2862.)

## AMENDMENTS

1976—Pub. L. 94-581, § 202(e)(1), substituted "Care" for "Hospitalization" in the section catchline.

Subsec. (a). Pub. L. 94-581, § 210(a)(2)(A), substituted "administered by the Administrator" for "administered by him".

Subsec. (b). Pub. L. 94-581, §§ 202(e)(2), 210(a)(2)(B), substituted "hospital care or medical services" for "hospital care", "the Administrator shall charge" for "he shall charge", and "prescribed by the Administrator" for "prescribed by him".

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 903 of this title.

## § 612. Eligibility for medical treatment

(a) Except as provided in subsection (b), the Administrator, within the limits of Veterans' Administration facilities, may furnish such medical services as the Administrator finds to be reasonably necessary to any veteran for a service-connected disability. The Administrator may also furnish to any such veteran such home health services as the Administrator finds to be necessary or appropriate for the effective and economical treatment of such disability (including only such improvements and structural alterations the cost of which does not exceed \$2,500 (or reimbursement up to such amount) as are necessary to assure the continuation of treatment for such disability or to provide access to the home or to essential lavatory and sanitary facilities. In the case of any veteran discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, such services may be so furnished for that disability, whether or not service-connected for the purposes of this chapter.

(b) Outpatient dental services and treatment, and related dental appliances, shall be fur-

nished under this section only for a dental condition or disability—

(1) which is service-connected and compensable in degree;

(2) which is service-connected, but not compensable in degree, but only (A) if it is shown to have been in existence at time of discharge or release from active military, naval, or air service and (B) if application for treatment is made within one year after such discharge or release, except that if a disqualifying discharge or release has been corrected by competent authority application may be made within one year after the date of correction or the date of enactment of this exception, whichever is later;

(3) which is a service-connected dental condition or disability due to combat wounds or other service trauma, or of a former prisoner of war;

(4) which is associated with and is aggravating a disability resulting from some other disease or injury which was incurred in or aggravated by active military, naval, or air service;

(5) which is a non-service-connected condition or disability of a veteran for which treatment was begun while such veteran was receiving hospital care under this chapter and such services and treatment are reasonably necessary to complete such treatment; or

(6) from which a veteran of the Spanish-American War or Indian wars is suffering.

(c) Dental services and related appliances for a dental condition or disability described in clause (2) of subsection (b) of this section shall be furnished on a one-time completion basis, unless the services rendered on a one-time completion basis are found unacceptable within the limitations of good professional standards, in which event such additional services may be afforded as are required to complete professionally acceptable treatment.

(d) Dental appliances, wheelchairs, artificial limbs, trusses, special clothing, and similar appliances to be furnished by the Administrator under this section may be procured by the Administrator either by purchase or by manufacture, whichever the Administrator determines may be advantageous and reasonably necessary.

(e) Any disability of a veteran of the Spanish-American War or Indian Wars, upon application for the benefits of this section or outpatient medical services under section 624 of this title, shall be considered for the purposes thereof to be a service-connected disability incurred or aggravated in a period of war.

(f) The Administrator, within the limits of Veterans' Administration facilities, may furnish medical services for any disability on an outpatient or ambulatory basis—

(1) to any veteran eligible for hospital care under section 610 of this title (A) where such services are reasonably necessary in preparation for, or (to the extent that facilities are available) to obviate the need of, hospital admission, or (B) where such a veteran has been furnished hospital care and such medical services are reasonably necessary to complete treatment incident to such hospital care (for a period not in excess of twelve months after discharge from in-hospital treatment, except where the Administrator finds that a longer

period is required by virtue of the disability being treated); and

(2) to any veteran who has a service-connected disability rated at 50 per centum or more.

The Administrator may also furnish to any such veteran such home health services as the Administrator determines to be necessary or appropriate for the effective and economical treatment of a disability of a veteran (including only such improvements and structural alterations the cost of which does not exceed \$500 (or reimbursement up to such amount) as are necessary to assure the continuation of treatment or provide access to the home or to essential lavatory and sanitary facilities).

(g) Where any veteran is in receipt of increased pension or additional compensation or allowance based on the need of regular aid and attendance or by reason of being permanently housebound, or who, but for the receipt of retired pay, would be in receipt of such pension, compensation, or allowance, the Administrator, within the limits of Veterans' Administration facilities, may furnish the veteran such medical services as the Administrator finds to be reasonably necessary.

(h) The Administrator shall furnish to each veteran who is receiving additional compensation or allowance under chapter 11, or increased pension as a veteran of the Mexican border period, World War I, World War II, the Korean conflict, or the Vietnam era, by reason of being permanently housebound or in need of regular aid and attendance, such drugs and medicines as may be ordered on prescription of a duly licensed physician as specific therapy in the treatment of any illness or injury suffered by such veteran. The Administrator shall continue to furnish such drugs and medicines so ordered to any such veteran in need of regular aid and attendance whose pension payments have been discontinued solely because such veteran's annual income is greater than the applicable maximum annual income limitation, but only so long as such veteran's annual income does not exceed such maximum annual income limitation by more than \$500.

(i) Not later than ninety days after the effective date of this subsection, the Administrator shall prescribe regulations to ensure that special priority in furnishing medical services under this section and any other outpatient care with funds appropriated for the medical care of veterans shall be accorded in the following order, unless compelling medical reasons require that such care be provided more expeditiously:

(1) To any veteran for a service-connected disability.

(2) To any veteran described in subsection (f)(2) of this section.

(3) To any veteran with a disability rated as service-connected.

(4) To any veteran being furnished medical services under subsection (g) of this section.

(j) In order to assist the Secretary of Health, Education, and Welfare in carrying out national immunization programs pursuant to other provisions of law, the Administrator may authorize the administration of immunizations to

eligible veterans (voluntarily requesting such immunizations) in connection with the provision of care for a disability under this chapter in any Veterans' Administration health care facility, utilizing vaccine furnished by the Secretary at no cost to the Veterans' Administration, and for such purpose, notwithstanding any other provision of law, the Secretary is authorized to provide such vaccine to the Veterans' Administration at no cost and the provisions of section 4116 of this title shall apply to claims alleging negligence or malpractice on the part of Veterans' Administration personnel granted immunity under such section.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1142; Pub. L. 86-639, § 1, July 12, 1960, 74 Stat. 472; Pub. L. 87-377, § 1, Oct. 4, 1961, 75 Stat. 806; Pub. L. 87-583, § 2, Aug. 14, 1962, 76 Stat. 381; Pub. L. 88-430, Aug. 14, 1964, 78 Stat. 438; Pub. L. 88-450, § 7, Aug. 19, 1964, 78 Stat. 504; Pub. L. 88-664, § 8, Oct. 13, 1964, 78 Stat. 1096; Pub. L. 90-77, title II, § 203(b), Aug. 31, 1967, 81 Stat. 183; Pub. L. 91-102, Oct. 30, 1969, 83 Stat. 168; Pub. L. 91-500, §§ 2, 3, Oct. 22, 1970, 84 Stat. 1096; Pub. L. 91-588, §§ 4, 9(f), Dec. 24, 1970, 84 Stat. 1583, 1585; Pub. L. 93-82, title I, § 103(a), Aug. 2, 1973, 87 Stat. 180; Pub. L. 94-581, title I, § 103(a), title II, §§ 202(f), 210(a)(3), Oct. 21, 1976, 90 Stat. 2844, 2856, 2862.)

#### REFERENCES IN TEXT

The date of enactment of this exception, referred to in subsec. (b)(2), means the date of enactment of Pub. L. 88-430, approved Aug. 14, 1964.

The effective date of this subsection, referred to in subsec. (i), means the effective date of Pub. L. 94-581, which was Oct. 21, 1976.

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581, §§ 103(a)(1), 210(a)(3)(A), added provisions which authorized the Administrator to furnish such home health services as the Administrator finds to be necessary or appropriate for the effective and economical treatment of the disability (including only such improvements and structural alterations the cost of which does not exceed \$2,500 (or reimbursement up to such amount) as are necessary to assure the continuation of treatment for the disability or to provide access to the home or to essential lavatory and sanitary facilities), and in the existing provisions substituted "as the Administrator finds" for "as he finds".

Subsec. (b). Pub. L. 94-581, § 103(a)(2), added par. (5) and redesignated former par. (5) as (6).

Subsec. (d). Pub. L. 94-581, § 210(a)(3)(B), substituted "procured by the Administrator" for "procured by him" and "whichever the Administrator determines" for "whichever he determines".

