

1981—Subsec. (b). Pub. L. 97-72 substituted “equipped to provide the care and treatment” for “particularly equipped to provide the most effective care and treatment” in provisions following par. (2).

1979—Subsec. (a). Pub. L. 96-151, § 205(a)(1), in cl. (1) substituted reference to spouse for reference to wife, in cl. (2) substituted reference to surviving spouse for reference to widow, and added cl. (3).

Subsec. (c). Pub. L. 96-151, § 205(a)(2), added subsec. (c).

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 1982 AMENDMENT

Pub. L. 97-251, § 5(b), Sept. 8, 1982, 96 Stat. 716, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 1982.”

EFFECTIVE DATE OF 1979 AMENDMENT

Pub. L. 96-151, title II, § 205(b), Dec. 20, 1979, 93 Stat. 1095, provided that: “The amendments made by subsection (a) [amending this section] shall take effect with respect to fiscal year 1980 only to such extent and for such amounts as may be specifically provided for such purpose in appropriation Acts.”

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

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 1701 of this title.

§ 1782. Counseling, training, and mental health services for immediate family members and caregivers

(a) COUNSELING FOR FAMILY MEMBERS OF VETERANS RECEIVING SERVICE-CONNECTED TREATMENT.—In the case of a veteran who is receiving treatment for a service-connected disability pursuant to paragraph (1) or (2) of section 1710(a) of this title, the Secretary shall provide to individuals described in subsection (c) such consultation, professional counseling, marriage and family counseling, training, and mental health services as are necessary in connection with that treatment.

(b) COUNSELING FOR FAMILY MEMBERS OF VETERANS RECEIVING NON-SERVICE-CONNECTED TREATMENT.—In the case of a veteran who is eligible to receive treatment for a non-service-connected disability under the conditions described in paragraph (1), (2), or (3) of section 1710(a) of this title, the Secretary may, in the discretion of the Secretary, provide to individuals described in subsection (c) such consultation, professional counseling, marriage and family counseling, training, and mental health services as are necessary in connection with that treatment.

(c) ELIGIBLE INDIVIDUALS.—Individuals who may be provided services under this subsection are—

- (1) the members of the immediate family or the legal guardian of a veteran;
- (2) a family caregiver of an eligible veteran or a caregiver of a covered veteran (as those

terms are defined in section 1720G of this title); or

(3) the individual in whose household such veteran certifies an intention to live.

(d) TRAVEL AND TRANSPORTATION AUTHORIZED.—Services provided under subsections (a) and (b) may include, under the terms and conditions set forth in section 111 of this title, travel and incidental expenses of individuals described in subsection (c) in the case of any of the following:

(1) A veteran who is receiving care for a service-connected disability.

(2) A dependent or survivor receiving care under the last sentence of section 1783(b) of this title.

(Added Pub. L. 107-135, title II, § 208(b), Jan. 23, 2002, 115 Stat. 2462; amended Pub. L. 110-387, title III, § 301(a)(2), Oct. 10, 2008, 122 Stat. 4120; Pub. L. 111-163, title I, § 103(a), (b), May 5, 2010, 124 Stat. 1139, 1140.)

PRIOR PROVISIONS

A prior section 1782 was renumbered section 3682 of this title.

AMENDMENTS

2010—Pub. L. 111-163, § 103(b), inserted “and caregivers” after “members” in section catchline.

Subsec. (c)(2), (3). Pub. L. 111-163, § 103(a), added par. (2) and redesignated former par. (2) as (3).

2008—Subsec. (a). Pub. L. 110-387, § 301(a)(2)(A), inserted “marriage and family counseling,” after “professional counseling.”

Subsec. (b). Pub. L. 110-387, § 301(a)(2)(B), inserted “marriage and family counseling,” after “professional counseling,” and substituted period at end for “if—

“(1) those services were initiated during the veteran’s hospitalization; and

“(2) the continued provision of those services on an outpatient basis is essential to permit the discharge of the veteran from the hospital.”

§ 1783. Bereavement counseling

(a) DEATHS OF VETERANS.—In the case of an individual who was a recipient of services under section 1782 of this title at the time of the death of the veteran, the Secretary may provide bereavement counseling to that individual in the case of a death—

(1) that was unexpected; or

(2) that occurred while the veteran was participating in a hospice program (or a similar program) conducted by the Secretary.

(b) DEATHS IN ACTIVE SERVICE.—(1) The Secretary may provide bereavement counseling to an individual who is a member of the immediate family of a member of the Armed Forces who dies in the active military, naval, or air service in the line of duty and under circumstances not due to the person’s own misconduct.

(2) For purposes of this subsection, the members of the immediate family of a member of the Armed Forces described in paragraph (1) include the parents of such member.

(c) PROVISION OF COUNSELING THROUGH VET CENTERS.—Bereavement counseling may be provided under this section through the facilities and personnel of centers for the provision of readjustment counseling and related mental health services under section 1712A of this title.

