

116TH CONGRESS
2D SESSION

H. R. 8076

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 HOUSE OF REPRESENTATIVES

AUGUST 21, 2020

Mr. GOLDEN (for himself, Mr. YOUNG, and Ms. PINGREE) introduced the following bill; which was 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.