Subsec. (e). Pub. L. 94-581, § 202(f)(1), substituted "Indian Wars" for "Indian wars".

Subsec. (f). Pub. L. 94-581, §§ 103(a)(3) to (7), 202(f)(2), substituted "within the limits of Veterans' Administration facilities, may furnish" for "may also furnish" in the provisions preceding par. (1), substituted "or (to the extent that facilities are available) to obviate" for "or to obviate" in cl. (A) of par. (1), substituted "furnished" for "granted" in the existing provisions of cl. (B) of par. (1) and inserted "(for a period not in excess of twelve months after discharge from in-hospital treatment, except where the Administrator finds that a longer period is required by virtue of the disability being treated)" at the end thereof, substituted "50 per centum" for "80 per centum" in par. (2), and added, following par. (2), provision authorizing the Administrator to furnish to the veteran such home health services as the Administrator determines to be necessary or appropriate for the effective and

economical treatment of a disability of the veteran (including only such improvements and structural alterations the cost of which does not exceed \$600 (or reimbursement up to such amount) as are necessary to assure the continuation of treatment or provide access to the home or to essential lavatory and sanitary facilities).

Subsec. (g). Pub. L. 94-581, §§ 202(f)(3), 210(a)(3)(C), inserted ", within the limits of Veterans' Administration facilities," following "the Administrator" and substituted "as the Administrator finds" for "as he finds".

Subsec. (h). Pub. L. 94-581, § 210(a)(3)(D), substituted "such veteran's annual income is greater" for "his annual income is greater" and "such veteran's annual income does not exceed" for "his annual income does not exceed".

Subsecs. (i), (j). Pub. L. 94-581, § 103(a)(8), added subsecs. (i) and (j).

1973—Subsec. (f). Pub. L. 93-82 substituted provisions relating to the furnishing of medical services for any disability on an outpatient or ambulatory basis to veterans eligible for hospital care where such services are necessary in preparation for, or to obviate the need of, hospital admission, or where such veteran has been granted hospital care and such medical services are reasonably necessary to complete treatment incident to such hospital care and to veterans who have a service-connected disability rated at 80 per centum or more for provisions relating to the furnishing of medical services for a non-service connected disability where such care is reasonably necessary in preparation for admission of a veteran who has been determined to need hospital care and who has been scheduled for admission, where a veteran has been granted hospital care, and outpatient care is reasonably necessary to complete treatment incident to such hospital care, and where a veteran of any war has a total disability permanent in nature resulting from a service-connected disability.

1970—Subsec. (g). Pub. L. 91-500, § 2, extended the authority of the Administrator to furnish medical services as he finds necessary to veterans permanently housebound or receiving pension or compensation based on need of regular aid and attendance and eliminated conditions limiting such medical care to veterans hospitalized or suffering from one or more of the six specific conditions or diseases enumerated.

Subsec. (h). Pub. L. 91-588 inserted reference to the Mexican border period and authorized the Administrator to continue furnishing drugs and medicine so ordered by any veteran in need of regular aid and attendance whose pension payments have been discontinued solely because his annual income is greater than the applicable maximum annual income limitation, but only so long as his annual income does not exceed such maximum annual income limitation by more than \$500.

Pub. L. 91-500, § 3, authorized the furnishing of drugs and medicines to veterans receiving additional compensation or allowance or increased pension by reason of being "permanently housebound".

1969—Subsec. (f). Pub. L. 91-102 added par. (3).

1967—Subsec. (h). Pub. L. 90-77 imposed the obligation of furnishing drugs and medicines on the Administrator and extended such medical benefits to veterans receiving additional compensation under chapter 11 and veterans of the Vietnam era.

1964—Subsec. (b)(2). Pub. L. 88-430 permitted an application for treatment to be made within one year after a disqualifying discharge or release has been corrected, or the date of enactment of this exception, whichever is later. See References in Text note above.

Subsec. (g). Pub. L. 88-450 added subsec. (g).

Subsec. (h). Pub. L. 88-664 added subsec. (h).

1962—Subsec. (a). Pub. L. 87-583 provided for medical service to any veteran for a service-connected disability instead of to a veteran of any war, to a veteran discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or to a person who is in receipt of, but for the receipt of retirement pay would be entitled to, disability compensation.

1961—Subsec. (b)(5). Pub. L. 87-377 inserted "or Indian wars" following "Spanish-American War."

Subsec. (e). Pub. L. 87-377 inserted "or Indian wars" following "Spanish-American War".

1960—Subsec. (f). Pub. L. 86-639 added subsec. (f).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581 set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-588 effective Jan. 1, 1971, see section 10(a) of Pub. L. 91-588, set out as an Effective Date of 1970 Amendment note under section 521 of this title.

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-77 effective on the first day of the first calendar month which begins more than ten days after Aug. 31, 1967, see section 405 of Pub. L. 90-77, set out as an Effective Date of 1967 Amendment note under section 101 of this title.

#### EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-664 effective Jan. 1, 1965, see section 11 of Pub. L. 88-664, set out as an Effective Date of 1964 Amendment note under section 503 of this title.

#### ANNUAL REPORT TO CONGRESS ON RESULTS OF REGULATIONS PRESCRIBED TO CARRY OUT SPECIAL PRIORITIES IN FURNISHING MEDICAL SERVICES

Section 103(b) of Pub. L. 94-581 provided that: "Not later than one year after the effective date of this section [Oct. 21, 1976], and annually thereafter, the Administrator shall report to the Congress on the results of the regulations prescribed to carry out the amendment (adding section 612(i) of title 38, United States Code) made by subsection (a)(8) of this section."

#### NOTIFICATION TO ELIGIBLE INDIVIDUALS OF EXPANDED CARE AND SERVICES AVAILABLE AS RESULT OF AMENDMENTS BY VETERANS OMNIBUS HEALTH CARE ACT OF 1976

Section 117(b) of Pub. L. 94-581 provided that the Administrator, not later than ninety days after Oct. 21, 1976, take all appropriate steps to ensure that each individual eligible for new or expanded services as a result of the amendments made by the Veterans Omnibus Health Care Act of 1976 (Pub. L. 94-581) was personally notified about his or her eligibility and the way to secure care and services and required the Administrator to send copies of all notification forms to the appropriate House and Senate committees, along with a description of how the forms were distributed.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 601, 618, 632, 6001 of this title.

#### § 613. Medical care for survivors and dependents of certain veterans

(a) The Administrator is authorized to provide medical care, in accordance with the provisions of subsection (b) of this section, for—

(1) the wife or child of a veteran who has a total disability, permanent in nature, resulting from a service-connected disability, and

(2) the widow or child of a veteran who (A) died as a result of a service-connected disability.

ity, or (B) at the time of death had a total disability permanent in nature, resulting from a service-connected disability,

who are not otherwise eligible for medical care under chapter 55 of title 10 (CHAMPUS).

(b) In order to accomplish the purposes of subsection (a) of this section, the Administrator shall provide for medical care in the same or similar manner and subject to the same or similar limitations as medical care is furnished to certain dependents and survivors of active duty and retired members of the Armed Forces under chapter 55 of title 10 (CHAMPUS), by—

(1) entering into an agreement with the Secretary of Defense under which the Secretary shall include coverage for such medical care under the contract, or contracts, the Secretary enters into to carry out such chapter 55, and under which the Administrator shall fully reimburse the Secretary for all costs and expenditures made for the purposes of affording the medical care authorized pursuant to this section; or

(2) contracting in accordance with such regulations as the Administrator shall prescribe for such insurance, medical service, or health plans as the Administrator deems appropriate.

In cases in which Veterans' Administration medical facilities are particularly equipped to provide the most effective care and treatment, the Administrator is also authorized to carry out such purposes through the use of such facilities not being utilized for the care of eligible veterans.

(Added Pub. L. 93-82, title I, § 103(b), Aug. 2, 1973, 87 Stat. 181, and amended Pub. L. 94-581, title I, § 104, title II, § 210(a)(4), Oct. 21, 1976, 90 Stat. 2845 2862.)

#### PRIOR PROVISIONS

A prior section 613, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1143, which related to fitting and training in use of prosthetic appliances, was repealed by section 103(b) of Pub. L. 93-82, and is now covered by section 614(a) of this title.

#### AMENDMENTS

1976—Subsec. (a)(2). Pub. L. 94-581, § 104, designated existing provisions as cl. (A) and added cl. (B).

