

108TH CONGRESS  
2D SESSION

# S. 2196

To amend title 38, United States Code, to clarify that per diem payments by the Department of Veterans Affairs for the care of veterans in State homes shall not be used to offset payments that are made under the medicaid program for the purpose of assisting veterans.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 11, 2004

Mr. CAMPBELL (for himself, Ms. COLLINS, and Ms. SNOWE) introduced the following bill; which was referred to the Committee on Finance

---

## A BILL

To amend title 38, United States Code, to clarify that per diem payments by the Department of Veterans Affairs for the care of veterans in State homes shall not be used to offset payments that are made under the medicaid program for the purpose of assisting veterans.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TREATMENT UNDER MEDICAID PROGRAM OF**  
2 **DEPARTMENT OF VETERANS AFFAIRS PER**  
3 **DIEM PAYMENTS TO STATE HOMES FOR VET-**  
4 **ERANS.**

5 Section 1741 of title 38, United States Code, is  
6 amended by adding at the end the following new sub-  
7 section:

8 “(e) Payments to States pursuant to this section shall  
9 not be considered a liability of a third party for any pur-  
10 pose under section 1902(a)(25) of the Social Security Act  
11 (42 U.S.C. 1396a(25)).”.

○