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[Report No. 110-147]

To provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2007

Mr. AKAKA (for himself, Mr. CRAIG, Mr. SPECTER, Mr. SUNUNU, Mr. HARKIN, Mr. STEVENS, Mr. CORNYN, Mr. CRAPO, Mr. CHAMBLISS, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

AUGUST 29, 2007

Reported, under authority of the order of the Senate of August 3, 2007, by Mr. AKAKA, with an amendment and an amendment to the title
[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Veterans Traumatic Brain Injury Rehabilitation Act of
 4 2007”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress on Department of Veterans Affairs efforts in the re-
habilitation and reintegration of veterans with traumatic brain
injury.
- Sec. 3. Individual rehabilitation and community reintegration plans for veterans
and others with traumatic brain injury.
- Sec. 4. Use of non-Department of Veterans Affairs facilities for implementation
of rehabilitation and community reintegration plans for trau-
matic brain injury.
- Sec. 5. Research, education, and clinical care program on severe traumatic
brain injury.
- Sec. 6. Pilot program on assisted living services for veterans with traumatic
brain injury.
- Sec. 7. Age-appropriate nursing home care.
- Sec. 8. Research on traumatic brain injury.

7 **SEC. 2. SENSE OF CONGRESS ON DEPARTMENT OF VET-**
 8 **ERANS AFFAIRS EFFORTS IN THE REHABILI-**
 9 **TATION AND REINTEGRATION OF VETERANS**
 10 **WITH TRAUMATIC BRAIN INJURY.**

11 It is the sense of Congress that—

12 (1) the Department of Veterans Affairs should
 13 have the capacity and expertise to provide veterans
 14 who have a traumatic brain injury with patient-cen-
 15 tered health care, rehabilitation, and community in-
 16 tegration services that are comparable to or exceed
 17 similar care and services available to persons with
 18 such injuries in the academic and private sector;

1 (2) rehabilitation for veterans who have a traumatic
2 brain injury should be individualized, comprehensive,
3 and multidisciplinary with the goals of
4 optimizing the independence of such veterans and
5 reintegrating them into their communities;

6 (3) family support is integral to the rehabilitation
7 and community reintegration of veterans who
8 have sustained a traumatic brain injury, and the Department
9 should provide the families of such veterans
10 with education and support;

11 (4) the Department of Defense and Department
12 of Veterans Affairs have made efforts to provide a
13 smooth transition of medical care and rehabilitative
14 services to individuals as they transition from the
15 health care system of the Department of Defense to
16 that of the Department of Veterans Affairs, but
17 more can be done to assist veterans and their families
18 in the continuum of the rehabilitation, recovery,
19 and reintegration of wounded or injured veterans
20 into their communities; and

21 (5) in planning for rehabilitation and community
22 reintegration of veterans who have a traumatic
23 brain injury, it is necessary for the Department of
24 Veterans Affairs to provide a system for life-long
25 ease management for such veterans.

1 **SEC. 3. INDIVIDUAL REHABILITATION AND COMMUNITY RE-**
 2 **INTEGRATION PLANS FOR VETERANS AND**
 3 **OTHERS WITH TRAUMATIC BRAIN INJURY.**

4 (a) **IN GENERAL.**—Subchapter H of chapter 17 of
 5 title 38, United States Code, is amended by inserting after
 6 section 1710B the following new section:

7 **“§ 1710C. Traumatic brain injury: plans for rehabili-**
 8 **tation and reintegration into the commu-**
 9 **nity**

10 **“(a) PLAN REQUIRED.**—The Secretary shall, for each
 11 veteran or member of the Armed Forces who receives inpa-
 12 tient rehabilitation care from the Department for a trau-
 13 matic brain injury—

14 **“(1)** develop an individualized plan for the re-
 15 habilitation and reintegration of such individual into
 16 the community; and

17 **“(2)** provide such plan to such individual before
 18 such individual is discharged from inpatient care.

19 **“(b) CONTENTS OF PLAN.**—Each plan developed
 20 under subsection (a) shall include, for the individual cov-
 21 ered by such plan, the following:

22 **“(1)** Rehabilitation objectives for improving the
 23 physical, cognitive, vocational, and psychosocial
 24 functioning of such individual with the goal of maxi-
 25 mizing the independence and reintegration of such
 26 individual into the community.