Subsec. (b)(1). Pub. L. 94-581, § 210(a)(4)(A), substituted "the Secretary enters" for "he enters".

Subsec. (b)(2). Pub. L. 94-581, § 210(a)(4)(B), substituted "the Administrator" for "he" in two places.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### EFFECTIVE DATE

Section effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 601, 5202, 5220, 5221, of this title.

§ 614. Fitting and training in use of prosthetic appliances; seeing-eye dogs

(a) Any veteran who is entitled to a prosthetic appliance shall be furnished such fitting and training, including institutional training, in the use of such appliance as may be necessary, whether in a Veterans' Administration facility or other training institution, or by outpatient treatment, including such service under contract, and including necessary travel expenses to and from such veteran's home to such hospital or training institution.

(b) The Administrator may provide seeing-eye or guide dogs trained for the aid of the blind to veterans who are entitled to disability compensation, and may pay all necessary travel expenses to and from their homes and incurred in becoming adjusted to such seeing-eye or guide dogs. The Administrator may also provide such veterans with mechanical or electronic equipment for aiding them in overcoming the handicap of blindness.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1143; Pub. L. 93-82, title I, § 103(b), Aug. 2, 1973, 87 Stat. 181; Pub. L. 94-581, title II, § 210(a)(5), Oct. 21, 1976, 90 Stat. 2862.)

#### PRIOR PROVISIONS

Provisions similar to those comprising subsec. (a) of this section were classified to section 613 of this title prior to repeal thereof by section 103(b) of Pub. L. 93-82.

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581, § 210(a)(5)(A), substituted "such veteran's home" for "his home".

Subsec. (b). Pub. L. 94-581, § 210(a)(5)(B), substituted "and may pay" for "and he may pay".

1973—Subsec. (a). Pub. L. 93-82 designated existing provisions as subsec. (b), and added subsec. (a).

Subsec. (b). Pub. L. 93-82 designated existing provisions as subsec. (b).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1973 Amendment note under section 111 of this title.

#### EFFECTIVE DATE

Section effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

§ 615. Tobacco for hospitalized veterans

The Administrator may furnish tobacco to veterans receiving hospital or domiciliary care.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1143.)

§ 616. Hospital care by other agencies of the United States

When so specified in an appropriation or other Act, the Administrator may make allotments and transfers to the Departments of Health, Education, and Welfare (Public Health Service), the Army, Navy, Air Force, or Interior, for disbursement by them under the various headings of their appropriations, of such amounts as are necessary for the care and treatment of veterans entitled to hospitalization from the Veterans' Administration under this chapter. The amounts to be charged the Veterans' Administration for care and treat-

ment of veterans in hospitals shall be calculated on the basis of a per diem rate approved by the Office of Management and Budget.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1143; Pub. L. 94-581, title II, § 202(g), Oct. 21, 1976, 90 Stat. 2856.)

#### AMENDMENTS

1976—Pub. L. 94-581 substituted "Office of Management and Budget" for "Bureau of the Budget".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### § 617. Invalid lifts and other devices

The Administrator may furnish an invalid lift, or any type of therapeutic or rehabilitative device, as well as other medical equipment and supplies (excluding medicines), if medically indicated, to any veteran who is receiving (1) compensation under subsections 314(l)-(p) (or the comparable rates provided pursuant to section 334) of this title, or (2) pension under chapter 15 of this title by reason of being in need of regular aid and attendance.

(Added Pub. L. 86-211, § 5, Aug. 29, 1959, 73 Stat. 435, and amended Pub. L. 88-450, § 6(a), (c), Aug. 19, 1964, 78 Stat. 504; Pub. L. 90-77, title I, § 109, Aug. 31, 1967, 81 Stat. 180; Pub. L. 90-493, § 3(a), Aug. 19, 1968, 82 Stat. 809.)

#### AMENDMENTS

1968—Pub. L. 90-493 substituted "Invalid lifts and other devices" for "Invalid lifts and other devices for pensioners" in the catchline, and added provisions authorizing the Administrator to furnish lifts and other devices to any veteran who is receiving compensation under subsections 314(l)-(p) (or the comparable rates provided pursuant to section 334) of this title.

1967—Subsec. (b). Pub. L. 90-77 substituted "to any veteran in receipt of pension under chapter 15 of this title based on need of regular aid and attendance" for "to any veteran who is eligible to receive an invalid lift under subsection (a) of this section, or who would be so eligible, but for the fact that he has such a lift".

1964—Pub. L. 88-450 inserted words "and other devices" in the catchline, designated existing provisions of section as subsec. (a), and added subsec. (b).

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-77 effective on the first day of the first calendar month which begins more than ten days after Aug. 31, 1967, see section 405 of Pub. L. 90-77, set out as an Effective Date of 1967 Amendment note under section 101 of this title.

#### EFFECTIVE DATE

Section effective July 1, 1960, see section 10 of Pub. L. 86-211, set out as an Effective Date of 1959 Amendment note under section 521 of this title.

#### § 618. Therapeutic and rehabilitative activities

(a) In providing rehabilitative services under this chapter, the Administrator, upon the recommendation of the Chief Medical Director, may utilize the services of patients and members in Veterans' Administration health care facilities for therapeutic and rehabilitative purposes, at nominal remuneration, and such patients and members shall not under these circumstances be held or considered as employees

of the United States for any purpose. The Administrator shall prescribe the conditions for the utilization of such services.

(b)(1) In furnishing rehabilitative services under this chapter, the Administrator, upon the recommendation of the Chief Medical Director, may enter into contractual arrangements with private industry or other sources outside the Veterans' Administration to provide for therapeutic work for remuneration for patients and members in Veterans' Administration health care facilities.

(2) Notwithstanding any other provision of law, the Administrator may also furnish rehabilitative services under this subsection through contractual arrangements with nonprofit entities to provide for such therapeutic work for such patients. The Administrator shall establish appropriate fiscal, accounting, management, recordkeeping, and reporting requirements with respect to the activities of any such nonprofit entity in connection with such contractual arrangements.

(c)(1) There is hereby established in the Treasury of the United States a revolving fund known as the Veterans' Administration Special Therapeutic and Rehabilitation Activities Fund (hereinafter in this section referred to as the "fund") for the purpose of carrying out the provisions of subsection (b) of this section. Such amounts of the fund as the Administrator may determine to be necessary to establish and maintain operating accounts for the various rehabilitative services activities may be deposited in checking accounts in other depositories selected or established by the Administrator.

(2) All funds received by the Veterans' Administration under contractual arrangements made under subsection (b) of this section, or by nonprofit entities described in paragraph (2) of such subsection, shall be deposited in or credited to the fund, and the Administrator shall pay out of the fund moneys to participants at rates not less than the wage rates specified in the Fair Labor Standards Act (29 U.S.C. 201 et seq.) and regulations prescribed thereunder for work of similar character.

(3) The Chief Medical Director shall prepare, for inclusion in the annual report submitted to Congress under section 214 of this title, a description of the scope and achievements of activities carried out under this section (including pertinent data regarding productivity and wage rates) during the prior twelve months and an estimate of the needs of the program of therapeutic and rehabilitation activities to be carried out under this section for the ensuing fiscal year.

(d) In providing rehabilitative services under this chapter, the Administrator shall take appropriate action to make it possible for the patient to take maximum advantage of any benefits to which such patient is entitled under chapter 31, 34, or 35 of this title, and, if the patient is still receiving treatment of a prolonged nature under this chapter, the provision of rehabilitative services under this chapter shall be continued during, and coordinated with, the pursuit of education and training under such chapter 31, 34, or 35.

(e) The Administrator shall prescribe regulations to ensure that the priorities set forth in

section 612(i) of this title shall be applied, insofar as practicable, to participation in therapeutic and rehabilitation activities carried out under this section.

(Added Pub. L. 87-574, § 2(1), Aug. 6, 1962, 76 Stat. 308, and amended Pub. L. 94-581, title I, § 105(a), Oct. 21, 1976, 90 Stat. 2845.)

#### REFERENCES IN TEXT

The Fair Labor Standards Act, referred to in subsec. (c)(2), is act June 25, 1938, ch. 676, 52 Stat. 1060, as amended, which is classified principally to chapter 8 (§ 201 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see section 201 of Title 29 and Tables volume.

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581, § 105(a)(1), (2), designated existing provisions as subsec. (a) and, in subsec. (a) as so designated, substituted "In providing rehabilitative services under this chapter, the" for "The" and "health care facilities" for "hospitals and domiciliarys".

