§ 51.40 Basic per diem.

Except as provided in §51.41 of this part,

(a) During Fiscal Year 2008 VA will pay a facility recognized as a State home for nursing home care the lesser of the following for nursing home care provided to an eligible veteran in such facility:

1. The basic per diem established in paragraph (b) of this section, or
2. The amount certified by the VA to pay for the care provided to the eligible veteran in such facility, whichever is less.

(b) In determining the basic per diem, VA will give preference to facilities that meet the standards set forth in subpart D of this part. If VA determines that a facility does not meet the standards set forth in subpart D of this part, VA will withdraw recognition and stop paying per diem for care provided on and after the date of the decision.

Subpart C—Per Diem Payments

§ 51.31 Automatic recognition.

Notwithstanding other provisions of this part, a facility that already is recognized by VA as a State home for nursing home care at the time this part becomes effective, automatically will continue to be recognized as a State home for nursing home care but will be subject to all of the provisions of this part that apply to facilities that have achieved recognition, including the provisions requiring that the facility meet the standards set forth in subpart D and the provisions for withholding per diem payments and withdrawal of recognition.