

113TH CONGRESS
1ST SESSION

S. 287

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2013

Referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to improve assistance to homeless veterans, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Helping Homeless Vet-
3 erans Act of 2013”.

4 **SEC. 2. EXPANSION OF DEFINITION OF HOMELESS VET-**
5 **ERAN FOR PURPOSES OF BENEFITS UNDER**
6 **THE LAWS ADMINISTERED BY THE SEC-**
7 **RETARY OF VETERANS AFFAIRS.**

8 Section 2002(1) of title 38, United States Code, is
9 amended by striking “in section 103(a) of the McKinney-
10 Vento Homeless Assistance Act (42 U.S.C. 11302(a))”
11 and inserting “in subsection (a) or (b) of section 103 of
12 the McKinney-Vento Homeless Assistance Act (42 U.S.C.
13 11302)”.

14 **SEC. 3. IMPROVEMENTS TO GRANT PROGRAM FOR COM-**
15 **PREHENSIVE SERVICE PROGRAMS FOR**
16 **HOMELESS VETERANS.**

17 (a) MODIFICATION OF AUTHORITY TO PROVIDE CAP-
18 ITAL IMPROVEMENT GRANTS FOR PROGRAMS THAT AS-
19 SIST HOMELESS VETERANS.—Subsection (a) of section
20 2011 of title 38, United States Code, is amended, in the
21 matter before paragraph (1)—

22 (1) by striking “or modifying” and inserting “,
23 modifying, or maintaining”; and

24 (2) by inserting “privately, safely, and se-
25 curely,” before “the following”.

1 (b) REQUIREMENT THAT RECIPIENTS OF GRANTS
2 MEET PHYSICAL PRIVACY, SAFETY, AND SECURITY
3 NEEDS OF HOMELESS VETERANS.—Subsection (f) of
4 such section is amended by adding at the end the following
5 new paragraph:

6 “(6) To meet the physical privacy, safety, and
7 security needs of homeless veterans receiving serv-
8 ices through the project.”.

9 **SEC. 4. INCREASED PER DIEM PAYMENTS FOR TRANSI-**
10 **TIONAL HOUSING ASSISTANCE THAT BE-**
11 **COMES PERMANENT HOUSING FOR HOME-**
12 **LESS VETERANS.**

13 Section 2012(a)(2) of title 38, United States Code,
14 is amended—

15 (1) by redesignating subparagraphs (B)
16 through (D) as subparagraphs (C) through (E), re-
17 spectively;

18 (2) in subparagraph (C), as redesignated, by
19 striking “in subparagraph (D)” and inserting “in
20 subparagraph (E)”;

21 (3) in subparagraph (D), as redesignated, by
22 striking “under subparagraph (B)” and inserting
23 “under subparagraph (C)”;

1 (4) in subparagraph (E), as redesignated, by
2 striking “in subparagraphs (B) and (C)” and insert-
3 ing “in subparagraphs (C) and (D)”; and

4 (5) in subparagraph (A)—

5 (A) by striking “The rate” and inserting
6 “Except as otherwise provided in subparagraph
7 (B), the rate”; and

8 (B) by striking “under subparagraph (B)”
9 and all that follows through the end and insert-
10 ing the following: “under subparagraph (C).

11 “(B)(i) Except as provided in clause (ii), in no case
12 may the rate determined under this paragraph exceed the
13 rate authorized for State homes for domiciliary care under
14 subsection (a)(1)(A) of section 1741 of this title, as the
15 Secretary may increase from time to time under sub-
16 section (c) of that section.

17 “(ii) In the case of services furnished to a homeless
18 veteran who is placed in housing that will become perma-
19 nent housing for the veteran upon termination of the fur-
20 nishing of such services to such veteran, the maximum
21 rate of per diem authorized under this section is 150 per-
22 cent of the rate described in clause (i).”.

1 **SEC. 5. AUTHORIZATION OF PER DIEM PAYMENTS FOR**
2 **FURNISHING CARE TO DEPENDENTS OF CER-**
3 **TAIN HOMELESS VETERANS.**

4 Subsection (a) of section 2012 of title 38, United
5 States Code, is amended by adding at the end the fol-
6 lowing new paragraph:

7 “(4) Services for which a recipient of a grant under
8 section 2011 of this title (or an entity described in para-
9 graph (1)) may receive per diem payments under this sub-
10 section may include furnishing care for a dependent of a
11 homeless veteran who is under the care of such homeless
12 veteran while such homeless veteran receives services from
13 the grant recipient (or entity).”.