Subsecs. (b) to (e). Pub. L. 94-581, § 105(a)(3), added subsecs. (b) to (e).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581 set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### SETTLEMENT OF CLAIMS

Section 105(b) of Pub. L. 94-581 provided that:

"(1) The Administrator is authorized to settle claims made by the Veterans' Administration against any private nonprofit corporation organized under the laws of any State, for the use of Veterans' Administration facilities and personnel in work projects as a part of a therapeutic or rehabilitation program for patients and members in Veterans' Administration health care facilities, and to execute a binding release of all claims by the United States against any such corporation, in such amounts, and upon such terms and conditions as the Administrator deems appropriate.

"(2) For the purposes of this subsection, notwithstanding section 484 of title 31, or any other provision of law, the Administrator may utilize any funds received under any settlement made pursuant to paragraph (1) of this subsection for any purpose agreed upon by the Administrator and such corporation."

#### § 619. Repair or replacement of certain prosthetic and other appliances

The Administrator may repair or replace any artificial limb, truss, brace, hearing aid, spectacles, or similar appliance (not including dental appliances) reasonably necessary to a veteran and belonging to such veteran which was damaged or destroyed by a fall or other accident caused by a service-connected disability for which such veteran is in receipt of, or but for the receipt of retirement pay would be entitled to, disability compensation.

(Added Pub. L. 87-850, § 1(a), Oct. 23, 1962, 76 Stat. 1126, and amended Pub. L. 94-581, title II, § 210(a)(6), Oct. 21, 1976, 90 Stat. 2862.)

#### AMENDMENTS

1976—Pub. L. 94-581 substituted "belonging to such veteran" for "belonging to him".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an

Effective Date of 1976 Amendment note under section 111 of this title.

#### EFFECTIVE DATE

Section 2 of Pub. L. 87-850 provided that: "The amendment made by this Act [adding this section] shall apply only with respect to the repair or replacement of artificial limbs, trusses, braces, hearing aids, spectacles, and similar devices damaged or destroyed after the date of enactment of this Act [Oct. 23, 1962]."

#### § 620. Transfers for nursing home care

(a) Subject to subsection (b) and except as provided in subsection (e) of this section, the Administrator may transfer—

(1) Any veteran who has been furnished care by the Administrator in a hospital under the direct jurisdiction of the Administrator, and

(2) Any person (A) who has been furnished care in any hospital of any of the Armed Forces, (B) who the appropriate Secretary concerned has determined has received maximum hospital benefits but requires a protracted period of nursing home care, and (C) who upon discharge therefrom will become a veteran

to any public or private institution not under the jurisdiction of the Administrator which furnishes nursing home care, for care at the expense of the United States, only if the Administrator determines that—

(i) such veteran has received maximum benefits from such care in such hospital, but will require a protracted period of nursing home care which can be furnished in such institution, and

(ii) the cost of such nursing home care in such institution will not exceed 45 per centum of the cost of care furnished by the Veterans' Administration in a general hospital under the direct and exclusive jurisdiction of the Administrator, as such cost may be determined annually by the Administrator, or not to exceed 50 per centum of such cost where determined necessary by the Administrator, upon recommendation of the Chief Medical Director, to provide adequate care.

Nursing home care may not be furnished pursuant to this section at the expense of the United States for more than six months in the aggregate in connection with any one transfer, except (I) in the case of the veteran whose hospitalization was primarily for a service-connected disability, or (II) where in the judgment of the Administrator a longer period is warranted in the case of any other veteran. Any veteran who is furnished care by the Administrator in a hospital in Alaska or Hawaii may be furnished nursing home care under the provisions of this section even if such hospital is not under the direct jurisdiction of the Administrator.

(b) No veteran may be transferred or admitted to any institution for nursing home care under this section, unless such institution is determined by the Administrator to meet such standards as the Administrator may prescribe. The standards prescribed and any report of inspection of institutions furnishing care to veterans under this section made by or for the Administrator shall, to the extent possible, be

made available to all Federal, State, and local agencies charged with the responsibility of licensing or otherwise regulating or inspecting such institutions.

(c) In applying the provisions of section 2(b)(1) of the Service Contract Act of 1965 with respect to any contract entered into under this section to provide nursing home care of veterans, the payment of wages not less than those specified in section 6(b) of the Fair Labor Standards Act of 1938, as amended, shall be deemed to constitute compliance with such provisions.

(d) Subject to subsection (b) of this section, the Administrator may authorize for any veteran requiring nursing home care for a service-connected disability direct admission for such care at the expense of the United States to any public or private institution not under the jurisdiction of the Administrator which furnishes nursing home care. Such admission may be authorized upon determination of need therefor by a physician employed by the Veterans' Administration or, in areas where no such physician is available, carrying out such function under contract or fee arrangement based on an examination by such physician. The amount which may be paid for such care and the length of care available under this subsection shall be the same as authorized under subsection (a) of this section.

(e) For the purposes of this section, the term "nursing home care" includes intermediate care, as determined by the Administrator in accordance with regulations which the Administrator shall prescribe. The cost of intermediate care for purposes of payment by the United States pursuant to subsection (a)(ii) of this section shall be determined by the Administrator except that the rate of reimbursement shall be commensurately less than that provided for nursing home care (as defined in section 101(28) of this title).

(Added Pub. L. 88-450, § 2(a), Aug. 19, 1964, 78 Stat. 500, and amended Pub. L. 90-429, July 26, 1968, 82 Stat. 446; Pub. L. 90-612, §§ 1, 3, Oct. 21, 1968, 82 Stat. 1202; Pub. L. 91-101, Oct. 30, 1969, 83 Stat. 167; Pub. L. 93-82, title I, § 104, Aug. 2, 1973, 87 Stat. 182; Pub. L. 94-581, title I, § 106, title II, §§ 202(h), 210(a)(7), Oct. 21, 1976, 90 Stat. 2847, 2856, 2863.)

#### REFERENCES IN TEXT

Section 2(b)(1) of the Service Contract Act of 1965, referred to in subsec. (c), is classified to section 351(b)(1) of Title 41, Public Contracts.

Section 6(b) of the Fair Labor Standards Act of 1938, referred to in subsec. (c), is classified to section 206(b) of Title 29, Labor.

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581, §§ 106(1) to (3), 202(h), inserted "and except as provided in subsection (e)" after "subsection (b)" in the provisions preceding par. (1), substituted "direct jurisdiction" for "direct and exclusive jurisdiction" in par. (1), substituted "45 per centum" for "40 per centum" and "annually" for "from time to time" in cl. (ii) and added ", or not to exceed 50 per centum of such cost where determined necessary by the Administrator, upon recommendation of the Chief Medical Director, to provide adequate care" at the end thereof, and substituted "direct jurisdiction" for "direct and exclusive jurisdiction" in the provisions following cl. (ii).

Subsec. (b). Pub. L. 94-581, § 210(a)(7), substituted "such standards as the Administrator may prescribe" for "such standards as he may prescribe".

Subsec. (e). Pub. L. 94-581, § 106(4), added subsec. (e).

1973—Subsec. (a). Pub. L. 93-82, § 104(a), (b), designated cls. (1) and (2) as (i) and (ii), respectively, and in the provisions preceding cl. (i) as so designated, substituted authority of the Administrator to transfer veterans and other persons under pars. (1) and (2), for authority of the Administrator to transfer veterans who have been furnished care by the Administrator in a hospital under the direct and exclusive jurisdiction of the Administrator, to any public or private institution not under the jurisdiction of the Administrator which furnishes nursing home care for care at the expense of the United States, and in the provisions following cl. (ii) as so designated, substituted designations (I) and (II) for designations (A) and (B).

Subsec. (b). Pub. L. 93-82, § 104(c), added provisions relating to the admissions of veterans to institutions for nursing home care and for the furnishing of standards and reports to Federal, State and local agencies charged with the responsibility of licensing or otherwise regulating or inspecting such institutions.

Subsec. (d). Pub. L. 93-82, § 104(d), added subsec. (d). 1969—Subsec. (a). Pub. L. 91-101 added the provision authorizing the furnishing of nursing home care for more than six months in the aggregate in connection with any one transfer in the case of a veteran whose hospitalization was primarily for a service-connected disability.

1968—Subsec. (a). Pub. L. 90-612, § 1, authorized the furnishing of nursing home care to veterans who are being furnished care by the Administrator in hospitals in Alaska or Hawaii even if the hospitals involved are not under the direct and exclusive jurisdiction of the Administrator.

