

115TH CONGRESS
1ST SESSION

S. 324

AN ACT

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

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 “State Veterans Home
3 Adult Day Health Care Improvement Act of 2017”.

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

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

8 (1) by adding at the end the following new sub-
9 section:

10 “(d)(1) The Secretary shall enter into an agreement
11 with each State home for payment by the Secretary for
12 medical supervision model adult day health care provided
13 to a veteran described in subsection (a)(1) on whose behalf
14 the State home is not in receipt of payment for nursing
15 home care from the Secretary.

16 “(2)(A) Payment under each agreement between the
17 Secretary and a State home under paragraph (1) for each
18 veteran who receives medical supervision model adult day
19 health care under such agreement shall be made at a rate
20 established through regulations prescribed by the Sec-
21 retary to adequately reimburse the State home for the care
22 provided by the State home, including necessary transpor-
23 tation expenses.

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

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

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

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

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

18 (b) INITIAL RATE.—Before the Secretary of Veterans
19 Affairs establishes a payment rate under subsection
20 (d)(2)(A) of section 1745 of such title, as added by sub-
21 section (a), the Secretary shall pay to a State home that
22 has entered into an agreement with the Secretary for med-
23 ical supervision model adult day health care (as defined
24 in subsection (d)(4) of such section) an amount equal to
25 65 percent of the rate the Secretary would pay under sub-

1 section (a)(2) of such section to the State home for nurs-
2 ing home care provided to the veteran.

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

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

Passed the Senate November 9, 2017.

Attest:

Secretary.

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