

115TH CONGRESS
2D SESSION

H. R. 5397

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish, at the request of an eligible veteran, nursing home care and hospital care at State licensed or certified residential care facilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Ms. DELAURO (for herself, Mr. LARSON of Connecticut, Mr. COURTNEY, and Mr. HIMES) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish, at the request of an eligible veteran, nursing home care and hospital care at State licensed or certified residential care facilities.

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 Residential
5 Care Choice Act”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS PROVISION**
2 **OF NURSING HOME CARE AND HOSPITAL**
3 **CARE AT STATE LICENSED OR CERTIFIED**
4 **RESIDENTIAL CARE FACILITIES.**

5 (a) IN GENERAL.—Subchapter II of chapter 17 of
6 title 38, United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 1720I. State licensed or certified residential care**
9 **facilities**

10 “(a) IN GENERAL.—At the request of an eligible vet-
11 eran for whom the Secretary is required to provide domi-
12 ciliary, nursing home, adult day health, or hospital care
13 under this chapter, or whom the Secretary determines is
14 in need of such care, the Secretary may place the veteran
15 in a State licensed or certified residential care facility that
16 meets Department standards, at the expense of the United
17 States, pursuant to a contract or agreement entered into
18 between the Secretary and the facility for such purpose,
19 if the cost of providing such care to such veteran through
20 such facility is less than the cost of providing such care
21 to the veteran through any other available option. A vet-
22 eran who is placed in such a facility under this section
23 shall agree, as a condition of such placement, to accept
24 home health services furnished by the Secretary under sec-
25 tion 1717 of this title.

1 “(b) ELIGIBILITY.—For purposes of this section, an
 2 eligible veteran is a veteran who is eligible for hospital care
 3 or medical services under section 1710 of this title.

4 “(c) DEFINITION OF STATE LICENSED OR CER-
 5 TIFIED RESIDENTIAL CARE FACILITY.—In this section,
 6 the term ‘State licensed or certified residential care facil-
 7 ity’ means any assisted living facility, basic care facility,
 8 community residence, enriched housing program, home for
 9 the aged, personal care home, shared housing establish-
 10 ment, or other similar licensed or certified facility.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
 12 at the beginning of such chapter is amended by adding
 13 at the end of the items relating to such subchapter the
 14 following new item:

“1720I. State licensed or certified residential care facilities.”.

15 (c) APPLICABILITY.—Section 1720I of title 38,
 16 United States Code, shall take effect on the date of the
 17 enactment of this Act and shall apply with respect to any
 18 veteran who is eligible under subsection (b) of that section,
 19 including such a veteran who, as of the date of the enact-
 20 ment of this Act, resides in a State licensed or certified
 21 residential care facility, as such term is defined in sub-
 22 section (c) of such section.

○