Subsec. (a)(2). Pub. L. 90-429 substituted "40 per centum" for "one-third".

Subsec. (c). Pub. L. 90-612, § 3, added subsec. (c).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 610, 624, 632, 642, 5001, 5034 of this title.

### SUBCHAPTER III—MISCELLANEOUS PROVISIONS RELATING TO HOSPITAL AND NURSING HOME CARE AND MEDICAL TREATMENT OF VETERANS

#### AMENDMENTS

1976—Pub. L. 94-581, title II, § 202(i), Oct. 21, 1976, 90 Stat. 2856, inserted "and Nursing Home" in the subchapter heading.

#### § 621. Power to make rules and regulations

The Administrator shall prescribe—

(1) such rules and procedure governing the furnishing of hospital, nursing home, and domiciliary care as the Administrator may deem proper and necessary;

(2) limitations in connection with the furnishing of hospital, nursing home, and domiciliary care; and

(3) such rules and regulations as the Administrator deems necessary in order to promote

good conduct on the part of persons who are receiving hospital, nursing home, or domiciliary care in Veterans' Administration facilities.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1143; Pub. L. 94-581, title II, §§ 202(j), 210(a)(8), Oct. 21, 1976, 90 Stat. 2856, 2863.)

#### AMENDMENTS

1976—Cl. (1). Pub. L. 94-581, §§ 202(j), 210(a)(8), substituted "hospital, nursing home, and domiciliary care as the Administrator may deem" for "hospital and domiciliary care as he may deem".

Cl. (2). Pub. L. 94-581, § 202(j), substituted "hospital, nursing home, and domiciliary care" for "hospital and domiciliary care".

Cl. (3). Pub. L. 94-581, §§ 202(j), 210(a)(8), substituted "as the Administrator deems" for "as he deems" and "hospital, nursing home, or domiciliary care" for "hospital or domiciliary care".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### § 622. Statement under oath

(a) For the purposes of section 610(a)(1)(B), section 610(b)(2), section 624(c), and section 632(a)(2) of this title, the statement under oath of an applicant on such form as may be prescribed by the Administrator shall be accepted as sufficient evidence of inability to defray necessary expenses.

(b) Notwithstanding the provisions of subsection (a) of this section, the receipt of pension under any law administered by the Veterans' Administration shall constitute sufficient evidence of inability to defray necessary expenses, and any veteran in receipt of such pension shall be exempt from making any statement under oath regarding such veteran's inability to defray necessary expenses.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 89-612, § 1, Sept. 30, 1966, 80 Stat. 859; Pub. L. 91-500, § 1, Oct. 22, 1970, 84 Stat. 1096; Pub. L. 94-581, title II, §§ 202(k), 210(a)(9), Oct. 21, 1976, 90 Stat. 2856, 2863.)

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581, § 202(k), substituted "610(a)(1)(B)" for "610(a)(1)" and "632(a)(2)" for "632(b)".

Subsec. (b). Pub. L. 94-581, § 210(a)(9), substituted "such veteran's inability" for "his inability".

1970—Pub. L. 91-500 designated existing provisions as subsec. (a) and added subsec. (b).

1966—Pub. L. 89-612 inserted reference to section 632(b) of this title.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### § 623. Furnishing of clothing

The Administrator shall not furnish clothing to persons who are in Veterans' Administration facilities, except (1) where the furnishing of such clothing to indigent persons is necessary to protect health or sanitation, and (2) where the Administrator furnishes veterans with spe-

cial clothing made necessary by the wearing of prosthetic appliances.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 94-581, title II, § 210(a)(10), Oct. 21, 1976, 90 Stat. 2863.)

#### AMENDMENTS

1976—Pub. L. 94-581 substituted "the Administrator furnishes" for "he furnishes".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### § 624. Hospital care and medical services abroad

(a) Except as provided in subsections (b) and (c), the Administrator shall not furnish hospital or domiciliary care or medical services outside any State.

(b) The Administrator may furnish necessary hospital care and medical services to any otherwise eligible veteran for any service-connected disability if the veteran (1) is a citizen of the United States sojourning or residing abroad, or (2) is in the Republic of the Philippines.

(c) Within the limits of those facilities of the Veterans Memorial Hospital at Manila, Republic of the Philippines, for which the Administrator may contract, the Administrator may furnish necessary hospital care to a veteran for any non-service-connected disability if such veteran is unable to defray the expenses of necessary hospital care. The Administrator may enter into contracts to carry out this section.

(d) The Administrator may furnish nursing home care, on the same terms and conditions set forth in section 620(a) of this title and at the same rate as specified in section 632(a)(4) of this title, to any veteran who has been furnished hospital care in the Philippines pursuant to this section, but who requires a protracted period of nursing home care.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 86-152, Aug. 11, 1959, 73 Stat. 332; Pub. L. 86-624, § 25(a), July 12, 1960, 74 Stat. 418; Pub. L. 87-815, § 4, Oct. 15, 1962, 76 Stat. 927; Pub. L. 93-82, title I, § 108, Aug. 2, 1973, 87 Stat. 186; Pub. L. 94-581, title II, §§ 202(l), 210(a)(11), Oct. 21, 1976, 90 Stat. 2856, 2863.)

#### AMENDMENTS

1976—Subsec. (c). Pub. L. 94-581 substituted "the Administrator may furnish" for "he may furnish" and "hospital care to a veteran for any" for "hospital care to a veteran of any war for any".

1973—Pub. L. 93-82 inserted "nursing home care" in the section catchline and added subsec. (d).

1962—Subsec. (b). Pub. L. 87-815 deleted "temporarily" preceding "sojourning".

1960—Subsec. (a). Pub. L. 86-624 substituted "outside any State" for "outside the continental limits of the United States, or a Territory, Commonwealth, or possession of the United States".

1959—Subsec. (b). Pub. L. 86-152 extended the authority to provide hospital and medical care for veterans who are United States citizens temporarily residing abroad to include those with peacetime service-incurred disabilities.

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as a note under section 111 of this title.

## EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 612, 622 of this title.

[§ 625. Repealed. Pub. L. 93-43, § 4(b), June 18, 1973, 87 Stat. 79]

Section, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 91-24, § 6(a), June 11, 1969, 83 Stat. 34, related to arrests for crimes in hospital and domiciliary reservations, and is now covered by section 218 of this title.

## EFFECTIVE DATE OF REPEAL

Section repealed effective June 18, 1973, see section 10(a) of Pub. L. 93-43, set out as an Effective Date note under section 1000 of this title.

## § 626. Reimbursement for loss of personal effects by natural disaster

The Administrator shall, under regulations which the Administrator shall prescribe, reimburse veterans in Veterans' Administration hospitals and domiciliaries for any loss of personal effects sustained by fire while such effects were stored in designated locations in Veterans' Administration hospitals or domiciliaries.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 93-82, title I, § 105, Aug. 2, 1973, 87 Stat. 183; Pub. L. 94-581, title II, § 210(a)(12), Oct. 21, 1976, 90 Stat. 2863.)

## AMENDMENTS

1976—Pub. L. 94-581 substituted "the Administrator shall prescribe" for "he shall prescribe".

1973—Pub. L. 93-82 substituted "natural disaster" for "fire" in the section catchline and extended reimbursement provisions to earthquake and other natural disasters also.

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

## EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Jan. 1, 1971, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

## § 627. Persons eligible under prior law

Persons who have a status which would, under the laws in effect on December 31, 1957, entitle them to the medical services, hospital and domiciliary care, and other benefits, provided for in this chapter, but who do not meet the service requirements contained in this chapter, shall be entitled to such benefits notwithstanding failure to meet such service requirements.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 94-581, title II, § 202(m), Oct. 21, 1976, 90 Stat. 2856.)

## AMENDMENTS

1976—Pub. L. 94-581 substituted "1957" for "1958".