14 **SEC. 6. REQUIREMENT FOR DEPARTMENT OF VETERANS**
15 **AFFAIRS TO ASSESS COMPREHENSIVE SERV-**
16 **ICE PROGRAMS FOR HOMELESS VETERANS.**

17 (a) IN GENERAL.—Not later than one year after the
18 date of the enactment of this Act, the Secretary of Vet-
19 erans Affairs shall assess and measure the capacity of pro-
20 grams for which entities receive grants under section 2011
21 of title 38, United States Code, or per diem payments
22 under section 2012 or 2061 of such title.

23 (b) ASSESSMENT AT NATIONAL AND LOCAL LEV-
24 ELS.—In assessing and measuring under subsection (a),
25 the Secretary shall develop and use tools to examine the

1 capacity of programs described in such subsection at both
2 the national and local level in order to assess the following:

3 (1) Whether sufficient capacity exists to meet
4 the needs of homeless veterans in each geographic
5 area.

6 (2) Whether existing capacity meets the needs
7 of the subpopulations of homeless veterans located in
8 each geographic area.

9 (3) The amount of capacity that recipients of
10 grants under sections 2011 and 2061 and per diem
11 payments under section 2012 of such title have to
12 provide services for which the recipients are eligible
13 to receive per diem under section 2012(a)(2)(B)(ii)
14 of title 38, United States Code, as added by section
15 4(5)(B).

16 (c) USE OF INFORMATION.—The Secretary shall use
17 the information collected under this section as follows:

18 (1) To set specific goals to ensure that pro-
19 grams described in subsection (a) are effectively
20 serving the needs of homeless veterans.

21 (2) To assess whether programs described in
22 subsection (a) are meeting goals set under para-
23 graph (1).

24 (3) To inform funding allocations for programs
25 described in subsection (a).

1 (4) To improve the referral of homeless vet-
2 erans to programs described in subsection (a).

3 (d) REPORT.—Not later than 180 days after the date
4 on which the assessment required by subsection (b) is
5 completed, the Secretary shall submit to the Committee
6 on Veterans' Affairs of the Senate and the Committee on
7 Veterans' Affairs of the House of Representatives a report
8 on such assessment and such recommendations for legisla-
9 tive and administrative action as the Secretary may have
10 to improve the programs and per diem payments described
11 in subsection (a).

12 **SEC. 7. EXPANSION OF DEPARTMENT OF VETERANS AF-**
13 **FAIRS AUTHORITY TO PROVIDE DENTAL**
14 **CARE TO HOMELESS VETERANS.**

15 (a) IN GENERAL.—Section 2062(b) of title 38,
16 United States Code, is amended to read as follows:

17 “(b) ELIGIBLE VETERANS.—(1) Subsection (a) ap-
18 plies to a veteran who—

19 “(A) is enrolled for care under section 1705(a)
20 of this title; and

21 “(B) for a period of 60 consecutive days, is re-
22 ceiving—

23 “(i) assistance under section 8(o) of the
24 United States Housing Act of 1937 (42 U.S.C.
25 1437f(o)); or

1 “(ii) care (directly or by contract) in any
2 of the following settings:

3 “(I) A domiciliary under section 1710
4 of this title.

5 “(II) A therapeutic residence under
6 section 2032 of this title.

7 “(III) Community residential care co-
8 ordinated by the Secretary under section
9 1730 of this title.

10 “(IV) A setting for which the Sec-
11 retary provides funds for a grant and per
12 diem provider.

13 “(V) A setting—

14 “(aa) in which the veteran is re-
15 ceiving transitional housing assist-
16 ance;

17 “(bb) for which funding is not
18 provided for transitional housing as-
19 sistance under the laws administered
20 by the Secretary;

21 “(cc) for which the Secretary re-
22 ceives verification from the provider of
23 care that the veteran is receiving care
24 for a period of 60 consecutive days;
25 and

1 “(dd) from which the Secretary
2 determines that the veteran cannot
3 reasonably access comparable dental
4 services at no cost and in a reasonable
5 period of time.

