

113TH CONGRESS
2D SESSION

H. R. 4276

To extend and modify a pilot program on assisted living services for veterans with traumatic brain injury.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2014

Mr. CASSIDY (for himself and Mr. MCCARTHY of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To extend and modify a pilot program on assisted living services for veterans with traumatic brain injury.

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 Traumatic
5 Brain Injury Care Improvement Act of 2014”.

6 **SEC. 2. EXTENSION AND MODIFICATION OF PILOT PRO-**
7 **GRAM ON ASSISTED LIVING SERVICES FOR**
8 **VETERANS WITH TRAUMATIC BRAIN INJURY.**

9 (a) **EXTENSION OF PROGRAM.**—Subsection (a) of
10 section 1705 of the National Defense Authorization Act

1 for Fiscal Year 2008 (Public Law 110–181; 38 U.S.C.
2 1710C note) is amended by striking “a five-year” and in-
3 serting “an eight-year”.

4 (b) MODIFICATION OF LOCATIONS.—Subsection (b)
5 of such section is amended—

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

8 (2) by striking paragraph (1) and inserting the
9 following new paragraphs:

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

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

20 (c) MODIFICATION OF REPORT REQUIREMENTS.—
21 Subsection (e) of such section is amended to read as fol-
22 lows:

23 “(e) REPORTS.—

24 “(1) QUARTERLY REPORTS.—

1 “(A) IN GENERAL.—During each 90-day
2 period occurring during the period beginning
3 January 1, 2016, and ending January 1, 2018,
4 the Secretary shall submit to the Committees
5 on Veterans’ Affairs of the Senate and the
6 House of Representatives a report on the pilot
7 program.

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

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

15 “(ii) The number of individuals that
16 successfully completed the pilot program
17 during the quarter preceding the submis-
18 sion of the report.

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

23 “(iv) The interim findings and conclu-
24 sions of the Secretary with respect to the

1 success of the pilot program and rec-
2 ommendations for improvement.

3 “(2) FINAL REPORT.—

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

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

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

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

21 “(iii) An evaluation of the pilot pro-
22 gram in light of independent living pro-
23 grams carried out by the Secretary under
24 title 38, United States Code, including—

1 “(I) whether the pilot program
2 duplicates services provided under
3 such independent living programs;

4 “(II) the ways in which the pilot
5 program provides different services;

6 “(III) how the pilot program
7 could be better defined or shaped; and

8 “(IV) whether the pilot program
9 should be incorporated into such inde-
10 pendent living programs.

11 “(iv) Such recommendations as the
12 Secretary considers appropriate regarding
13 improving the pilot program.”.

14 (d) MODIFICATION OF DEFINITIONS.—

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

18 (A) in the section heading, by striking
19 “**ASSISTED LIVING**” and inserting “**COMMU-
20 NITY-BASED BRAIN INJURY RESIDENTIAL
21 REHABILITATIVE CARE**”;

22 (B) in subsection (c), in the subsection
23 heading, by striking “ASSISTED LIVING” and
24 inserting “COMMUNITY-BASED BRAIN INJURY
25 RESIDENTIAL REHABILITATIVE CARE”;

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

4 (D) in subsection (f)(1), by striking “and
5 personal care” and inserting “rehabilitation,
6 and personal care”.

7 (2) ELIGIBLE VETERAN.—Subsection (f)(3) of
8 such section is amended—

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

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

13 (C) by adding at the end the following new
14 subparagraph:

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

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated for the Department of Vet-
19 erans Affairs for fiscal year 2015 \$46,000,000 to carry
20 out the pilot program under section 1705 of the National
21 Defense Authorization Act for Fiscal Year 2008 (Public
22 Law 110–181; 38 U.S.C. 1710C note), as amended by this
23 section. The amount so authorized to be appropriated shall
24 be available for obligation for the three-year period begin-
25 ning on October 1, 2014.

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

3 **SEC. 3. IMPROVEMENTS TO RECOVERY BY UNITED STATES**
4 **OF COST OF CERTAIN CARE AND SERVICES**
5 **PROVIDED BY DEPARTMENT OF VETERANS**
6 **AFFAIRS.**

7 Section 1729(h) of title 38, United States Code, is
8 amended by adding at the end the following new para-
9 graph:

10 “(4)(A) Notwithstanding paragraph (3) or section
11 7332 of this title, the Secretary may make available to
12 third parties medical records of a veteran described in
13 paragraph (2) without the written consent of the veteran
14 if—

15 “(i) the care or services furnished to the vet-
16 eran for which recovery or collection is sought under
17 this section relates to drug abuse, alcoholism or alco-
18 hol abuse, infection with the human immuno-
19 deficiency virus, or sickle cell anemia; and

20 “(ii) by not later than 30 days after receiving
21 such care or services, the Secretary does not receive
22 from the veteran a notification described in subpara-
23 graph (B).

24 “(B) A notification described in this subparagraph is
25 a notification by a veteran that the veteran does not con-

- 1 sent to a disclosure of medical records of the veteran
- 2 under subparagraph (A).”.

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