

Public Law 100-6
100th Congress

Joint Resolution

Feb. 12, 1987

[H.J. Res. 102]

Making emergency additional funds available by transfer for the fiscal year ending September 30, 1987, for the Emergency Food and Shelter Program of the Federal Emergency Management Agency.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is transferred, out of funds previously appropriated, for the fiscal year ending September 30, 1987, namely:

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(RESCISSION)

100 Stat. 1783.

100 Stat. 3341.

Of the funds included under this head in the Department of Housing and Urban Development-Independent Agencies Appropriations Act, 1987, and made available by Public Laws 99-500 and 99-591, \$7,475,000 are rescinded.

EMERGENCY FOOD AND SHELTER PROGRAM

(BY TRANSFER)

For an additional amount for the "Emergency Food and Shelter Program", \$50,000,000, which shall be derived by transfer from the Federal Emergency Management Agency appropriation "Disaster relief": *Provided*, That of such amount \$5,000,000 shall be transferred to the Veterans' Administration medical care account to be available for the purpose of section 2 of this joint resolution.

TREATMENT AND REHABILITATION FOR CHRONICALLY MENTALLY ILL
VETERANS

SEC. 2. (a) Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

38 USC 620C.

"§ 620C. Community-based psychiatric residential treatment for chronically mentally ill veterans

"(a) For the purposes of this section:

"(1) The term 'case management' includes the coordination and facilitation of all services furnished to a veteran by the Veterans' Administration, either directly or through a contract, including, but not limited to, screening, assessment of needs, planning, referral (including referral for services to be furnished by either the Veterans' Administration or another entity), monitoring, reassessment, and followup.

"(2) The term 'contract facility' means any facility which has been awarded a contract under subsection (b)(1) of this section.

"(3) The term 'eligible veteran' means a veteran who, at the time of referral to a contract facility—

"(A) is being furnished hospital, domiciliary, or nursing home care by the Administrator for a chronic mental illness disability; or

"(B) is homeless and has a chronic mental illness disability; or

"(C) is a veteran described in section 612(a)(1)(B) of this title and has a chronic mental illness disability.

"(b)(1) The Administrator, in furnishing hospital, nursing home, and domiciliary care and medical and rehabilitative services under this chapter, may contract for care and treatment and rehabilitative services in halfway houses, therapeutic communities, psychiatric residential treatment centers, and other community-based treatment facilities for eligible veterans suffering from chronic mental illness disabilities.

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"(2) Before furnishing such care and services to any veteran through a contract facility, the Administrator shall approve (in accordance with criteria which the Administrator shall prescribe by regulation) the quality and effectiveness of the program operated by such facility for the purpose for which such veteran is to be furnished such care and services.

"(c) In the case of each eligible veteran provided care and services under this section, the Administrator shall designate a Veterans' Administration health-care employee to provide case management services.

"(d) In furnishing care and services under this section, the Administrator shall accord priority for such care and services in the following order:

"(1) To any veteran for a service-connected chronic mental illness disability.

"(2) To any veteran with a disability rated as service-connected.

"(3) To any veteran for a non-service-connected disability, if the veteran is unable to defray the expenses of necessary care as determined under section 622(a)(1) of this title.

"(e) The Administrator may provide in-kind assistance (through the services of Veterans' Administration employees and the sharing of other Veterans' Administration resources) to a contract facility under this section. Any such in-kind assistance shall be provided under a contract between the Veterans' Administration and the contract facility. The Administrator may provide such assistance only for use solely in the furnishing of appropriate services under this section and only if, under such contract, the Veterans' Administration receives reimbursement for the full cost of such assistance, including the cost of services and supplies and normal depreciation and amortization of equipment. Such reimbursement may be made by reduction in the charges to the United States or by payment to the United States. Any funds received through such reimbursement shall be credited to funds allotted to the Veterans' Administration facility that provided the assistance.

Contracts.

"(f) Not later than 3 years after the date of enactment of this section, the Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report

Reports.

on the experience under this section. The report shall include the Administrator's evaluation and findings regarding—

Contracts.

"(1) the quality of care furnished to participating veterans through contract facilities;

"(2) any health advantages that may result from furnishing such care and services to veterans in such contract facilities rather than in inpatient facilities over which the Administrator has direct jurisdiction;

"(3) the effectiveness of the use of contract facilities under this section in enabling the participating veterans to live outside of Veterans' Administration inpatient facilities and to achieve independence in living and functioning in their communities;

"(4) the health advantages and cost effectiveness of the use of contract facilities under this section to furnish shelter and health care to homeless veterans who are suffering from chronic mental illness disabilities;

"(5) the cost-effectiveness of furnishing such care through contract facilities under this section, including the effect on the average daily census in the Veterans' Administration hospitals, nursing homes, and domiciliary facilities participating in the program (taking into account whether the beds previously occupied by the participating veterans were subsequently occupied by other eligible veterans or remained unoccupied) and the effect on the numbers of Veterans' Administration staff employed at such facilities; and

"(6) any plans for administrative action, and any recommendations for legislation, that the Administrator considers appropriate to include in such report."

(b) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by inserting after the item relating to section 620B the following new item:

"620C. Community-based psychiatric residential treatment for chronically mentally ill veterans."

(c) Any contract authority or other spending authority granted by this section shall be limited to \$5,000,000.

SEC. 3. The recommendations of the President relating to rates of pay for offices and positions within the purview of section 225(f) of the Federal Salary Act of 1967, as included (pursuant to section 225(h) of such Act) in the budget transmitted to the Congress for fiscal year 1988, are disapproved.

DEPARTMENT OF AGRICULTURE

FOOD AND NUTRITION SERVICE

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM

(Disapproval of Deferral)

The Congress disapproves the proposed deferral D87-33, in the amount of \$28,559,000, relating to the Department of Agriculture, Food and Nutrition Service, Temporary Emergency Food Assistance

38 USC 620C
note.

2 USC 358 note.

2 USC 356.

2 USC 358.

Program, as set forth in the message of January 28, 1987, which was transmitted to the Congress by the President. The disapproval shall be effective upon enactment into law of this joint resolution and the amount of the proposed deferral disapproved herein shall be made available for obligation.

Effective date.

Approved February 12, 1987.

LEGISLATIVE HISTORY—H.J. Res. 102:

HOUSE REPORTS: No. 100-4 (Comm. on Appropriations).

SENATE REPORTS: No. 100-5 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 133 (1987):

Jan. 27, considered and passed House.

Jan. 29, considered and passed Senate, amended.

Feb. 4, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 23 (1987):

Feb. 12, Presidential statement.