

115TH CONGRESS  
1ST SESSION

# H. R. 874

To amend title 38, United States Code, to ensure that certain veterans receive in-patient psychiatric care provided by the Department of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2017

Mr. LOEBSACK (for himself, Mr. STIVERS, Mrs. BUSTOS, Mr. LEWIS of Georgia, Ms. KELLY of Illinois, Mr. WEBER of Texas, Mr. LOBIONDO, Mr. HIMES, Mr. VARGAS, Mr. BARLETTA, Mrs. NAPOLITANO, Mr. LIPINSKI, Mr. O'ROURKE, Mr. MCCAUL, Mr. THOMAS J. ROONEY of Florida, Mr. QUIGLEY, Mr. OLSON, Mr. GALLEGRO, Mr. DELANEY, Mr. GARAMENDI, Mr. SABLAN, Mr. CURBELO of Florida, Ms. SLAUGHTER, Mr. JONES, Mr. COOPER, Mr. SESSIONS, Mr. DENHAM, Mr. GIBBS, Mr. YOUNG of Alaska, Mr. CÁRDENAS, Mr. VALADAO, Mr. KING of New York, Mr. PAULSEN, Mrs. RADEWAGEN, Mr. VELA, Ms. SHEA-PORTER, Mr. SOTO, Ms. GABBARD, Mr. RYAN of Ohio, Mr. EMMER, Mr. GOODLATTE, Mr. SWALWELL of California, and Mr. KATKO) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to ensure that certain veterans receive in-patient psychiatric care provided by the Department of Veterans Affairs.

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 “Sgt. Brandon Ketchum  
3 Never Again Act”.

4 **SEC. 2. PROVISION OF IN-PATIENT PSYCHIATRIC CARE FOR**  
5 **VETERANS.**

6 (a) IN GENERAL.—Chapter 17 of title 38, United  
7 States Code, is amended by inserting after section 1720H  
8 the following new section:

9 **“§ 1720I. Provision of in-patient psychiatric care**

10 “(a) REQUIREMENT TO FURNISH CARE.—Except as  
11 provided by subsection (b), upon the request of a covered  
12 veteran, the Secretary shall furnish, or continue to fur-  
13 nish, to the covered veteran in-patient psychiatric care at  
14 the facility of the Department that—

15 “(1) is closest to where the veteran resides; and

16 “(2) has the capacity and capability to provide  
17 such care.

18 “(b) NON-DEPARTMENT FACILITIES.—(1) If the  
19 Secretary determines, on a case-by-case basis, that a facil-  
20 ity of the Department does not have the capability or ca-  
21 pacity to furnish in-patient psychiatric care to a covered  
22 veteran pursuant to subsection (a), the Secretary shall  
23 furnish such care to such veteran at a non-Department  
24 facility.

25 “(2) For purposes of determining the rates of reim-  
26 bursement for a non-Department facility that furnishes in-

1 patient psychiatric care pursuant to paragraph (1), the  
2 Secretary shall treat such non-Department facility as a  
3 health care provider being reimbursed pursuant to section  
4 101(d)(2) of the Veterans Access, Choice, and Account-  
5 ability Act of 2014 (Public Law 113–146).

6 “(c) COVERED VETERAN DEFINED.—In this section,  
7 the term ‘covered veteran’ means a veteran who is—

8 “(1) enrolled in the health care system estab-  
9 lished under section 1705(a) of this title; and

10 “(2) entitled to in-patient psychiatric care fur-  
11 nished by the Secretary under this chapter.”.

12 (b) CLERICAL AMENDMENT.—The table of sections  
13 at the beginning of such chapter is amended by inserting  
14 after the item relating to section 1720H the following new  
15 item:

“1720I. Provision of in-patient psychiatric care.”.

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