(d) **BEREAVEMENT COUNSELING DEFINED.**—For purposes of this section, the term “bereavement counseling” means such counseling services, for a limited period, as the Secretary determines to be reasonable and necessary to assist an individual with the emotional and psychological stress accompanying the death of another individual.

(Added Pub. L. 107–135, title II, §208(b), Jan. 23, 2002, 115 Stat. 2463; amended Pub. L. 109–461, title II, §216, Dec. 22, 2006, 120 Stat. 3424.)

PRIOR PROVISIONS

A prior section 1783 was renumbered section 3683 of this title.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–461, §216(a), designated existing provisions as par. (1) and added par. (2).

Subsec. (c), (d). Pub. L. 109–461, §216(b), added subsec. (c) and redesignated former subsec. (c) as (d).

§ 1784. Humanitarian care

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

(Added Pub. L. 107–135, title II, §208(b), Jan. 23, 2002, 115 Stat. 2463.)

PRIOR PROVISIONS

Prior section 1784 was renumbered section 3684 of this title.

§ 1785. Care and services during certain disasters and emergencies

(a) **AUTHORITY TO PROVIDE HOSPITAL CARE AND MEDICAL SERVICES.**—During and immediately following a disaster or emergency referred to in subsection (b), the Secretary may furnish hospital care and medical services to individuals responding to, involved in, or otherwise affected by that disaster or emergency.

(b) **COVERED DISASTERS AND EMERGENCIES.**—A disaster or emergency referred to in this subsection is any disaster or emergency as follows:

(1) A major disaster or emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) A disaster or emergency in which the National Disaster Medical System established pursuant to section 2812 of the Public Health Service Act (42 U.S.C. 300hh)¹ is activated by the Secretary of Health and Human Services under that section or as otherwise authorized by law.

(c) **APPLICABILITY TO ELIGIBLE INDIVIDUALS WHO ARE VETERANS.**—The Secretary may furnish care and services under this section to an individual described in subsection (a) who is a veteran without regard to whether that individual is enrolled in the system of patient enrollment under section 1705 of this title.

(d) **REIMBURSEMENT FROM OTHER FEDERAL DEPARTMENTS AND AGENCIES.**—(1) The cost of any care or services furnished under this section to an officer or employee of a department or agen-

cy of the United States other than the Department or to a member of the Armed Forces shall be reimbursed at such rates as may be agreed upon by the Secretary and the head of such department or agency or the Secretary concerned, in the case of a member of the Armed Forces, based on the cost of the care or service furnished.

(2) Amounts received by the Department under this subsection shall be credited to the Medical Care Collections Fund under section 1729A of this title.

(e) **REPORT TO CONGRESSIONAL COMMITTEES.**—Within 60 days of the commencement of a disaster or emergency referred to in subsection (b) in which the Secretary furnishes care and services under this section (or as soon thereafter as is practicable), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the Secretary's allocation of facilities and personnel in order to furnish such care and services.

(f) **REGULATIONS.**—The Secretary shall prescribe regulations governing the exercise of the authority of the Secretary under this section.

(Added Pub. L. 107–287, §4(a)(1), Nov. 7, 2002, 116 Stat. 2028; amended Pub. L. 109–444, §8(a)(2), Dec. 21, 2006, 120 Stat. 3313; Pub. L. 109–461, title X, §§1004(a)(2), 1006(b), Dec. 22, 2006, 120 Stat. 3465, 3468; Pub. L. 111–275, title X, §1001(c)(2), Oct. 13, 2010, 124 Stat. 2896.)

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (b)(1), is Pub. L. 93–288, May 22, 1974, 88 Stat. 143, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

Section 2812 of the Public Health Service Act, referred to in subsec. (b)(2), is classified to section 300hh–11 of Title 42, The Public Health and Welfare.

PRIOR PROVISIONS

A prior section 1785 was renumbered section 3685 of this title.

AMENDMENTS

2010—Subsec. (b)(2). Pub. L. 111–275 substituted “section 2812 of the Public Health Service Act (42 U.S.C. 300hh)” for “section 2811(b) of the Public Health Service Act (42 U.S.C. 300hh–11(b))” and struck out “paragraph (3)(A) of” before “that section”.

2006—Subsec. (b)(1). Pub. L. 109–461, §1006(b), provided that as of the enactment of Pub. L. 109–461, the amendments made by Pub. L. 109–444 were deemed for all purposes not to have taken effect and that Pub. L. 109–444 ceased to be in effect. See Amendment notes below and section 1006(b) of Pub. L. 109–461, set out as a Coordination of Provisions With Pub. L. 109–444 note under section 101 of this title.

Pub. L. 109–461, §1004(a)(2), substituted “Robert T.” for “Robert B.”.

Pub. L. 109–444, which substituted “Robert T.” for “Robert B.”, was terminated by Pub. L. 109–461, §1006(b). See Amendment notes above.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the National Disaster Medical System, including the functions of the Secretary of Homeland Security and the Under Secretary for Emergency Preparedness and Response relating thereto, to the Sec-

¹ See References in Text note below.