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

## § 628. Reimbursement of certain medical expenses

(a) The Administrator may, under such regulations as the Administrator shall prescribe, reimburse veterans entitled to hospital care or medical services under this chapter for the reasonable value of such care or services (including necessary travel), for which such veterans have made payment, from sources other than the Veterans' Administration, where—

(1) such care or services were rendered in a medical emergency of such nature that delay would have been hazardous to life or health;

(2) such care or services were rendered to a veteran in need thereof (A) for an adjudicated service-connected disability, (B) for a non-service-connected disability associated with and held to be aggravating a service-connected disability, (C) for any disability of a veteran who has a total disability permanent in nature from a service-connected disability, or (D) for any illness, injury, or dental condition in the case of a veteran who is found to be (i) in need of vocational rehabilitation under chapter 31 of this title and for whom an objective had been selected or (ii) pursuing a course of vocational rehabilitation training and is medically determined to have been in need of care or treatment to make possible such veteran's entrance into a course of training, or prevent interruption of a course of training, or hasten the return to a course of training which was interrupted because of such illness, injury, or dental condition; and

(3) Veterans' Administration or other Federal facilities were not feasibly available, and an attempt to use them beforehand would not have been reasonable, sound, wise, or practical.

(b) In any case where reimbursement would be in order under subsection (a) of this section, the Administrator may, in lieu of reimbursing such veteran, make payment of the reasonable value of care or services directly—

(1) to the hospital or other health facility furnishing the care or services; or

(2) to the person or organization making such expenditure on behalf of such veteran.

(Added Pub. L. 93-82, title I, § 106(a), Aug. 2, 1973, 87 Stat. 183, and amended Pub. L. 94-581, title II, §§ 202(n), 210(13), Oct. 21, 1976, 90 Stat. 2856, 2863.)

## AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581 substituted "as the Administrator shall prescribe" for "as he shall prescribe" in the provisions preceding par. (1), substituted "delay" for "they" in par. (1), and substituted "make possible such veteran's entrance" for "make possible his entrance" in par. (2)(D)(ii).

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an

Effective Date of 1976 Amendment note under section 111 of this title.

**EFFECTIVE DATE**

Section effective Jan. 1, 1971, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

**SUBCHAPTER IV—HOSPITAL AND MEDICAL CARE FOR COMMONWEALTH OF THE PHILIPPINES ARMY VETERANS**

**§ 631. Assistance to the Republic of the Philippines**

The President is authorized to assist the Republic of the Philippines in providing medical care and treatment for Commonwealth Army veterans and new Philippine Scouts in need of such care and treatment for service-connected disabilities and non-service-connected disabilities under certain conditions.

(Added Pub. L. 93-82, title I, § 107(a), Aug. 2, 1973, 87 Stat. 184.)

**PRIOR PROVISIONS**

A prior section 631, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1145; Pub. L. 91-24, § 6(b), June 11, 1969, 83 Stat. 34, also dealing with grants to the Republic of the Philippines, was repealed by section 107(a) of Pub. L. 93-82.

**EFFECTIVE DATE**

Section effective July 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

**§ 632. Contracts and grants to provide hospital care, medical services and nursing home care**

(a) The President, with the concurrence of the Republic of the Philippines, may authorize the Administrator to enter into a contract with the Veterans Memorial Hospital, with the approval of the appropriate department of the Government of the Republic of the Philippines, covering the period beginning on July 1, 1973, and ending on June 30, 1978, under which the United States—

(1) will pay for hospital care in the Republic of the Philippines, or for medical services which shall be provided either in the Veterans Memorial Hospital, or by contract, or otherwise by the Administrator in accordance with the conditions and limitations applicable generally to beneficiaries under section 612 of this title, for Commonwealth Army veterans and new Philippine Scouts determined by the Administrator to be in need of such hospital care or medical services for service-connected disabilities;

(2) will pay for hospital care at the Veterans Memorial Hospital for Commonwealth Army veterans, and for new Philippine Scouts if they enlisted before July 4, 1946, determined by the Administrator to need such care for non-service-connected disabilities if they are unable to defray the expenses of necessary hospital care;

(3) may provide for the payment of travel expenses pursuant to section 111 of this title for Commonwealth Army veterans and new Philippine Scouts in connection with hospital care or medical services furnished them;

(4) may provide for payments for nursing home care, on the same terms and conditions

as set forth in section 620(a) of this title, for any Commonwealth Army veteran or new Philippine Scout determined to need such care at a per diem rate not to exceed 50 per centum of the hospital per diem rate established pursuant to clause (6) of this subsection;

(5) may provide that payments for hospital care and for medical services provided to Commonwealth Army veterans and new Philippine Scouts or to United States veterans may consist in whole or in part of available medicines, medical supplies, and equipment furnished by the Administrator to the Veterans Memorial Hospital at valuations therefor as determined by the Administrator, who may furnish through the revolving supply fund, pursuant to section 5011 of this title, such medicines, medical supplies, and equipment as necessary for this purpose and to use therefore, as applicable, appropriations available for such payments;

(6) will provide for payments for such hospital care at a per diem rate to be jointly determined for each fiscal year by the two Governments to be fair and reasonable; and

(7) may stop payments under any such contract upon reasonable notice as stipulated by the contract if the Republic of the Philippines and the Veterans Memorial Hospital fail to maintain such hospital in a well-equipped and effective operating condition, as determined by the Administrator.

(b) The total of the payments authorized by subsection (a) of this section shall not exceed \$2,000,000 for any one fiscal year ending before July 1, 1978, which shall include an amount not to exceed \$250,000 for any one such fiscal year for the purposes of clause (4) of such subsection.

(c) The contract authorized by subsection (a) of this section may provide for the use by the Republic of the Philippines of beds, equipment, and other facilities of the Veterans Memorial Hospital at Manila, not required for hospital care of Commonwealth Army veterans or new Philippine Scouts for service-connected disabilities, for hospital care of other persons in the discretion of the Republic of the Philippines except that (1) priority of admission and retention in such hospital shall be accorded Commonwealth Army veterans and new Philippine Scouts needing hospital care for service-connected disabilities, and (2) such use shall not preclude the use of available facilities in such hospital on a contract basis for hospital care or medical services for persons eligible therefor from the Veterans' Administration.

(d) To further assure the effective care and treatment of patients in the Veterans Memorial Hospital, there is authorized to be appropriated for each fiscal year during the five years beginning July 1, 1973, and ending June 30, 1978—

(1) the sum of \$50,000 to be used by the Administrator for making grants to the Veterans Memorial Hospital for the purpose of education and training of health service personnel who are assigned to such hospital; and

(2) the sum of \$50,000 to be used by the Administrator for making grants to the Veterans Memorial Hospital for the purpose of assisting the Republic of the Philippines in the re-

placement and upgrading of equipment and in rehabilitating the physical plant and facilities of such hospital.

Such grants shall be made on such terms and conditions as prescribed by the Administrator, including approval by the Administrator of all education and training programs conducted by the hospital under such grants. Any appropriation made for carrying out the purposes of clause (2) of this subsection shall remain available until expended.

(Added Pub. L. 93-82, title I, § 107(a), Aug. 2, 1973, 87 Stat. 184, and amended Pub. L. 94-581, title II, § 210(a)(14), Oct. 21, 1976, 90 Stat. 2863.)

#### PRIOR PROVISIONS

A prior section 632, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1146; Pub. L. 88-40, §§ 1, 2, June 13, 1963, 77 Stat. 66; Pub. L. 89-612, § 2, Sept. 30, 1966, 80 Stat. 859; Pub. L. 91-24, § 6(c), June 11, 1969, 83 Stat. 34, relating to modification of agreement with the Republic of the Philippines effectuating the Act of July 1, 1948, was repealed by section 107(a) of Pub. L. 93-82.

#### AMENDMENTS

1976—Subsec. (d). Pub. L. 94-581 substituted "approval by the Administrator" for "approved by him".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### EFFECTIVE DATE

Section effective July 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

#### SAVINGS PROVISIONS

Section 107(c) of Pub. L. 93-82 provided that: "Nothing in subsection (a) of this section [which enacted this section and section 631 of this title] shall be deemed to affect in any manner any right, cause, obligation, contract (specifically including that contract executed April 25, 1967, between the Government of the Republic of the Philippines and the Government of the United States resulting from Public Law 89-612 [see Prior Provisions note above], which shall remain in force and effect until modified or superseded by an agreement executed under authority of this Act) [for distribution of this Act, see Short Title of 1973 Amendments note under section 101 of this title], authorization of appropriation, grant, function, power, or duty vested by law or otherwise under the provisions of section 632 of title 38, United States Code, in effect on the day before the date of enactment of this section [Aug. 2, 1973]."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 622, 624 of this title.

#### § 633. Supervision of program by the President

The President, or any officer of the United States to whom the President may delegate his authority under this section, may from time to time prescribe such rules and regulations and impose such conditions on the receipt of financial aid as may be necessary to carry out this subchapter.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1146; Pub. L. 94-581, title II, § 210(a)(15), Oct. 21, 1976, 90 Stat. 2863.)