1 “(2) A description of specific interventions, re-
2 habilitative treatments, and other services to achieve
3 the objectives described in paragraph (2), which de-
4 scription shall set forth the type, frequency, dura-
5 tion, and location of such interventions, treatments,
6 and services.

7 “(3) The name of the case manager designated
8 in accordance with subsection (d) to be responsible
9 for the implementation of such plan.

10 “(4) Dates on which the effectiveness of the
11 plan will be reviewed in accordance with subsection
12 (f).

13 “(e) COMPREHENSIVE ASSESSMENT.—

14 “(1) IN GENERAL.—Each plan developed under
15 subsection (a) shall be based upon a comprehensive
16 assessment, developed in accordance with paragraph
17 (2), of—

18 “(A) the physical, cognitive, vocational,
19 and psychosocial impairments of such indi-
20 vidual; and

21 “(B) the family education and family sup-
22 port needs of such individual after discharge
23 from inpatient care.

24 “(2) FORMATION.—The comprehensive assess-
25 ment required under paragraph (1) with respect to

1 an individual is a comprehensive assessment of the
 2 matters set forth in that paragraph by a team, com-
 3 posed by the Secretary for purposes of the assess-
 4 ment, from among individuals with expertise in trau-
 5 matic brain injury as follows:

6 “(A) A neurologist.

7 “(B) A rehabilitation physician.

8 “(C) A social worker.

9 “(D) A neuropsychologist or
 10 neuropsychiatrist.

11 “(E) A physical therapist.

12 “(F) A vocational rehabilitation specialist.

13 “(G) An occupational therapist.

14 “(H) A rehabilitation nurse.

15 “(I) Such other health care professionals
 16 as the Secretary considers appropriate, includ-
 17 ing—

18 “(i) an audiologist;

19 “(ii) a blind rehabilitation specialist;

20 “(iii) a recreational therapist;

21 “(iv) a speech language pathologist;

22 and

23 “(v) a low vision optometrist.

24 “(d) CASE MANAGER.—The Secretary shall designate
 25 a case manager for each individual described in subsection

1 (a) to be responsible for the implementation of the plan
2 required by such subsection for such individual.

3 “(e) PARTICIPATION AND COLLABORATION IN DE-
4 VELOPMENT OF PLANS.—(1) The Secretary shall involve
5 each individual described in subsection (a), and the family
6 of such individual, in the development of the plan for such
7 individual under that subsection to the maximum extent
8 practicable.

9 “(2) The Secretary shall collaborate in the develop-
10 ment of a plan for an individual under subsection (a) with
11 an individual with expertise in the protection of, and advo-
12 cacy for, individuals with traumatic brain injury if—

13 “(A) the individual covered by such plan re-
14 quests such collaboration; or

15 “(B) if such individual is incapacitated, the
16 family or guardian of such individual requests such
17 collaboration.

18 “(3) In the case of a plan required by subsection (a)
19 for a member of the Armed Forces who is on active duty,
20 the Secretary shall collaborate with the Secretary of De-
21 fense in the development of such plan.

22 “(4) In developing vocational rehabilitation objectives
23 required under subsection (b)(2) and in conducting the as-
24 sessment required under subsection (e), the Secretary
25 shall act through the Under Secretary for Health in co-

1 ordination with the Vocational Rehabilitation and Employ-
2 ment Service of the Department of Veterans Affairs.

3 “(f) EVALUATION.—

4 “(1) PERIODIC REVIEW BY SECRETARY.—The
5 Secretary shall periodically review the effectiveness
6 of each plan developed under subsection (a). The
7 Secretary shall refine each such plan as the Sec-
8 retary considers appropriate in light of such review.

9 “(2) REQUEST FOR REVIEW BY VETERANS.—In
10 addition to the periodic review required by para-
11 graph (1), the Secretary shall conduct a review of
12 the plan of a veteran under paragraph (1) at the re-
13 quest of such veteran, or in the case that such vet-
14 eran is incapacitated, at the request of the guardian
15 or the designee of such veteran.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 17 of such title is amended
18 by inserting after the item relating to section 1710B the
19 following new item:

“1710C. Traumatic brain injury: plans for rehabilitation and reintegration into
the community.”.