6 “(2) For purposes of paragraph (1), in determining
7 whether a veteran has received assistance or care for a
8 period of 60 consecutive days, the Secretary may disregard
9 breaks in the continuity of assistance or care for which
10 the veteran is not responsible.”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 subsection (a) shall take effect on the date that is one
13 year after the date of the enactment of this Act.

14 **SEC. 8. PARTNERSHIPS WITH PUBLIC AND PRIVATE ENTI-**
15 **TIES TO PROVIDE LEGAL SERVICES TO**
16 **HOMELESS VETERANS AND VETERANS AT**
17 **RISK OF HOMELESSNESS.**

18 (a) IN GENERAL.—Chapter 20 of title 38, United
19 States Code, is amended by inserting after section 2022
20 the following new section:

1 **“§ 2022A. Partnerships with public and private enti-**
2 **ties to provide legal services to homeless**
3 **veterans and veterans at risk of home-**
4 **lessness**

5 “(a) PARTNERSHIPS AUTHORIZED.—Subject to the
6 availability of funds for that purpose, the Secretary may
7 enter into partnerships with public or private entities to
8 fund a portion of the general legal services specified in
9 subsection (c) that are provided by such entities to home-
10 less veterans and veterans at risk of homelessness.

11 “(b) LOCATIONS.—The Secretary shall ensure that,
12 to the extent practicable, partnerships under this section
13 are made with entities equitably distributed across the ge-
14 ographic regions of the United States, including rural
15 communities, tribal lands of the United States, Native
16 Americans, and tribal organizations (as defined in section
17 3765 of title 38, United States Code).

18 “(c) LEGAL SERVICES.—Legal services specified in
19 this subsection include legal services provided by public
20 or private entities that address the needs of homeless vet-
21 erans and veterans at risk of homelessness as follows:

22 “(1) Legal services related to housing, including
23 eviction defense and representation in landlord-ten-
24 ant cases.

1 “(2) Legal services related to family law, in-
2 cluding assistance in court proceedings for child sup-
3 port, divorce, and estate planning.

4 “(3) Legal services related to income support,
5 including assistance in obtaining public benefits.

6 “(4) Legal services related to criminal defense,
7 including defense in matters symptomatic of home-
8 lessness, such as outstanding warrants, fines, and
9 driver’s license revocation, to reduce recidivism and
10 facilitate the overcoming of reentry obstacles in em-
11 ployment or housing.

12 “(d) CONSULTATION.—In developing and carrying
13 out partnerships under this section, the Secretary shall,
14 to the extent practicable, consult with public and private
15 entities—

16 “(1) for assistance in identifying and contacting
17 organizations capable of providing the legal services
18 described in subsection (c); and

19 “(2) to coordinate appropriate outreach rela-
20 tionships with such organizations.

21 “(e) REPORTS.—The Secretary may require entities
22 that have entered into partnerships under this section to
23 submit to the Secretary periodic reports on legal services
24 provided to homeless veterans and veterans at risk of
25 homelessness pursuant to such partnerships.

1 “(f) SUNSET.—The authority of the Secretary to
2 enter into partnerships under this section as described in
3 subsection (a) shall expire on December 31, 2016.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 20 of such title is amended
6 by adding after the item relating to section 2022 the fol-
7 lowing new item:

“2022A. Partnerships with public and private entities to provide legal services
to homeless veterans and veterans at risk of homelessness.”.

8 **SEC. 9. REQUESTS FOR DATA TO EVALUATE AND IMPROVE**
9 **SERVICES PROVIDED TO VETERANS AT RISK**
10 **OF HOMELESSNESS.**

11 Section 2022 of title 38, United States Code, is
12 amended—

13 (1) by redesignating subsection (f) as sub-
14 section (g);

15 (2) by inserting after subsection (e) the fol-
16 lowing new subsection (f):

17 “(f) REQUESTS FOR DATA TO EVALUATE AND IM-
18 PROVE SERVICES PROVIDED TO VETERANS AT RISK OF
19 HOMELESSNESS.—(1) The Secretary shall from time to
20 time request from the Federal Bureau of Investigation,
21 the Bureau of Prisons, the Bureau of Justice Statistics,
22 and other appropriate Federal law enforcement agencies
23 data in the possession of such agencies useful for the eval-
24 uation and improvement of the services provided to vet-

1 erans at risk of homelessness under this section and sec-
 2 tion 2023 of this title.

