

114TH CONGRESS  
1ST SESSION

# S. 172

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

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IN THE SENATE OF THE UNITED STATES

JANUARY 13, 2015

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Access to Appropriate  
5 Immunizations for Veterans Act of 2015”.

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

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

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

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

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

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

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

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

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

24           (3) by adding at the end the following new  
25 clause:

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

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

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

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

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

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

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

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

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

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

15 (3) EFFECTIVE DATES.—

16 (A) DEVELOPMENT OF INITIAL SCHED-  
17 ULE.—

18 (i) IN GENERAL.—The Secretary shall  
19 establish the quality measures and metrics  
20 described in paragraph (2) of section  
21 1706(a) of such title, as added by para-  
22 graph (1), through notice and comment  
23 rulemaking.

24 (ii) PUBLICATION.—The Secretary  
25 shall publish in the Federal Register pro-

1           posed measures and metrics by not later  
2           than the date that is 60 days after the  
3           date of the enactment of this Act, and  
4           shall finalize such measures and metrics by  
5           not later than the date that is 90 days  
6           after such date of enactment.

7           (B) IMPLEMENTATION OF MEASURES AND  
8           METRICS.—The Secretary shall implement para-  
9           graph (2) of such section on the date that is  
10          180 days after the date of the enactment of this  
11          Act.

12          (C) REPORT TO CONGRESS.—Subpara-  
13          graph (H) of paragraph (1) of section 1704 of  
14          such title, as added by paragraph (2), shall  
15          apply with respect to the first report submitted  
16          under such section after the date that is 180  
17          days after the date of the enactment of this  
18          Act.

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