1 **SEC. 4. USE OF NON-DEPARTMENT OF VETERANS AFFAIRS**
2 **FACILITIES FOR IMPLEMENTATION OF REHA-**
3 **BILITATION AND COMMUNITY REINTEGRA-**
4 **TION PLANS FOR TRAUMATIC BRAIN INJURY.**

5 (a) **IN GENERAL.**—Subchapter H of chapter 17 of
6 title 38, United States Code, is amended by inserting after
7 section 1710C, as added by section 3 of this Act, the fol-
8 lowing new section:

9 **“§ 1710D. Traumatic brain injury: use of non-Depart-**
10 **ment facilities for rehabilitation**

11 “(a) **IN GENERAL.**—Subject to section 1710(a)(4) of
12 this title and subsection (b) of this section, the Secretary
13 shall provide intervention, rehabilitative treatment, or
14 services to implement a plan developed under section
15 1710C of this title at a non-Department facility with
16 which the Secretary has entered into an agreement for
17 such purpose, to an individual—

18 “(1) who is described in subsection (a) of such
19 section; and

20 “(2)(A) to whom the Secretary is unable to pro-
21 vide such intervention, treatment, or services at the
22 frequency or for the duration prescribed in such
23 plan; or

24 “(B) who resides at such distance, as deter-
25 mined by the Secretary, from a Department medical
26 facility as to make the implementation of such plan

1 through a Department facility infeasible or impracti-
2 eable.

3 “(b) STANDARDS.—The Secretary may not provide
4 intervention, treatment, or services as described in sub-
5 section (a) at a non-Department facility under such sub-
6 section unless such facility maintains standards for the
7 provision of such intervention, treatment, or services es-
8 tablished by an independent, peer-reviewed organization
9 that accredits specialized rehabilitation programs for
10 adults with traumatic brain injury.”

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 17 of such title is amended
13 by inserting after the item relating to section 1710C, as
14 added by section 3 of this Act, the following new item:

“1710D. Traumatic brain injury: use of non-Department facilities for rehabilita-
tion.”

15 **SEC. 5. RESEARCH, EDUCATION, AND CLINICAL CARE PRO-**
16 **GRAM ON SEVERE TRAUMATIC BRAIN IN-**
17 **JURY.**

18 (a) PROGRAM REQUIRED.—Subchapter II of chapter
19 73 of title 38, United States Code, is amended by inserting
20 after section 7330 the following new section:

21 **“§ 7330A. Severe traumatic brain injury research,**
22 **education, and clinical care program**

23 “(a) PROGRAM REQUIRED.—The Secretary shall es-
24 tablish a program on research, education, and clinical care

1 to provide intensive neuro-rehabilitation to veterans with
2 a severe traumatic brain injury, including veterans in a
3 minimally conscious state who would otherwise receive
4 nursing home care.

5 “(b) COLLABORATION REQUIRED.—The Secretary
6 shall establish the program required by subsection (a) in
7 collaboration with the Defense and Veterans Brain Injury
8 Center of the Department of Defense and academic insti-
9 tutions selected by the Secretary from among institutions
10 having an expertise in research in neuro-rehabilitation.

11 “(c) EDUCATION REQUIRED.—As part of the pro-
12 gram required by subsection (a), the Secretary shall con-
13 duct educational programs on recognizing and diagnosing
14 mild and moderate cases of traumatic brain injury.

15 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to be appropriated to the Secretary for each
17 of fiscal years 2008 through 2012, \$3,000,000 to carry
18 out the program required by subsection (a).”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 73 of such title is amended
21 by inserting after the item relating to section 7330 the
22 following new item:

“7330A. Severe traumatic brain injury research, education, and clinical care
program.”.

23 (c) REPORT.—Not later than 120 days after the date
24 of the enactment of this Act, the Secretary of Veterans

1 Affairs shall submit to Congress a report on the research
2 to be conducted under the program required by section
3 7330A of title 38, United States Code, as added by sub-
4 section (a).

5 **SEC. 6. PILOT PROGRAM ON ASSISTED LIVING SERVICES**
6 **FOR VETERANS WITH TRAUMATIC BRAIN IN-**
7 **JURY.**

8 (a) **PILOT PROGRAM.**—Not later than 90 days after
9 the date of the enactment of this Act, the Secretary of
10 Veterans Affairs shall carry out a pilot program to assess
11 the effectiveness of providing assisted living services to eli-
12 gible veterans to enhance the rehabilitation, quality of life,
13 and community integration of such veterans.

14 (b) **DURATION OF PROGRAM.**—The pilot program
15 shall be carried out during the five-year period beginning
16 on the date of the commencement of the pilot program.