3 “(2) Such agencies shall make reasonable efforts to
 4 comply with any such request by the Secretary.”.

5 **SEC. 10. EXTENSION OF AUTHORITY FOR PROGRAM OF RE-**
 6 **FERRAL AND COUNSELING SERVICES FOR**
 7 **VETERANS AT RISK OF HOMELESSNESS WHO**
 8 **ARE TRANSITIONING FROM CERTAIN INSTI-**
 9 **TUTIONS.**

10 Section 2023 of title 38, United States Code, is
 11 amended—

12 (1) by striking subsection (b);

13 (2) in subsection (c)(1), by striking “To the ex-
 14 tent practicable, the program” and inserting “The
 15 program”;

16 (3) in subsection (d), by striking “September
 17 30, 2014” and inserting “September 30, 2017”;

18 (4) in subsection (e)(2), by striking “provided
 19 under the demonstration program”; and

20 (5) by redesignating subsections (c), (d), and
 21 (e) as subsections (b), (c), and (d), respectively.

22 **SEC. 11. REPEAL OF REQUIREMENT FOR ANNUAL REPORTS**
 23 **ON ASSISTANCE TO HOMELESS VETERANS.**

24 (a) IN GENERAL.—Section 2065 of title 38, United
 25 States Code, is hereby repealed.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 20 of such title is amended
3 by striking the item relating to section 2065.

4 **SEC. 12. EXTENSIONS OF AUTHORITIES.**

5 (a) TREATMENT AND REHABILITATION FOR SERI-
6 ously MENTALLY ILL AND HOMELESS VETERANS.—Sec-
7 tion 2031(b) of title 38, United States Code, is amended
8 by striking “December 31, 2013” and inserting “Decem-
9 ber 31, 2014”.

10 (b) CENTERS FOR THE PROVISION OF COMPREHEN-
11 sive SERVICES TO HOMELESS VETERANS.—Section
12 2033(d) of such title is amended by striking “December
13 31, 2013” and inserting “December 31, 2014”.

14 (c) HOUSING ASSISTANCE FOR HOMELESS VET-
15 ERANS.—Section 2041(c) of such title is amended by
16 striking “December 31, 2013” and inserting “December
17 31, 2014”.

18 (d) TRAINING ENTITIES FOR PROVISION OF SUP-
19 PORTIVE SERVICES FOR VERY LOW-INCOME VETERAN
20 FAMILIES IN PERMANENT HOUSING.—Section 2044(e)(3)
21 of such title is amended by striking “2012” and inserting
22 “2014”.

23 (e) TECHNICAL ASSISTANCE GRANTS FOR NON-
24 PROFIT COMMUNITY-BASED GROUPS.—Section 2064(b)

1 of such title is amended by striking “2012” and inserting
2 “2014”.

3 (f) ADVISORY COMMITTEE ON HOMELESS VET-
4 ERANS.—Section 2066(d) of such title is amended by
5 striking “December 31, 2013” and inserting “December
6 31, 2014”.

7 **SEC. 13. EXTENSION OF REDUCED PENSION FOR CERTAIN**
8 **VETERANS COVERED BY MEDICAID PLANS**
9 **FOR SERVICES FURNISHED BY NURSING FA-**
10 **CILITIES.**

11 (a) IN GENERAL.—Subsection (d)(7) of section 5503
12 of title 38, United States Code, is amended by striking
13 “November 30, 2016” and inserting “August 31, 2017”.

14 (b) CLERICAL AMENDMENTS.—

15 (1) SECTION HEADING.—The section heading of
16 such section is amended to read as follows: “**Re-**
17 **duced pension for certain hospitalized**
18 **veterans and certain veterans receiving**
19 **domiciliary, nursing home, or nursing fa-**
20 **cility care”.**

21 (2) TABLE OF SECTIONS.—The table of sections
22 at the beginning of chapter 55 of such title is
23 amended by striking the item relating to section
24 5503 and inserting the following new item:

“5503. Reduced pension for certain hospitalized veterans and certain veterans receiving domiciliary, nursing home, or nursing facility care.”.

Passed the Senate November 6, 2013.

Attest:

NANCY ERICKSON,

Secretary.