

Health and Medical Care Records—VA (54VA17)” as set forth in 65 FR 81572–81575, Dec. 26, 2000. VA is amending the system by renumbering the system of records to 54VA16 and revising the paragraphs for Categories of Individuals Covered by the System; Authority for Maintenance of the System; Purpose; Routine Uses or Records Maintained in the System, including Categories of Users and the Purposes of Such Uses; System Manager(s) and Address; and Record Source Categories. VA is republishing the system notice in its entirety at this time.

DATES: Comments on the amendment of this system of records must be received no later than October 14, 2003. If no public comment is received, the amended system will become effective October 14, 2003.

ADDRESSES: You may mail or hand-deliver written comments concerning the amended system of records to the Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20240; or fax comments to (202) 273–9289; or email comments to “OGCRegulations@mail.va.gov”. All relevant material received before October 14, 2003 will be considered. Comments will be available for public inspection at the above address in the Office of Regulations Management, Room 1158, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays).

FOR FURTHER INFORMATION CONTACT: Veterans Health Administration (VHA) Privacy Act Officer, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20240; telephone (202) 320–1839.

SUPPLEMENTARY INFORMATION:

VA is renumbering the system of records from 54VA17 to 54VA16 to reflect organizational changes in the Department.

The Categories of Individuals Covered by the System has been amended to include eligible veterans and their dependents in the following programs administered by the Health Administration Center (HAC):

- Public Law 103–446, Title I: Persian Gulf War Veterans, § 107, mandates that the Secretary conduct a program to evaluate the health status of spouses and children of Persian Gulf War veterans.

- Title 38 U.S.C. 1803 requires VA to provide health care benefits to any birth child of a veteran who served in Vietnam during the Vietnam War and that child was born with the medical condition of spina bifida.

- Title 38 U.S.C. 1724 requires VA to manage health care benefits to veterans outside the United States if such care and services are needed for the treatment of a service-connected disability or as part of an approved VA vocational rehabilitation program.

- Title 38 U.S.C. 1813 requires VA to provide health care benefits to a birth child born with certain covered birth defects to a female Vietnam veteran.

- Title 38 U.S.C. Sections 1703, 1725 and 1728 govern VA payment for hospital care and medical services to veterans’ authorized Non-VA health care.

The Authority for Maintenance of the System has been amended to provide updated regulatory and public law references. Public Law 107–135, Department of Veterans Affairs Health Care Programs Enhancement Act of 2001, re-designated the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) program from 38 U.S.C. 1713 to 38 U.S.C. 1781.

The Purpose of this system of records is amended to include evaluation of health status of dependents of Persian Gulf War veterans, dependents of veterans eligible for Spina Bifida and Children of Women Vietnam Veterans health care, and veterans eligible to receive foreign medical benefits and Non-VA health care under VA auspices.

Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses is amended as follows:

- The word “CHAMPVA” in routine use number 1 is deleted. The routine use applies to all programs (categories of individuals covered by the system and categories of records in the system) administered by the Health Administration Center. CHAMPVA is only one of the programs in this system of records. The other programs are Foreign Medical Program, Spina Bifida Healthcare, Children of Women Vietnam Veterans Healthcare, Fee claims and Persian Gulf examination claims. Because the routine use disclosure authority will be applicable to all programs, unless otherwise designated, reference to the particular program has been deleted.

- In routine use number 1, a description of the means of disclosure has been added to reflect that the eligibility and claim information may be disclosed via call service center, general correspondence and interactive webpage. An additional phrase has also been inserted for the disclosure of information in response to inquiries that are made by a claimant’s next of kin or person with whom the claimant has a

meaningful relationship. This addition is being made to make the routine use authority compatible with the Health Insurance Portability and Accountability Act (HIPAA) provisions.

- Routine use number 3 has been amended in its entirety. On its own initiative, VA may disclose information, except for the names and home addresses of veterans and their dependents, to a Federal, state, local, tribal or foreign agency charged with the responsibility of investigating or prosecuting civil, criminal or regulatory violations of law, or charged with enforcing or implementing the statute, regulation, rule or order issued pursuant thereto. On its own initiative, VA may also disclose the names and addresses of veterans and their dependents to a Federal agency charged with the responsibility of investigating or prosecuting civil, criminal or regulatory violations of law, or charged with enforcing or implementing the statute, regulation, rule or order issued pursuant thereto. VA must be able to comply with the requirements of agencies charged with enforcing the law and conducting investigations. VA must also be able to provide information to state or local agencies charged with protecting the public’s health as set forth in state law.

- Routine use number 4 has been amended to add the wording “upon its request for use” for VA to disclose records from this system of records to a Federal agency in the issuance of a security clearance, the investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting Agency, to the extent that the information is relevant and necessary to the requesting Agency’s decision on the matter.

- Former routine uses numbers 5 and 6 have been deleted from this system of record. Upon review, it has been determined that these routine uses are no longer applicable to this system and, as such, are no longer required.

- Routine uses numbers 7 through 24 have been renumbered from 5 through 22.

- In routine use number 8 (formerly routine use number 10), the wording “in order for the foregoing activities to prosecute or defend litigation involving or pertaining to the United States” has been replaced with “in order to prosecute or defend litigation involving or pertaining to the United States, or in which the United States has an interest” to make the routine use more concise with its application.

- In routine use number 9 (formerly routine use number 11), the wording “Any information in this system of records may be disclosed to a Federal