

116TH CONGRESS
2D SESSION

S. 4460

To authorize the Secretary of Veterans Affairs to waive certain eligibility requirements for a veteran to receive per diem payments for domiciliary care at a State home, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2020

Ms. COLLINS (for herself, Mr. KING, and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To authorize the Secretary of Veterans Affairs to waive certain eligibility requirements for a veteran to receive per diem payments for domiciliary care at a State home, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Veterans Homes
5 Domiciliary Care Flexibility Act”.

1 **SEC. 2. WAIVER OF REQUIREMENTS OF DEPARTMENT OF**
 2 **VETERANS AFFAIRS FOR RECEIPT OF PER**
 3 **DIEM PAYMENTS FOR DOMICILIARY CARE AT**
 4 **STATE HOMES AND MODIFICATION OF ELIGI-**
 5 **BILITY FOR SUCH PAYMENTS.**

6 (a) **WAIVER OF REQUIREMENTS.**—Notwithstanding
 7 section 1741 of title 38, United States Code (as amended
 8 by subsection (b)), the Secretary of Veterans Affairs shall
 9 modify section 51.51(b) of title 38, Code of Federal Regu-
 10 lations (or successor regulations), to provide the Secretary
 11 the authority to waive the requirements under such section
 12 51.51(b) for a veteran to be eligible for per diem payments
 13 for domiciliary care at a State home if—

14 (1) the veteran has met not fewer than four of
 15 the requirements set forth in such section; or

16 (2) such waiver would be in the best interest of
 17 the veteran.

18 (b) **MODIFICATION OF ELIGIBILITY.**—Section
 19 1741(a)(1) of title 38, United States Code, is amended,
 20 in the flush text following subparagraph (B), by striking
 21 “in a Department facility” and inserting “under the laws
 22 administered by the Secretary”.

23 (c) **STATE HOME DEFINED.**—In this section, the
 24 term “State home” has the meaning given that term in
 25 section 101(19) of title 38, United States Code.