#### AMENDMENTS

1976—Pub. L. 94-581 substituted "whom the President may delegate authority" for "whom he may delegate the authority".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

EX. ORD. NO. 11762. DELEGATION OF AUTHORITY TO ADMINISTRATOR OF VETERANS' AFFAIRS RELATING TO GRANTS-IN-AID TO REPUBLIC OF THE PHILIPPINES FOR MEDICAL CARE AND TREATMENT OF VETERANS

Ex. Ord. No. 11762, Jan. 17, 1974, 39 F.R. 2347, provided:

By virtue of the authority vested in me by section 633 of title 38 and by section 301 of title 3 of the United States Code, and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. (a) Subject to the provisions of subsections (b) and (c) of this section, the Administrator of Veterans' Affairs is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by sections 631, 632, 633, and 634 of title 38 of the United States Code, as amended by section 107(a) of the Veterans Health Care Expansion Act of 1973 (Public Law 93-82; Stat. 184).

(b) The Secretary of State shall negotiate the agreement, and any modifications thereby with the Republic of the Philippines required by the provisions of sections 631, 632, 633, and 634 of title 38 of the United States Code.

(c) All rules and regulations prescribed by the Administrator pursuant to the authority delegated to him by this order shall be subject to prior approval by the Director of the Office of Management and Budget.

Sec. 2. Nothing in this order shall be construed as modifying or terminating any other authority heretofore delegated by the President to the Administrator of Veterans' Affairs.

RICHARD NIXON.

#### § 634. Definitions

For the purposes of this subchapter—

(1) The term "Commonwealth Army veterans" means persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines, while such forces were in the service of the Armed Forces pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable. The term "new Philippine Scouts" means persons who served in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945, and who were discharged or released from such service under conditions other than dishonorable.

(2) The term "service-connected disabilities" means disabilities determined by the Administrator under laws administered by the Veterans' Administration to have been incurred in or aggravated by the service described in paragraph (1) in line of duty.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1146; Pub. L. 89-612, § 3, Sept. 30, 1966, 80 Stat. 861.)

#### REFERENCES IN TEXT

Section 14 of the Armed Forces Voluntary Recruitment Act of 1945, referred to in par. (1), is section 14 of act Oct. 6, 1945, ch. 393, 59 Stat. 543, which enacted section 637 of former Title 10, Army and Air Force, and was omitted from the Code in the revision and reenactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, 70A Stat. 1.

#### AMENDMENTS

1966—Par. (1). Pub. L. 89-612 added the definition of "new Philippine Scouts".

### SUBCHAPTER V—PAYMENTS TO STATE HOMES

#### § 641. Criteria for payment

(a) The Administrator shall pay each State at the per diem rate of—

- (1) \$5.50 for domiciliary care,
- (2) \$10.50 for nursing home care, and
- (3) \$11.50 for hospital care,

for each veteran receiving such care in a State home, if such veteran is eligible for such care in a Veterans' Administration facility.

(b) In no case shall the payments made with respect to any veteran under this section exceed one-half of the cost of the veterans' care in such State home.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1146; Pub. L. 86-625, July 12, 1960, 74 Stat. 424; Pub. L. 87-819, § 1, Oct. 15, 1962, 76 Stat. 935; Pub. L. 88-450, § 3(a), Aug. 19, 1964, 78 Stat. 500; Pub. L. 90-432, § 1, July 26, 1968, 82 Stat. 448; Pub. L. 91-178, § 1, Dec. 30, 1969, 83 Stat. 836; Pub. L. 93-82, title IV, § 403(a), Aug. 2, 1973, 87 Stat. 196; Pub. L. 94-417, § 1(a), Sept. 21, 1976, 90 Stat. 1277; Pub. L. 94-581, title II, § 202(o), Oct. 21, 1976, 90 Stat. 2856.)

#### AMENDMENTS

1976—Pub. L. 94-581 struck out "of any war or of service after January 31, 1955" following "for each veteran" in the provisions following par. (3).

Pub. L. 94-417 designated existing provisions as subsec. (a) and, as so designated, increased from \$4.50 to \$5.50 the per diem rate for domiciliary care, from \$6 to \$10.50 the per diem rate for nursing home care, and from \$10 to \$11.50 the per diem rate for hospital care, struck out "of any war or of service after January 31, 1955" following "for each veteran", ", in the case of such a veteran receiving domiciliary or hospital care," following "if", and provisions relating to the case of a veteran receiving nursing home care, and added subsec. (b).

1973—Pub. L. 93-82 increased from \$3.50 to \$4.50 the per diem rate for domiciliary care, from \$5 to \$6 the per diem rate for nursing home care, and from \$7.50 to \$10 the per diem rate for hospital care, and substituted "veteran of any war or of service after January 31, 1955" for "veteran of any war".

1969—Pub. L. 91-178 increased from \$3.50 to \$7.50 the per diem payment for hospital care.

1968—Pub. L. 90-432 increased from \$2.50 to \$3.50 the per diem rate for hospital or domiciliary care and from \$3.50 to \$5.00 the per diem rate for nursing home care as the amounts the Administrator shall pay each State providing such services for veterans.

1964—Pub. L. 88-450 amended section generally and, among other changes, authorized payment at the per diem rate of \$3.50 for each veteran receiving nursing care in a State home, if such veteran meets the requirements of paragraph (1), (2), or (3) of section

610(a) of this title, except that the requirement in clause (B) of such paragraph (1) shall, for this purpose, refer to the inability to defray the expenses of necessary nursing home care, and eliminated provisions which permitted reduction of the amount payable to the State homes under certain conditions and prohibited payments to State homes where a bar or canteen is maintained therein where intoxicating liquors are sold.

1962—Subsec. (b). Pub. L. 87-819 provided that no reduction shall be made by the retention or collection by a State home of amounts from the estate of a deceased veteran if such amounts are placed in a post or other special fund for the benefit of the State home or its inhabitants in providing the benefits enumerated in clauses (A) to (C).

1960—Subsec. (a). Pub. L. 86-625 substituted "at the per diem rate of \$2.50 per diem for each veteran" for "at the annual rate of \$700.00 for each veteran".

#### EFFECTIVE DATE OF 1976 AMENDMENTS

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

Section 1(c) of Pub. L. 94-417 provided that:

"(1) The amendments made by subsection (a) of this section [amending this section] shall be effective on October 1, 1976.

"(2) At the time of the first payment to a State under section 641 of title 38, United States Code, as amended by subsection (a) of this section, the Administrator of Veterans' Affairs shall pay such State, in a lump sum, an amount equal to the difference between the total amount paid each such State under such section 641 for care provided by such State in a State home from January 1, 1976, to October 1, 1976, and the amount such State would have been paid for providing such care if the amendment made by subsection (a) of this section had been effective on January 1, 1976."

#### EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

#### EFFECTIVE DATE OF 1964 AMENDMENT

Section 3(c) of Pub. L. 88-450 provided that: "The amendment made by this section [to this section] shall take effect on January 1, 1965; except that subsection (b) of section 641 of title 38, United States Code, as in effect immediately before such date, shall remain in effect with respect to any amounts retained or collected by any State home before such date."

#### PAYMENTS TO STATES FOR NURSING HOME CARE

Section 3(b) of Pub. L. 88-450 provided that: "No payment shall be made to any State home solely by reason of the amendment made by this section [to this section] on account of nursing home care furnished any veteran except where such care is furnished the veteran by the State home for the first time after the effective date of this section [Jan. 1, 1965]."

#### § 642. Inspections of such homes; restrictions on beneficiaries

(a) The Administrator may inspect any State home at such times as the Administrator deems necessary. No payment or grant may be made to any home under this subchapter unless such home is determined by the Administrator to meet such standards as the Administrator shall prescribe, which standards with respect to nursing home care shall be no less stringent than those prescribed pursuant to section 620(b) of this title.

(b) The Administrator may ascertain the number of persons on account of whom payments may be made under this subchapter on account of any State home, but shall have no authority over the management or control of any State home.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1146; Pub. L. 94-581, title I, §107(a), title II, §210(a)(16), Oct. 21, 1976, 90 Stat. 2847, 2863.)