17 (c) **PROGRAM LOCATIONS.**—

18 (1) **IN GENERAL.**—The pilot program shall be
19 carried out at locations selected by the Secretary for
20 purposes of the pilot program. Of the locations so
21 selected—

22 (A) at least one shall be in each health
23 care region of the Veterans Health Administra-
24 tion that contains a polytrauma center of the
25 Department of Veterans Affairs; and

1 (B) any other locations shall be in areas
2 that contain high concentrations of veterans
3 with traumatic brain injury, as determined by
4 the Secretary.

5 (2) SPECIAL CONSIDERATION FOR VETERANS IN
6 RURAL AREAS.—Special consideration shall be given
7 to provide veterans in rural areas with an oppor-
8 tunity to participate in the pilot program.

9 (d) PROVISION OF ASSISTED LIVING SERVICES.—

10 (1) AGREEMENTS.—In carrying out the pilot
11 program, the Secretary may enter into agreements
12 for the provision of assisted living services on behalf
13 of eligible veterans with either of the following:

14 (A) A provider of services that has entered
15 into a provider agreement under section
16 1866(a) of the Social Security Act (42 U.S.C.
17 1395ee(a)).

18 (B) A provider participating under a State
19 plan under title XIX of such Act (42 U.S.C.
20 1396 et seq.).

21 (2) STANDARDS.—The Secretary may not place,
22 transfer, or admit a veteran to any facility for as-
23 sisted living services under this program unless the
24 Secretary determines that the facility meets such
25 standards as the Secretary may prescribe for pur-

1 poses of the pilot program. Such standards shall, to
2 the extent practicable, be consistent with the stand-
3 ards of Federal, State, and local agencies charged
4 with the responsibility of licensing or otherwise regu-
5 lating or inspecting such facilities.

6 (c) CONTINUATION OF CASE MANAGEMENT AND RE-
7 HABILITATION SERVICES.—In carrying the pilot program
8 under subsection (a), the Secretary shall continue to pro-
9 vide each veteran who is receiving assisted living services
10 under the pilot program with rehabilitative services and
11 shall designate Department health-care employees to fur-
12 nish case management services for veterans participating
13 in the pilot program.

14 (f) REPORT.—

15 (1) IN GENERAL.—Not later than 60 days after
16 the completion of the pilot program, the Secretary
17 shall submit to the congressional veterans affairs
18 committees a report on the pilot program.

19 (2) CONTENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) A description of the pilot program.

22 (B) An assessment of the utility of the ac-
23 tivities under the pilot program in enhancing
24 the rehabilitation, quality of life, and commu-

1 nity reintegration of veterans with traumatic
2 brain injury.

3 (C) Such recommendations as the Sec-
4 retary considers appropriate regarding the ex-
5 tension or expansion of the pilot program.

6 (g) DEFINITIONS.—In this section:

7 (1) The term “assisted living services” means
8 services of a facility in providing room, board, and
9 personal care for and supervision of residents for
10 their health, safety, and welfare.

11 (2) The term “case management services” in-
12 cludes the coordination and facilitation of all services
13 furnished to a veteran by the Department of Vet-
14 erans Affairs, either directly or through contract, in-
15 cluding assessment of needs, planning, referral (in-
16 cluding referral for services to be furnished by the
17 Department, either directly or through a contract, or
18 by an entity other than the Department), moni-
19 toring, reassessment, and followup.

20 (3) The term “congressional veterans affairs
21 committees” means—

22 (A) the Committee on Veterans’ Affairs of
23 the Senate; and

24 (B) the Committee on Veterans’ Affairs of
25 the House of Representatives.

1 (4) The term “eligible veteran” means a vet-
2 eran who—

3 (A) is enrolled in the Department of Vet-
4 erans Affairs health care system;

5 (B) has received treatment for traumatic
6 brain injury from the Department of Veterans
7 Affairs;

8 (C) is unable to manage routine activities
9 of daily living without supervision and assist-
10 ance; and

11 (D) could reasonably be expected to receive
12 ongoing services after the end of the pilot pro-
13 gram under this section under another govern-
14 ment program or through other means.

15 (h) **AUTHORIZATION OF APPROPRIATIONS.**—There is
16 authorized to be appropriated to the Secretary of Veterans
17 Affairs to carry out this section, \$8,000,000 for each of
18 fiscal years 2008 through 2013.

