

115TH CONGRESS
2D SESSION

H. R. 7287

To amend title 38, United States Code, to provide for the eligibility of certain individuals exposed to burn pits for hospital care, medical services, and nursing home care furnished by the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2018

Mr. RUIZ (for himself, Mr. CASTRO of Texas, Mr. BILIRAKIS, and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for the eligibility of certain individuals exposed to burn pits for hospital care, medical services, and nursing home care furnished by the Department of Veterans Affairs, 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 “Jennifer Kepner
5 Healthcare for Open air burn Pit Exposure Act” or the
6 “Jennifer Kepner HOPE Act”.

1 **SEC. 2. ELIGIBILITY OF INDIVIDUALS EXPOSED TO BURN**
2 **PITS FOR HOSPITAL CARE, MEDICAL SERV-**
3 **ICES, AND NURSING HOME FURNISHED BY**
4 **THE DEPARTMENT OF VETERANS AFFAIRS.**

5 (a) IN GENERAL.—Section 1710 of title 38, United
6 States Code, is amended—

7 (1) in subsection (a)(2)(F), by inserting “burn
8 pit,” after “radiation,”; and

9 (2) in subsection (e)—

10 (A) in paragraph (1), by adding at the end
11 the following new subparagraph:

12 “(G)(i) Subject to paragraph (2), an individual who,
13 on or after September 11, 2001, served as a member of
14 the Armed Forces in support of a contingency operation
15 and was based or stationed at a location where an open
16 air burn pit was in use, is eligible for hospital care, med-
17 ical services, and nursing home care under subsection
18 (a)(2)(F) notwithstanding that there is insufficient med-
19 ical evidence to conclude that a disease or disability of the
20 individual is or is not associated with exposure to an open
21 air burn pit.

22 “(ii) In this subparagraph:

23 “(I) The term ‘open air burn pit’ means a place
24 where—

25 “(aa) solid waste is disposed of by burning
26 in the outdoor air; and

1 “(bb) a commercially manufactured incin-
2 erator or other equipment specifically designed
3 and manufactured for the burning of solid
4 waste is not in use.

5 “(II) The term ‘solid waste’ has the meaning
6 given such term in section 1004(27) of the Solid
7 Waste Disposal Act (42 U.S.C. 6903(27)).”; and

8 (B) in paragraph (2)(B), by striking “and
9 (F)” and inserting “(F), and (G)”.

10 (b) **EFFECTIVE DATE.**—The amendments made by
11 subsection (a) shall apply with respect to hospital care,
12 medical services, and nursing home care furnished on or
13 after the date that is 180 days after the date of the enact-
14 ment of this Act.

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