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-581 substituted "as the Administrator deems necessary" for "as he deems necessary" in the existing provisions and added provision that no payment or grant may be made to any home under this subchapter unless such home is determined by the Administrator to meet such standards as the Administrator shall prescribe, which standards with respect to nursing home care shall be no less stringent than those prescribed pursuant to section 620(b) of this title.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

#### § 643. Applications

Payments on account of any veteran of any war cared for in a State home shall be made under this subchapter only from the date the Administrator receives a request for determination of such veteran's eligibility; however, if such request is received by the Administrator within ten days after care of such veteran begins, payments shall be made on account of such veteran from the date care began.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1147.)

#### § 644. Authorization of appropriations

(a) There is hereby authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1970, and a like sum for each of the nine succeeding fiscal years. Subject to the conditions set forth in subsection (b) of this section, sums appropriated pursuant to this section shall be used for making grants to States which have submitted, and have had approved by the Administrator, applications for assistance in remodeling, modification, or alteration of existing hospital or domiciliary facilities in State homes providing care and treatment for veterans.

(b) The amount which may be granted to a State home for purposes of subsection (a) shall not exceed 65 per centum of the estimated cost of the project, nor may any one State receive in any fiscal year more than 20 per centum of the amount appropriated for that fiscal year.

(c) Grants under this section shall be made on such terms and conditions prescribed in regulations by the Administrator.

(d) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the second fiscal year following the fiscal year for which they are appropriated.

(Added Pub. L. 91-178, §2(a), Dec. 30, 1969, 83 Stat. 836, and amended Pub. L. 93-82, title IV, §403(b), Aug. 2, 1973, 87 Stat. 196.)

#### AMENDMENTS

1973—Subsec. (b). Pub. L. 93-82 substituted "65 per centum" for "50 per centum".

#### EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-82 effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

#### SUBCHAPTER VI—SICKLE CELL ANEMIA

##### § 651. Screening, counseling, and medical treatment

The Administrator is authorized to carry out a comprehensive program of providing sickle cell anemia screening, counseling, treatment, and information under the provisions of this chapter.

(Added Pub. L. 93-82, title I, §109(a), Aug. 2, 1973, 87 Stat. 186.)

#### EFFECTIVE DATE

Section effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

##### § 652. Research

The Administrator is authorized to carry out research and research training in the diagnosis, treatment, and control of sickle cell anemia based upon the screening examinations and treatment provided under this subchapter.

(Added Pub. L. 93-82, title I, §109(a), Aug. 2, 1973, 87 Stat. 186.)

#### EFFECTIVE DATE

Section effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

##### § 653. Voluntary participation; confidentiality

(a) The participation by any person in any program or portion thereof under this subchapter shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program under this title.

(b) Patient records prepared or obtained under this subchapter shall be held confidential in the same manner and under the same conditions prescribed in section 4132 of this title.

(Added Pub. L. 98-82, title I, §109(a), Aug. 2, 1973, 87 Stat. 187, and amended Pub. L. 94-581, title I, §111(b), Oct. 21, 1976, 90 Stat. 2852.)

#### AMENDMENTS

1976—Subsec. (b). Pub. L. 94-581 substituted "Patient records prepared or obtained under this subchapter shall be held confidential in the same manner and under the same conditions prescribed in section 4132 of this title "for" The Administrator shall promulgate rules and regulations to insure that all information and patient records prepared or obtained under this subchapter shall be held confidential except for (1) such information as the patient (or his guardian) requests in writing to be released or (2) statistical data compiled without reference to patient names or other identifying characteristics".

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-581 effective Oct. 21, 1976, see section 211 of Pub. L. 94-581, set out as an Effective Date of 1976 Amendment note under section 111 of this title.

## EFFECTIVE DATE

Section effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

## § 654. Reports

The Administrator shall include in the annual report to the Congress required by section 214 of this title a comprehensive report on the administration of this subchapter, including such recommendations for additional legislation as the Administrator deems necessary.

(Added Pub. L. 93-82, title I, § 109(a), Aug. 2, 1973, 87 Stat. 187.)

## EFFECTIVE DATE

Section effective Sept. 1, 1973, see section 501 of Pub. L. 93-82, set out as an Effective Date of 1973 Amendment note under section 601 of this title.

## CHAPTER 19—INSURANCE

## SUBCHAPTER I—NATIONAL SERVICE LIFE INSURANCE

- Sec.
- 701. Definitions.
  - 702. Premium rates and policy values.
  - 703. Amount of insurance.
  - 704. Plans of insurance.
  - 705. Renewal.
  - 706. Policy provisions.
  - 707. Payment or use of dividends.
  - 708. Premium payments.
  - 709. Effective date of insurance.
  - 710. Incontestability.
  - 711. Forfeiture.
  - 712. Total disability waiver.
  - 713. Death before six months' total disability.
  - 714. Statutory total disabilities.
  - 715. Total disability income provision.
  - 716. Insurance which matured before August 1, 1946.
  - 717. Insurance maturing on or after August 1, 1946.
  - 718. Assignments.
  - 719. National Service Life Insurance appropriation.
  - 720. National Service Life Insurance Fund.
  - 721. Extra hazard costs.
  - 722. Service disabled veterans' insurance.
  - 723. Veterans' Special Life Insurance.
  - 724. In-service waiver of premiums.
  - 725. Limited period for acquiring insurance.

## SUBCHAPTER II—UNITED STATES GOVERNMENT LIFE INSURANCE

- 740. Definition.
- 741. Amount of insurance.
- 742. Plans of insurance.
- 743. Premiums.
- 744. Policy provisions.
- 745. Renewal.
- 746. Dividends to pay premiums.
- 747. Incontestability.
- 748. Total disability provision.
- 749. Change of beneficiary.
- 750. Payment to estates.
- 751. Payment of insurance.
- 752. Optional settlement.
- 753. Assignments.
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- 755. United States Government Life Insurance Fund.
- 756. Military and naval insurance appropriation.
- 757. Extra hazard costs.
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- 759. Waiver of disability for reinstatement.
- 760. Waiver of premium payments on due date.

## SUBCHAPTER III—SERVICEMEN'S GROUP LIFE INSURANCE

- Sec.
- 765. Definitions.
  - 766. Eligible insurance companies.
  - 767. Persons insured; amount.
  - 768. Duration and termination of coverage; conversion.
  - 769. Deductions; payment; investment; expenses.
  - 770. Beneficiaries; payment of insurance.
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  - 772. Benefit certificates.
  - 773. Forfeiture.
  - 774. Advisory Council on Servicemen's Group Life Insurance.
  - 775. Jurisdiction of District Courts.
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## SUBCHAPTER IV—GENERAL

- 781. Replacement of surrendered and expired insurance.
- 782. Administrative cost.
- 783. Settlements for minors or incompetents.
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- 785. Decisions by the Administrator.
- 786. Deposits in and disbursements from trust funds.
- 787. Penalties.
- 788. Savings provision.

## AMENDMENTS

1974—Pub. L. 93-289, §§ 2(b), 9(b), May 24, 1974, 88 Stat. 165, 172, added items 777, 778 and 779, and substituted "Veterans' Special Life Insurance" for "Veterans' special term insurance" in item 723.

1971—Pub. L. 92-188, § 3, Dec. 15, 1971, 85 Stat. 645, substituted "Payment or use of dividends" for "Dividends to pay premiums" in item 707.

1970—Pub. L. 91-291, § 7, June 25, 1970, 84 Stat. 331, substituted "Duration and termination of coverage; conversion" for "Termination of coverage; conversion" in item 768.

1965—Pub. L. 89-214, § 2, Sept. 29, 1965, 79 Stat. 886 redesignated "Subchapter III—General" as "Subchapter IV—General" and added "Subchapter III—Servicemen's Group Life Insurance" comprising items 765 to 776.

1964—Pub. L. 88-664, § 12(c), Oct. 13, 1964, 78 Stat. 1099, added item 725.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 101, 106, 3101 of this title.

## SUBCHAPTER I—NATIONAL SERVICE LIFE INSURANCE

## SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in title 50 App. section 540.

## § 701. Definitions

For the purposes of this subchapter—

(1) The term "insurance" means National Service Life Insurance.

(2) The terms "widow" or "widower" mean a person who was the lawful spouse of the insured at the maturity of the insurance.

(3) The term "child" means a legitimate child, an adopted child, and, if designated as beneficiary by the insured, a stepchild or an illegitimate child.

(4) The terms "parent", "father", and "mother" mean a father, mother, father through adoption, mother through adoption, persons who have stood in loco parentis to a member of the military or naval forces at any time before entry into active service for a