19 **SEC. 7. AGE-APPROPRIATE NURSING HOME CARE.**

20 (a) **FINDING.**—Congress finds that young veterans
21 who are injured or disabled through military service and
22 require long-term care should have access to age-appro-
23 priate nursing home care.

1 (b) REQUIREMENT TO PROVIDE AGE-APPROPRIATE
2 NURSING HOME CARE.—Section 1710A of title 38,
3 United States Code, is amended—

4 (1) by redesignating subsection (e) as sub-
5 section (d); and

6 (2) by inserting after subsection (b) the fol-
7 lowing new subsection (c):

8 “(c) The Secretary shall ensure that nursing home
9 care provided under subsection (a) is provided in an age-
10 appropriate manner.”.

11 **SEC. 8. RESEARCH ON TRAUMATIC BRAIN INJURY.**

12 (a) INCLUSION OF RESEARCH ON TRAUMATIC BRAIN
13 INJURY UNDER ONGOING RESEARCH PROGRAMS.—The
14 Secretary of Veterans Affairs shall, in carrying out re-
15 search programs and activities under the provisions of law
16 referred to in subsection (b), ensure that such programs
17 and activities include research on the sequelae of trau-
18 matic brain injury, including—

19 (1) research on visually-related neurological
20 conditions;

21 (2) research on seizure disorders; and

22 (3) research on means of improving the diag-
23 nosis, treatment, and prevention of such sequelae.

24 (b) RESEARCH AUTHORITIES.—The provisions of law
25 referred to in this subsection are the following:

1 (1) Section 3119 of title 38, United States
2 Code, relating to rehabilitation research and special
3 projects.

4 (2) Section 7303 of title 38, United States
5 Code, relating to research programs of the Veterans
6 Health Administration.

7 (3) Section 7327 of title 38, United States
8 Code, relating to research, education, and clinical ac-
9 tivities on complex multi-trauma associated with
10 combat injuries.

11 (c) COLLABORATION.—In carrying out the research
12 required by subsection (a), the Secretary shall collaborate
13 with facilities that—

14 (1) conduct research on rehabilitation for indi-
15 viduals with traumatic brain injury; and

16 (2) receive grants for such research from the
17 National Institute on Disability and Rehabilitation
18 Research of the Department of Education.

19 (d) REPORT.—Not later than 90 days after the date
20 of the enactment of this Act, the Secretary shall submit
21 to the Committees on Veterans' Affairs of the Senate and
22 the House of Representatives a report describing in com-
23 prehensive detail the research to be carried out in order
24 to fulfill the requirement in subsection (a).

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Veterans Traumatic Brain Injury and Health Programs Improvement Act of 2007”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents for*
6 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—TRAUMATIC BRAIN INJURY

Sec. 101. Sense of Congress on Department of Veterans Affairs efforts in the rehabilitation and reintegration of veterans with traumatic brain injury.

Sec. 102. Individual rehabilitation and community reintegration plans for veterans and others with traumatic brain injury.

Sec. 103. Use of non-Department of Veterans Affairs facilities for implementation of rehabilitation and community reintegration plans for traumatic brain injury.

Sec. 104. Research, education, and clinical care program on severe traumatic brain injury.

Sec. 105. Pilot program on assisted living services for veterans with traumatic brain injury.

Sec. 106. Age-appropriate nursing home care.

Sec. 107. Research on traumatic brain injury.

TITLE II—LANE EVANS BENEFITS IMPROVEMENTS

Sec. 201. Extension of period of eligibility for health care for combat service in the Persian Gulf war or future hostilities.

Sec. 202. Report on veterans and the provision to veterans of benefits and services by the Department of Veterans Affairs.

Sec. 203. Department of Veterans Affairs hospital quality report card initiative.

Sec. 204. Mental health: service-connection status and evaluations for certain veterans.

TITLE III—HEALTH CARE MATTERS

Sec. 301. Enrollment of priority 8 veterans in patient enrollment system.

Sec. 302. Submittal of annual enrollment decisions to Congress.

Sec. 303. Prohibition on collection of copayments and other fees for hospital or nursing home care.

Sec. 304. Transportation grants for rural veterans service organizations.

Sec. 305. Demonstration projects on alternatives for expanding care for veterans in rural areas.

Sec. 306. Report to Congress on matters related to care for veterans who live in rural areas.

Sec. 307. Veterans beneficiary travel program.

Sec. 308. Modification of requirements for furnishing outpatient dental services to veterans with a service-connected dental condition or disability.

