

114TH CONGRESS
1ST SESSION

S. 739

To modify the treatment of agreements entered into by the Secretary of Veterans Affairs to furnish nursing home care, adult day health care, or other extended care services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2015

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

A BILL

To modify the treatment of agreements entered into by the Secretary of Veterans Affairs to furnish nursing home care, adult day health care, or other extended care services, 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 “Veterans Access to
5 Extended Care Act of 2015”.

1 **SEC. 2. TREATMENT OF AGREEMENTS FOR NURSING HOME**
2 **CARE, ADULT DAY HEALTH CARE, OR OTHER**
3 **EXTENDED CARE SERVICES FROM DEPART-**
4 **MENT OF VETERANS AFFAIRS.**

5 (a) IN GENERAL.—Subparagraph (B) of section
6 1720(c)(1) of title 38, United States Code, is amended
7 by adding after the period at the end the following: “Any
8 such agreement shall not be treated as a Federal contract
9 for the acquisition of goods or services and is not subject
10 to any provision of law governing Federal contracts for
11 the acquisition of goods or services. Title 41 shall not
12 apply to any such agreement.”.

13 (b) REQUIREMENTS.—Such section is amended by
14 adding at the end the following new subparagraphs:

15 “(C) Any agreement entered into under subpara-
16 graph (A) with a provider described in that subparagraph
17 shall include provisions that are necessary to ensure the
18 safety and quality of care furnished to veterans pursuant
19 to such agreement, including the following:

20 “(i) Requirements as to the licensing and
21 credentialing of medical professionals of the pro-
22 vider, as applicable.

23 “(ii) Review by the Department of medical
24 records of the provider.

1 “(iii) Visits by employees of the Department to
2 assess facilities and practices of the provider on an
3 unannounced basis.

4 “(iv) Review by the Department of staffing lev-
5 els for medical professionals and support personnel
6 of the provider.

7 “(v) Such other provisions as the Secretary con-
8 siders necessary to ensure the safety and quality of
9 care furnished to veterans.

10 “(D) The failure of a provider with which the Sec-
11 retary has entered into an agreement under subparagraph
12 (A) to comply with a provision of such agreement de-
13 scribed in subparagraph (C) may result in the termination
14 of such agreement by the Department.”.

15 **SEC. 3. EXEMPTION OF AGREEMENTS ENTERED INTO BY**
16 **SECRETARY OF VETERANS AFFAIRS FOR**
17 **NURSING HOME CARE, ADULT DAY HEALTH**
18 **CARE, OR OTHER EXTENDED CARE SERVICES**
19 **FROM THE APPLICATION OF CERTAIN LABOR**
20 **LAWS.**

21 Section 6702(b) of title 41, United States Code, is
22 amended—

23 (1) in paragraph (6), by striking “; and” and
24 inserting a semicolon;

1 (2) in paragraph (7), by striking the period at
2 the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(8) an agreement to furnish nursing home
5 care, adult day health care, or other extended care
6 services under section 1720 of title 38.”.

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