

Public Law 115–159
115th Congress

An Act

Mar. 27, 2018
[S. 324]

State Veterans
Home Adult Day
Health Care
Improvement Act
of 2017.
38 USC 101 note.

To amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “State Veterans Home Adult Day Health Care Improvement Act of 2017”.

SEC. 2. PROVISION OF CERTAIN ADULT DAY HEALTH CARE SERVICES FOR VETERANS.

(a) IN GENERAL.—Section 1745 of title 38, United States Code, is amended—

(1) by adding at the end the following new subsection:
“(d)(1) The Secretary shall enter into an agreement with each State home for payment by the Secretary for medical supervision model adult day health care provided to a veteran described in subsection (a)(1) on whose behalf the State home is not in receipt of payment for nursing home care from the Secretary.

“(2)(A) Payment under each agreement between the Secretary and a State home under paragraph (1) for each veteran who receives medical supervision model adult day health care under such agreement shall be made at a rate established through regulations prescribed by the Secretary to adequately reimburse the State home for the care provided by the State home, including necessary transportation expenses.

“(B) The Secretary shall consult with the State homes in prescribing regulations under subparagraph (A).

“(C) The rate established through regulations under subparagraph (A) shall not take effect until the date that is 30 days after the date on which those regulations are published in the Federal Register.

“(3) Payment by the Secretary under paragraph (1) to a State home for medical supervision model adult day health care provided to a veteran described in that paragraph constitutes payment in full to the State home for such care furnished to that veteran.

“(4) In this subsection, the term ‘medical supervision model adult day health care’ means adult day health care that includes the coordination of physician services, dental services, nursing services, the administration of drugs, and such other requirements as determined appropriate by the Secretary.”; and

(2) in the section heading, by inserting “, adult day health care,” after “home care”.

(b) INITIAL RATE.—Before the Secretary of Veterans Affairs establishes a payment rate under subsection (d)(2)(A) of section 1745 of such title, as added by subsection (a), the Secretary shall pay to a State home that has entered into an agreement with the Secretary for medical supervision model adult day health care (as defined in subsection (d)(4) of such section) an amount equal to 65 percent of the rate the Secretary would pay under subsection (a)(2) of such section to the State home for nursing home care provided to the veteran. 38 USC 1745 note.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1745 and inserting the following new item: 38 USC 1701 prec.

“1745. Nursing home care, adult day health care, and medications for veterans with service-connected disabilities.”.

Approved March 27, 2018.

LEGISLATIVE HISTORY—S. 324 (H.R. 1005):

HOUSE REPORTS: No. 115–148 (Comm. on Veterans’ Affairs) accompanying H.R. 1005.

CONGRESSIONAL RECORD:

Vol. 163 (2017): Nov. 9, considered and passed Senate.
Vol. 164 (2018): Mar. 13, considered and passed House.