Sec. 309. Exemption for hospice care from long-term care copayment requirements.

TITLE IV—HOMELESS VETERANS MATTERS

Sec. 401. Repeal of authority for adjustments to per diem payments to homeless veterans service centers for receipt of other sources of income.

Sec. 402. Demonstration program on preventing veterans at-risk of homelessness from becoming homeless.

Sec. 403. Expansion and extension of authority for program of referral and counseling services for at-risk veterans transitioning from certain institutions.

Sec. 404. Availability of grant funds to service centers for personnel.

Sec. 405. Permanent authority for domiciliary services for homeless veterans and enhancement of capacity of domiciliary care programs for female veterans.

Sec. 406. Financial assistance for supportive services for very low-income veteran families in permanent housing.

TITLE V—CONSTRUCTION MATTERS

Sec. 501. Authorization of major medical facility project, Denver, Colorado.

Sec. 502. Increase in authorization for major medical facility project to consolidate the medical centers of the Department of Veterans Affairs at the University Drive and H. John Heinz III divisions, Pittsburgh, Pennsylvania.

Sec. 503. Authorization of major medical facility project, Atlanta, Georgia.

Sec. 504. Authorization of appropriations.

Sec. 505. Designation of Charlie Norwood Department of Veterans Affairs Medical Center.

TITLE VI—OTHER MATTERS

Sec. 601. Reinstatement of health professionals scholarship program.

Sec. 602. Repeal of certain report requirements.

Sec. 603. Post 9/11 Global Operations defined.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 *Except as otherwise expressly provided, whenever in*
 3 *this Act an amendment or repeal is expressed in terms of*
 4 *an amendment to, or repeal of, a section or other provision,*
 5 *the reference shall be considered to be made to a section or*
 6 *other provision of title 38, United States Code.*

1 **TITLE I—TRAUMATIC BRAIN**
2 **INJURY**

3 **SEC. 101. SENSE OF CONGRESS ON DEPARTMENT OF VET-**
4 **ERANS AFFAIRS EFFORTS IN THE REHABILI-**
5 **TATION AND REINTEGRATION OF VETERANS**
6 **WITH TRAUMATIC BRAIN INJURY.**

7 *It is the sense of Congress that—*

8 (1) *the Department of Veterans Affairs is a lead-*
9 *er in the field of traumatic brain injury care and co-*
10 *ordination of such care;*

11 (2) *the Department of Veterans Affairs should*
12 *have the capacity and expertise to provide veterans*
13 *who have a traumatic brain injury with patient-cen-*
14 *tered health care, rehabilitation, and community inte-*
15 *gration services that are comparable to or exceed*
16 *similar care and services available to persons with*
17 *such injuries in the academic and private sector;*

18 (3) *rehabilitation for veterans who have a trau-*
19 *matic brain injury should be individualized, com-*
20 *prehensive, and interdisciplinary with the goals of*
21 *optimizing the independence of such veterans and re-*
22 *integrating them into their communities;*

23 (4) *family support is integral to the rehabilita-*
24 *tion and community reintegration of veterans who*
25 *have sustained a traumatic brain injury, and the De-*

1 *partment should provide the families of such veterans*
2 *with education and support;*

3 *(5) the Department of Defense and Department*
4 *of Veterans Affairs have made efforts to provide a*
5 *smooth transition of medical care and rehabilitative*
6 *services to individuals as they transition from the*
7 *health care system of the Department of Defense to*
8 *that of the Department of Veterans Affairs, but more*
9 *can be done to assist veterans and their families in*
10 *the continuum of the rehabilitation, recovery, and re-*
11 *integration of wounded or injured veterans into their*
12 *communities;*

13 *(6) in planning for rehabilitation and commu-*
14 *nity reintegration of veterans who have a traumatic*
15 *brain injury, it is necessary for the Department of*
16 *Veterans Affairs to provide a system for life-long case*
17 *management for such veterans; and*

18 *(7) in such system for life-long case management,*
19 *it is necessary to conduct outreach and to tailor spe-*
20 *cialized traumatic brain injury case management and*
21 *outreach for the unique needs of veterans with trau-*
22 *matic brain injury who reside in urban and non-*
23 *urban settings.*

1 **SEC. 102. INDIVIDUAL REHABILITATION AND COMMUNITY**
 2 **REINTEGRATION PLANS FOR VETERANS AND**
 3 **OTHERS WITH TRAUMATIC BRAIN INJURY.**

