

113TH CONGRESS
2D SESSION

S. 2607

To extend and modify the pilot program of the Department of Veterans Affairs on assisted living services for veterans with traumatic brain injury, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2014

Mr. BOOKER (for himself and Mr. HELLER) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To extend and modify the pilot program of the Department of Veterans Affairs on assisted living services for veterans with traumatic brain injury, 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 “Assisted Living Pilot
5 Program for Veterans with Traumatic Brain Injury Ex-
6 tension Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) The wars in Iraq and Afghanistan have re-
2 sulted in a generation of veterans with traumatic
3 brain injuries.

4 (2) Since 2001, more than 265,000 members of
5 the Armed Forces have suffered traumatic brain in-
6 juries.

7 (3) Since 2001, more than 26,000 members of
8 the Armed Forces have suffered moderate or severe
9 head wounds.

10 (4) Advances in medicine have kept members of
11 the Armed Forces alive who have suffered head
12 wounds that might have killed them in previous con-
13 flicts.

14 (5) The pilot program of the Department of
15 Veterans Affairs to assess the effectiveness of pro-
16 viding assisted living services to eligible veterans to
17 enhance the rehabilitation, quality of life, and com-
18 munity integration of such veterans required by sec-
19 tion 1705(a) of the National Defense Authorization
20 Act for Fiscal Year 2008 (Public Law 110–181; 38
21 U.S.C. 1710C note) has provided to veterans who
22 have moderate to severe traumatic brain injuries,
23 often coupled with other significant physical and
24 psychological challenges, a level of comprehensive,

1 coordinated care in residential facilities across the
2 United States since 2008.

3 (6) The model of care practiced under the pilot
4 program specified in paragraph (5) has yielded im-
5 pressive results and helped rehabilitate dozens of
6 veterans from severe injuries that are notoriously
7 difficult to treat.

8 (7) The Department of Veterans Affairs does
9 not offer to veterans any alternatives to the pilot
10 program specified in paragraph (5) that replicate—

11 (A) the comprehensiveness of the rehabili-
12 tative care provided under such program;

13 (B) the benefit of providing care under
14 such program in a residential setting; and

15 (C) the significant positive impact on vet-
16 erans of the sustained, longer-term care pro-
17 vided under such program.

18 **SEC. 3. EXTENSION AND MODIFICATION OF PILOT PRO-**
19 **GRAM ON ASSISTED LIVING SERVICES FOR**
20 **VETERANS WITH TRAUMATIC BRAIN INJURY.**

21 (a) EXTENSION OF PROGRAM.—Subsection (a) of
22 section 1705 of the National Defense Authorization Act
23 for Fiscal Year 2008 (Public Law 110–181; 38 U.S.C.
24 1710C note) is amended by striking “a five-year” and in-
25 serting “an eight-year”.

1 (b) MODIFICATION OF LOCATIONS.—Subsection (b)
2 of such section is amended—

3 (1) by redesignating paragraph (2) as para-
4 graph (3); and

5 (2) by striking paragraph (1) and inserting the
6 following new paragraphs:

7 “(1) IN GENERAL.—The pilot program shall be
8 carried out at locations selected by the Secretary for
9 purposes of the pilot program.

10 “(2) LOCATED IN SAME REGION AS
11 POLYTRAUMA CENTERS.—Of the locations selected
12 under paragraph (1), at least one location shall be
13 in each health care region of the Veterans Health
14 Administration of the Department of Veterans Af-
15 fairs that contains a polytrauma center of the De-
16 partment of Veterans Affairs.”.

17 (c) MODIFICATION OF REPORT REQUIREMENTS.—
18 Subsection (e) of such section is amended to read as fol-
19 lows:

20 “(e) REPORTS.—

21 “(1) ANNUAL REPORT.—

22 “(A) IN GENERAL.—Not later than two
23 years after the date of the enactment of the As-
24 sisted Living Pilot Program for Veterans with
25 Traumatic Brain Injury Extension Act, and not

1 later than September 30 each year thereafter
2 until 2018, the Secretary shall submit to the
3 Committee on Veterans' Affairs of the Senate
4 and the Committee on Veterans' Affairs of the
5 House of Representatives a report on the pilot
6 program.

7 “(B) ELEMENTS.—Each report submitted
8 under subparagraph (A) shall include the fol-
9 lowing:

10 “(i) The number of individuals that
11 participated in the pilot program during
12 the year preceding the submission of the
13 report.

14 “(ii) The number of individuals that
15 successfully completed the pilot program
16 during the year preceding the submission
17 of the report.

18 “(iii) The degree to which pilot pro-
19 gram participants and family members of
20 pilot program participants were satisfied
21 with the pilot program.

22 “(iv) The interim findings and conclu-
23 sions of the Secretary with respect to the
24 success of the pilot program and rec-
25 ommendations for improvement.

1 “(2) FINAL REPORT.—

2 “(A) IN GENERAL.—Not later than 60
3 days after the completion of the pilot program,
4 the Secretary shall submit to the Committee on
5 Veterans’ Affairs of the Senate and the Com-
6 mittee on Veterans’ Affairs of the House of
7 Representatives a final report on the pilot pro-
8 gram.

9 “(B) ELEMENTS.—The final report re-
10 quired by subparagraph (A) shall include the
11 following:

12 “(i) A description of the pilot pro-
13 gram.

14 “(ii) An assessment of the utility of
15 the activities under the pilot program in
16 enhancing the rehabilitation, quality of life,
17 and community reintegration of veterans
18 with traumatic brain injury, including com-
19 plex mild traumatic brain injury.

20 “(iii) Such recommendations as the
21 Secretary considers appropriate regarding
22 improving the pilot program.”.

23 (d) MODIFICATION OF DEFINITIONS.—

1 (1) COMMUNITY-BASED BRAIN INJURY RESI-
 2 DENTIAL REHABILITATIVE CARE SERVICES.—Such
 3 section is further amended—

4 (A) in the section heading, by striking
 5 “**ASSISTED LIVING**” and inserting “**COMMU-**
 6 **NITY-BASED BRAIN INJURY RESIDENTIAL**
 7 **REHABILITATIVE CARE**”;

8 (B) in subsection (c), in the subsection
 9 heading, by striking “ASSISTED LIVING” and
 10 inserting “COMMUNITY-BASED BRAIN INJURY
 11 RESIDENTIAL REHABILITATIVE CARE”;

12 (C) by striking “assisted living” each place
 13 it appears, and inserting “community-based
 14 brain injury rehabilitative care”; and

15 (D) in subsection (f)(1), by striking “and
 16 personal care” and inserting “rehabilitation,
 17 and personal care”.

18 (2) ELIGIBLE VETERAN.—Subsection (f)(3) of
 19 such section is amended—

20 (A) in subparagraph (C), by striking “;
 21 and” and inserting a semicolon;

22 (B) in subparagraph (D), by striking the
 23 period at the end and inserting “; and”; and

24 (C) by adding at the end the following new
 25 subparagraph:

1 “(E) has a traumatic brain injury that is
2 classified as complex-mild to severe.”.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated for the Department of Vet-
5 erans Affairs for fiscal year 2015 \$46,000,000 to carry
6 out the pilot program under section 1705 of the National
7 Defense Authorization Act for Fiscal Year 2008 (Public
8 Law 110–181; 38 U.S.C. 1710C note), as amended by this
9 section. The amount so authorized to be appropriated shall
10 be available for obligation for the three-year period begin-
11 ning on the date that is one year after the date of the
12 enactment of this Act.

13 (f) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect on October 1, 2014.

○