

114TH CONGRESS  
1ST SESSION

# H. R. 1369

To modify the treatment of agreements entered into by the Secretary of Veterans Affairs to furnish nursing home care, adult day health care, or other extended care services, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2015

Mrs. WALORSKI (for herself and Ms. GABBARD) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To modify the treatment of agreements entered into by the Secretary of Veterans Affairs to furnish nursing home care, adult day health care, or other extended care services, 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 “Veterans Access to  
5 Extended Care Act of 2015”.

1 **SEC. 2. TREATMENT OF AGREEMENTS FOR NURSING HOME**  
2 **CARE, ADULT DAY HEALTH CARE, OR OTHER**  
3 **EXTENDED CARE SERVICES FROM DEPART-**  
4 **MENT OF VETERANS AFFAIRS.**

5 (a) **IN GENERAL.**—Subparagraph (B) of section  
6 1720(c)(1) of title 38, United States Code, is amended  
7 by adding after the period at the end the following: “Any  
8 such agreement shall not be treated as a Federal contract  
9 for the acquisition of goods or services and is not subject  
10 to any provision of law governing Federal contracts for  
11 the acquisition of goods or services. Title 41 shall not  
12 apply to any such agreement.”.

13 (b) **REQUIREMENTS.**—Such section is amended by  
14 adding at the end the following new subparagraphs:

15 “(C) Any agreement entered into under subpara-  
16 graph (A) with a provider described in that subparagraph  
17 shall include provisions that are necessary to ensure the  
18 safety and quality of care furnished to veterans pursuant  
19 to such agreement, including the following:

20 “(i) Requirements as to the licensing and  
21 credentialing of medical professionals of the pro-  
22 vider, as applicable.

23 “(ii) Review by the Department of medical  
24 records of the provider.

1           “(iii) Visits by employees of the Department to  
2           assess facilities and practices of the provider on an  
3           unannounced basis.

4           “(iv) Review by the Department of staffing lev-  
5           els for medical professionals and support personnel  
6           of the provider.

7           “(v) Such other provisions as the Secretary con-  
8           siders necessary to ensure the safety and quality of  
9           care furnished to veterans.

10          “(D) The failure of a provider with which the Sec-  
11         retary has entered into an agreement under subparagraph  
12         (A) to comply with a provision of such agreement de-  
13         scribed in subparagraph (C) may result in the termination  
14         of such agreement by the Department.”.

15         **SEC. 3. EXEMPTION OF AGREEMENTS ENTERED INTO BY**  
16                         **SECRETARY OF VETERANS AFFAIRS FOR**  
17                         **NURSING HOME CARE, ADULT DAY HEALTH**  
18                         **CARE, OR OTHER EXTENDED CARE SERVICES**  
19                         **FROM THE APPLICATION OF CERTAIN LABOR**  
20                         **LAWS.**

21         Section 6702(b) of title 41, United States Code, is  
22         amended—

23                 (1) in paragraph (6), by striking “; and” and  
24                 inserting a semicolon;

1           (2) in paragraph (7), by striking the period at  
2           the end and inserting “; and”; and

3           (3) by adding at the end the following:

4           “(8) an agreement to furnish nursing home  
5           care, adult day health care, or other extended care  
6           services under section 1720 of title 38.”.

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