4 (a) *IN GENERAL.*—Subchapter II of chapter 17 is
 5 amended by inserting after section 1710B the following new
 6 section:

7 **“§ 1710C. Traumatic brain injury: plans for rehabili-**
 8 **tation and reintegration into the commu-**
 9 **nity**

10 “(a) *PLAN REQUIRED.*—The Secretary shall, for each
 11 veteran or member of the Armed Forces who receives inpa-
 12 tient or outpatient rehabilitation care from the Department
 13 for a traumatic brain injury—

14 “(1) develop an individualized plan for the reha-
 15 bilitation and reintegration of such individual into
 16 the community; and

17 “(2) provide such plan in writing to such indi-
 18 vidual before such individual is discharged from in-
 19 patient care, following transition from active duty to
 20 the Department for outpatient care, or as soon as
 21 practicable following diagnosis.

22 “(b) *CONTENTS OF PLAN.*—Each plan developed under
 23 subsection (a) shall include, for the individual covered by
 24 such plan, the following:

25 “(1) Rehabilitation objectives for improving the
 26 physical, cognitive, and vocational functioning of

1 *such individual with the goal of maximizing the inde-*
2 *pendence and reintegration of such individual into*
3 *the community.*

4 “(2) *Access, as warranted, to all appropriate re-*
5 *habilitative components of the traumatic brain injury*
6 *continuum of care.*

7 “(3) *A description of specific interventions, reha-*
8 *bilitative treatments, and other services to achieve the*
9 *objectives described in paragraph (1), which descrip-*
10 *tion shall set forth the type, frequency, duration, and*
11 *location of such interventions, treatments, and serv-*
12 *ices.*

13 “(4) *The name of the case manager designated in*
14 *accordance with subsection (d) to be responsible for*
15 *the implementation of such plan.*

16 “(5) *Dates on which the effectiveness of the plan*
17 *will be reviewed in accordance with subsection (f).*

18 “(c) *COMPREHENSIVE ASSESSMENT.—*

19 “(1) *IN GENERAL.—Each plan developed under*
20 *subsection (a) shall be based upon a comprehensive*
21 *assessment, developed in accordance with paragraph*
22 *(2), of—*

23 “(A) *the physical, cognitive, vocational, and*
24 *neuropsychological and social impairments of*
25 *such individual; and*

1 “(B) the family education and family sup-
2 port needs of such individual after discharge
3 from inpatient care.

4 “(2) *FORMATION.*—The comprehensive assess-
5 ment required under paragraph (1) with respect to an
6 individual is a comprehensive assessment of the mat-
7 ters set forth in that paragraph by a team, composed
8 by the Secretary for purposes of the assessment from
9 among, but not limited to, individuals with expertise
10 in traumatic brain injury, including the following:

11 “(A) A neurologist or neuropsychiatrist.

12 “(B) A rehabilitation physician.

13 “(C) A social worker.

14 “(D) A neuropsychologist.

15 “(E) A physical therapist.

16 “(F) A vocational rehabilitation specialist.

17 “(G) An occupational therapist.

18 “(H) A speech language pathologist.

19 “(I) A rehabilitation nurse.

20 “(J) An educational therapist.

21 “(K) An audiologist.

22 “(L) A blind rehabilitation specialist.

23 “(M) A recreational therapist.

24 “(N) A low vision optometrist.

25 “(O) An orthotist or prosthetist.

1 “(P) *An assistive technologist or rehabilita-*
2 *tion engineer.*

3 “(Q) *An ophthalmologist.*

4 “(R) *An otolaryngology physician.*

5 “(S) *A dietician.*

6 “(d) *CASE MANAGER.—(1) The Secretary shall des-*
7 *ignate a case manager for each individual described in sub-*
8 *section (a) to be responsible for the implementation of the*
9 *plan, and coordination of such care, required by such sub-*
10 *section for such individual.*

11 “(2) *The Secretary shall ensure that such case manager*
12 *has specific expertise in the care required by the individual*
13 *to whom such case manager is designated, regardless of*
14 *whether such case manager obtains such expertise through*
15 *experience, education, or training.*

16 “(e) *PARTICIPATION AND COLLABORATION IN DEVEL-*
17 *OPMENT OF PLANS.—(1) The Secretary shall involve each*
18 *individual described in subsection (a), and the family or*
19 *legal guardian of such individual, in the development of*
20 *the plan for such individual under that subsection to the*
21 *maximum extent practicable.*

