

110TH CONGRESS  
2D SESSION

# S. 3095

To amend title XVIII of the Social Security Act to expand the Medicare Rural Hospital Flexibility Program to increase the delivery of mental health services and other health services to veterans of Operation Enduring Freedom and Operation Iraqi Freedom and to other residents of rural areas, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 5, 2008

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to expand the Medicare Rural Hospital Flexibility Program to increase the delivery of mental health services and other health services to veterans of Operation Enduring Freedom and Operation Iraqi Freedom and to other residents of rural areas, 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 “Relief for Rural Vet-  
5       erans in Crisis Act of 2008”.

1 **SEC. 2. EXPANSION AND EXTENSION OF THE MEDICARE**  
2 **RURAL HOSPITAL FLEXIBILITY PROGRAM.**

3 (a) IN GENERAL.—Section 1820(g) of the Social Se-  
4 curity Act (42 U.S.C. 1395i–4(g)) is amended by adding  
5 at the end the following new paragraph:

6 “(6) PROVIDING MENTAL HEALTH SERVICES  
7 AND OTHER HEALTH SERVICES TO VETERANS AND  
8 OTHER RESIDENTS OF RURAL AREAS.—

9 “(A) GRANTS TO STATES.—The Secretary  
10 may award grants to States that have sub-  
11 mitted applications in accordance with subpara-  
12 graph (B) for increasing the delivery of mental  
13 health services or other health care services  
14 deemed necessary to meet the needs of veterans  
15 of Operation Iraqi Freedom and Operation En-  
16 during Freedom living in rural areas (as de-  
17 fined for purposes of section 1886(d) and in-  
18 cluding areas that are rural census tracts, as  
19 defined by the Administrator of the Health Re-  
20 sources and Services Administration), including  
21 for the provision of crisis intervention services  
22 and the detection of post-traumatic stress dis-  
23 order, traumatic brain injury, and other signa-  
24 ture injuries of veterans of Operation Iraqi  
25 Freedom and Operation Enduring Freedom,  
26 and for referral of such veterans to medical fa-

1 facilities operated by the Department of Veterans  
2 Affairs, and for the delivery of such services to  
3 other residents of such rural areas.

4 “(B) APPLICATION.—

5 “(i) IN GENERAL.—An application is  
6 in accordance with this subparagraph if  
7 the State submits to the Secretary at such  
8 time and in such form as the Secretary  
9 may require an application containing the  
10 assurances described in subparagraphs  
11 (A)(ii) and (A)(iii) of subsection (b)(1).

12 “(ii) CONSIDERATION OF REGIONAL  
13 APPROACHES, NETWORKS, OR TECH-  
14 NOLOGY.—The Secretary may, as appro-  
15 priate in awarding grants to States under  
16 subparagraph (A), consider whether the  
17 application submitted by a State under  
18 this subparagraph includes 1 or more pro-  
19 posals that utilize regional approaches,  
20 networks, health information technology,  
21 telehealth, or telemedicine to deliver serv-  
22 ices described in subparagraph (A) to indi-  
23 viduals described in that subparagraph.  
24 For purposes of this clause, a network  
25 may, as the Secretary determines appro-

1            puate, include Federally qualified health  
2            centers, rural health clinics, home health  
3            agencies, community mental health clinics  
4            and other providers of mental health serv-  
5            ices, pharmacists, local government, and  
6            other providers deemed necessary to meet  
7            the needs of veterans.

8            “(iii) COORDINATION AT LOCAL  
9            LEVEL.—The Secretary shall require, as  
10           appropriate, a State to demonstrate con-  
11           sultation with the hospital association of  
12           such State, rural hospitals located in such  
13           State, providers of mental health services,  
14           or other appropriate stakeholders for the  
15           provision of services under a grant award-  
16           ed under this paragraph.

17           “(iv) SPECIAL CONSIDERATION OF  
18           CERTAIN APPLICATIONS.—In awarding  
19           grants to States under subparagraph (A),  
20           the Secretary shall give special consider-  
21           ation to applications submitted by States  
22           in which veterans make up a high percent-  
23           age (as determined by the Secretary) of  
24           the total population of the State. Such  
25           consideration shall be given without regard

1 to the number of veterans of Operation  
2 Iraqi Freedom and Operation Enduring  
3 Freedom living in the areas in which men-  
4 tal health services and other health care  
5 services would be delivered under the appli-  
6 cation.

7 “(C) COORDINATION WITH VA.—The Sec-  
8 retary shall, as appropriate, consult with the  
9 Director of the Office of Rural Health of the  
10 Department of Veterans Affairs in awarding  
11 grants to States under subparagraph (A).

12 “(D) USE OF FUNDS.—A State awarded a  
13 grant under this paragraph may, as appro-  
14 priate, use the funds to reimburse providers of  
15 services described in subparagraph (A) to indi-  
16 viduals described in that subparagraph.

17 “(E) LIMITATION ON USE OF GRANT  
18 FUNDS FOR ADMINISTRATIVE EXPENSES.—A  
19 State awarded a grant under this paragraph  
20 may not expend more than 15 percent of the  
21 amount of the grant for administrative ex-  
22 penses.

23 “(F) FINAL REPORT.—Not later than 1  
24 year after the date on which the last grant is  
25 awarded to a State under subparagraph (A),

1 the Secretary shall submit a report to Congress  
2 on the grants awarded under such subpara-  
3 graph. Such report shall include an assessment  
4 of the impact of such grants on increasing the  
5 delivery of mental health services and other  
6 health services to veterans of the United States  
7 Armed Forces living in rural areas (as so de-  
8 fined and including such areas that are rural  
9 census tracts), with particular emphasis on the  
10 impact of such grants on the delivery of such  
11 services to veterans of Operation Enduring  
12 Freedom and Operation Iraqi Freedom, and to  
13 other individuals living in such rural areas.”.

14 (b) USE OF FUNDS FOR FEDERAL ADMINISTRATIVE  
15 EXPENSES.—Section 1820(g)(5) of the Social Security  
16 Act (42 U.S.C. 1395i–4(g)(5)) is amended—

17 (1) by striking “beginning with fiscal year  
18 2005” and inserting “for each of fiscal years 2005  
19 through 2008”; and

20 (2) by inserting “and, of the total amount ap-  
21 propriated for grants under paragraphs (1), (2), and  
22 (6) for a fiscal year (beginning with fiscal year  
23 2009)” after “2005”).

1       (c) EXTENSION OF AUTHORIZATION FOR FLEX  
2 GRANTS.—Section 1820(j) of the Social Security Act (42  
3 U.S.C. 1395i–4(j)) is amended—

4           (1) by striking “and for” and inserting “for”;  
5       and

6           (2) by inserting “, for making grants to all  
7       States under paragraphs (1) and (2) of subsection  
8       (g), \$55,000,000 in each of fiscal years 2009 and  
9       2010, and for making grants to all States under  
10      paragraph (6) of subsection (g), \$50,000,000 in  
11      each of fiscal years 2009 and 2010, to remain avail-  
12      able until expended” before the period at the end.

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