

117TH CONGRESS
2D SESSION

H. R. 7158

IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 2022

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts and agreements for the payment of care in non-Department of Veterans Affairs medical foster homes for certain veterans who are unable to live independently, 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 “Long-Term Care Vet-
5 erans Choice Act”.

6 **SEC. 2. SECRETARY OF VETERANS AFFAIRS CONTRACT AU-**
7 **THORITY FOR PAYMENT OF CARE FOR VET-**
8 **ERANS IN NON-DEPARTMENT OF VETERANS**
9 **AFFAIRS MEDICAL FOSTER HOMES.**

10 (a) AUTHORITY.—

11 (1) IN GENERAL.—Section 1720 of title 38,
12 United States Code, is amended by adding at the
13 end the following new subsection:

14 “(h)(1) During the five-year period beginning on the
15 date of the enactment of the Long-Term Care Veterans
16 Choice Act, and subject to paragraph (3)—

17 “(A) at the request of a veteran for whom the
18 Secretary is required to provide nursing home care
19 under section 1710A of this title, the Secretary may
20 place the veteran in a medical foster home that
21 meets Department standards, at the expense of the
22 United States, pursuant to a contract, agreement, or
23 other arrangement entered into between the Sec-
24 retary and the medical foster home for such purpose;
25 and

1 “(B) the Secretary may pay for care of a vet-
2 eran placed in a medical foster home before such
3 date of enactment, if the home meets Department
4 standards, pursuant to a contract, agreement, or
5 other arrangement entered into between the Sec-
6 retary and the medical foster home for such purpose.

7 “(2) A veteran on whose behalf the Secretary pays
8 for care in a medical foster home under paragraph (1)
9 shall agree, as a condition of such payment, to accept
10 home health services furnished by the Secretary under sec-
11 tion 1717 of this title.

12 “(3) In any year, not more than a daily average of
13 900 veterans receiving care in a medical foster home,
14 whether placed before, on, or after the date of the enact-
15 ment of the Long-Term Care Veterans Choice Act, may
16 have their care covered at the expense of the United States
17 under paragraph (1).

18 “(4) The prohibition under section 1730(b)(3) of this
19 title shall not apply to a veteran whose care is covered
20 at the expense of the United States under paragraph (1).

21 “(5) In this subsection, the term ‘medical foster
22 home’ means a home designed to provide non-institutional,
23 long-term, supportive care for veterans who are unable to
24 live independently and prefer a family setting.”.

1 (2) EFFECTIVE DATE.—Subsection (h) of sec-
2 tion 1720 of title 38, United States Code, as added
3 by paragraph (1), shall take effect 90 days after the
4 date of the enactment of this Act.

5 (b) ONGOING MONITORING OF MEDICAL FOSTER
6 HOME PROGRAM.—

7 (1) IN GENERAL.—The Secretary of Veterans
8 Affairs shall create a system to monitor and assess
9 the workload for the Department of Veterans Affairs
10 in carrying out the authority under section 1720(h)
11 of title 38, United States Code, as added by sub-
12 section (a)(1), including by tracking—

13 (A) requests by veterans to be placed in a
14 medical foster home under such section;

15 (B) denials of such requests, including the
16 reasons for such denials;

17 (C) the total number of medical foster
18 homes applying to participate under such sec-
19 tion, disaggregated by those approved and those
20 denied approval by the Department to partici-
21 pate;

22 (D) veterans receiving care at a medical
23 foster home at the expense of the United
24 States; and

1 (E) veterans receiving care at a medical
2 foster home at their own expense.

3 (2) REPORT.—Based on the monitoring and as-
4 sessments conducted under paragraph (1), the Sec-
5 retary shall identify and submit to Congress a report
6 on such modifications to implementing section
7 1720(h) of title 38, United States Code, as added by
8 subsection (a)(1), as the Secretary considers nec-
9 essary to ensure the authority under such section is
10 functioning as intended and care is provided to vet-
11 erans under such section as intended.

12 (3) MEDICAL FOSTER HOME DEFINED.—In this
13 subsection, the term “medical foster home” has the
14 meaning given that term in section 1720(h) of title
15 38, United States Code, as added by subsection
16 (a)(1).

17 (c) COMPTROLLER GENERAL REPORT.—Not later
18 than each of three years and six years after the date of
19 the enactment of this Act, the Comptroller General of the
20 United States shall submit to Congress a report—

21 (1) assessing the implementation of this section
22 and the amendments made by this section;

23 (2) assessing the impact of the monitoring and
24 modifications under subsection (b) on care provided

1 under section 1720(h) of title 38, United States
2 Code, as added by subsection (a)(1); and

3 (3) setting forth recommendations for improve-
4 ments to the implementation of such section, as the
5 Comptroller General considers appropriate.

6 (d) MODIFICATION OF CERTAIN HOUSING LOAN
7 FEE.—The loan fee table in section 3729(b)(2) of title 38,
8 United States Code, is amended by striking “January 14,
9 2031” each place it appears and inserting “February 15,
10 2031”.

11 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

12 The budgetary effects of this Act, for the purpose of
13 complying with the Statutory Pay-As-You-Go Act of 2010,
14 shall be determined by reference to the latest statement
15 titled “Budgetary Effects of PAYGO Legislation” for this
16 Act, submitted for printing in the Congressional Record
17 by the Chairman of the House Budget Committee, pro-
18 vided that such statement has been submitted prior to the
19 vote on passage.

Passed the House of Representatives December 1,
2022.

Attest: CHERYL L. JOHNSON,
Clerk.