To amend title 38 of the United States Code in order to revise and improve the program of making grants to the States for the construction, remodeling, or renovation of State home facilities for furnishing hospital, domiciliary, and nursing home care for eligible veterans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "State Veterans' Home Assistance Improvement Act of 1977".

Sec. 2. Subchapter V of chapter 17 of title 38, United States Code, is amended by striking out section 644 in its entirety.

Sec. 3. Subchapter III of chapter 81 of title 38, United States Code, is amended by—

(1) amending section 5031(c) to read as follows:

"(c) The term 'construction' means the construction of new domiciliary or nursing home buildings, the expansion, remodeling, or alteration of existing buildings for the provision of domiciliary, nursing home, or hospital care in State homes, and the provision of initial equipment for any such buildings."

(2) amending section 5031(d) to read as follows:

"(d) The term 'cost of construction' means the amount found by the Administrator to be necessary for a construction project, including architect fees, but excluding land acquisition costs."

(3) amending section 5032 to read as follows:

"The purpose of this subchapter is to assist the several States to construct State home facilities for furnishing domiciliary or nursing home care to veterans, and to expand, remodel, or alter existing buildings for furnishing domiciliary, nursing home, or hospital care to veterans in State homes."

(4) amending section 5033 to read as follows:

"(a) There is hereby authorized to be appropriated $15,000,000 for the fiscal year ending September 30, 1978, and a like sum for the succeeding fiscal year. Sums appropriated pursuant to this section shall be used for making grants to States which have submitted, and have had approved by the Administrator, applications for carrying out the purposes and meeting the requirements of this subchapter.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until expended."

(5) amending section 5034(2) to read as follows:

"(2) General standards of construction, repair, and equipment for facilities constructed with assistance received under this subchapter."

(6) striking out in section 5034(3) "nursing home";

(7) striking out in section 5035(a) "for furnishing nursing home care";

(8) amending section 5035(a)(4) by striking out "nursing home care to veterans" and inserting in lieu thereof "to veterans the level of care for which such application is made."
out "10 per centum" and inserting in lieu thereof "25 per centum";
and by striking out "nursing home" and inserting in lieu thereof "such level of";
(9) amending section 5035(b)(3) to read as follows:
"(3) the application contains such reasonable assurances under
subsection (a) of this section as the Administrator may determine
to be necessary, and";
(10) inserting in section 5035(c) "notice and" after "applicant";
(11) amending section 5035(d) by inserting "(1)" before
"Upon"; by striking out "requested with respect to such project
in such application," and inserting in lieu thereof "so approved,";
and by inserting at the end of subsection (d) the following new
paragraph:
"(2) No one State may receive in any fiscal year in the aggregate
under this subchapter more than one-third of the amount appropri­
cated for carrying out this subchapter in such fiscal year.";
(12) striking out in section 5035(e) "approved application"
and inserting in lieu thereof "application, whether or not
approved,"; and
(13) amending section 5036 by striking out "of facilities for
furnishing nursing home care"; by inserting immediately before
the comma following the word "subchapter" where it first appears
"(except that the Administrator, pursuant to regulations
which the Administrator shall prescribe, may at the time of such
grant provide for a shorter period than twenty, but not less than
seven, years, based on the magnitude of the project and the grant
amount involved, in the case of the expansion, remodeling, or
alteration of existing facilities)"; by striking out "nursing home
care" where it appears the second time and inserting in lieu thereof
"domiciliary, nursing home, or hospital care"; and by striking
out "facilities," where it appears the third time and inserting
in lieu thereof "construction (but in no event an amount greater
than the amount of assistance provided for such construction
under this subchapter)."

Sec. 4. (a) The heading at the beginning of subchapter III of chap­
ter 81 of title 38, United States Code, is amended by striking out
"Nursing Home Care" and inserting in lieu thereof "Domiciliary,
Nursing Home, and Hospital Care".
(b) The table of sections at the beginning of chapter 17 of such
title, is amended by striking out
"644. Authorization of appropriations.".
(c) The table of sections at the beginning of the heading of sub­
chapter III of chapter 81 of such title, is amended by striking out
"Nursing Home Care" and inserting in lieu thereof "Domiciliary,
Nursing Home, and Hospital Care".

Sec. 5. (a) Except as provided in subsection (b) of this section, the
amendments made by this Act shall be effective October 1, 1977.
(b) (1) The terms and conditions of any grant made prior to Octo­
ber 1, 1977, under section 644 of title 38, United States Code, and regu­
lations prescribed thereunder, shall remain in full force and effect
unless modified, by the mutual agreement of the parties, in accordance
with the provisions of subchapter III of chapter 81 of such title, and
regulations prescribed thereunder, in effect after September 30, 1977.
(2) With respect to any grant made prior to October 1, 1977, under subchapter III of chapter 81 of such title, the Administrator of Veterans' Affairs shall, upon application of a grantee, modify the terms and conditions of such grant to comply with the provisions of such subchapter as amended by this Act, and regulations prescribed thereunder, and shall promptly notify each such grantee of the grantee's right to request such modification.

Approved July 5, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-112 (Comm. on Veterans' Affairs).
SENATE REPORT No. 95-166 (Comm. on Veterans' Affairs).
Apr. 4, considered and passed House.
May 24, considered and passed Senate, amended.
June 22, House concurred in Senate amendment.