22 “(2) *The Secretary shall collaborate in the development*
23 *of a plan for an individual under subsection (a) with a*
24 *State protection and advocacy system if—*

1 “(A) *the individual covered by such plan re-*
2 *quests such collaboration; or*

3 “(B) *in the case such individual is incapaci-*
4 *tated, the family or guardian of such individual re-*
5 *quests such collaboration.*

6 “(3) *In the case of a plan required by subsection (a)*
7 *for a member of the Armed Forces who is on active duty,*
8 *the Secretary shall collaborate with the Secretary of Defense*
9 *in the development of such plan.*

10 “(4) *In developing vocational rehabilitation objectives*
11 *required under subsection (b)(1) and in conducting the as-*
12 *essment required under subsection (c), the Secretary shall*
13 *act through the Under Secretary for Health in coordination*
14 *with the Vocational Rehabilitation and Employment Serv-*
15 *ice of the Department of Veterans Affairs.*

16 “(f) *EVALUATION.—*

17 “(1) *PERIODIC REVIEW BY SECRETARY.—The*
18 *Secretary shall periodically review the effectiveness of*
19 *each plan developed under subsection (a). The Sec-*
20 *retary shall refine each such plan as the Secretary*
21 *considers appropriate in light of such review.*

22 “(2) *REQUEST FOR REVIEW BY VETERANS.—In*
23 *addition to the periodic review required by paragraph*
24 *(1), the Secretary shall conduct a review of the plan*
25 *of a veteran under paragraph (1) at the request of*

1 **“§ 1710D. Traumatic brain injury: use of non-Depart-**
 2 **ment facilities for rehabilitation**

3 “(a) *IN GENERAL.*—Subject to section 1710(a)(4) of
 4 this title and subsection (b) of this section, the Secretary
 5 shall provide rehabilitative treatment or services to imple-
 6 ment a plan developed under section 1710C of this title at
 7 a non-Department facility with which the Secretary has en-
 8 tered into an agreement for such purpose, to an indi-
 9 vidual—

10 “(1) who is described in section 1710C(a) of this
 11 title; and

12 “(2)(A) to whom the Secretary is unable to pro-
 13 vide such treatment or services at the frequency or for
 14 the duration prescribed in such plan; or

15 “(B) for whom the Secretary determines that it
 16 is optimal with respect to the recovery and rehabilita-
 17 tion of such individual .

18 “(b) *STANDARDS.*—The Secretary may not provide
 19 treatment or services as described in subsection (a) at a
 20 non-Department facility under such subsection unless such
 21 facility maintains standards for the provision of such treat-
 22 ment or services established by an independent, peer-re-
 23 viewed organization that accredits specialized rehabilita-
 24 tion programs for adults with traumatic brain injury.

25 “(c) *AUTHORITIES OF STATE PROTECTION AND ADVO-*
 26 *CACY SYSTEMS.*—With respect to the provision of rehabili-

1 *tative treatment or services described in subsection (a) in*
 2 *a non-Department facility, a State designated protection*
 3 *and advocacy system established under subtitle C of the De-*
 4 *velopmental Disabilities Assistance and Bill of Rights Act*
 5 *of 2000 (42 U.S.C. 15041 et seq.) shall have the authorities*
 6 *described under such subtitle.”.*

7 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 8 *the beginning of chapter 17 is amended by inserting after*
 9 *the item relating to section 1710C, as added by section 102*
 10 *of this Act, the following new item:*

“1710D. Traumatic brain injury: use of non-Department facilities for rehabilita-
tion.”.

11 **(c) CONFORMING AMENDMENT.**—*Section 1710(a)(4) is*
 12 *amended by inserting “the requirement in section 1710D*
 13 *of this title that the Secretary provide certain intervention,*
 14 *rehabilitative treatment, or services,” after “extended care*
 15 *services,”.*

16 **SEC. 104. RESEARCH, EDUCATION, AND CLINICAL CARE**
 17 **PROGRAM ON SEVERE TRAUMATIC BRAIN IN-**
 18 **JURY.**

19 **(a) PROGRAM REQUIRED.**—*Subchapter II of chapter*
 20 *73 is amended by inserting after section 7330 the following*
 21 *new section:*

1 **“§ 7330A. Severe traumatic brain injury research, edu-**
2 **cation, and clinical care program**

3 “(a) *PROGRAM REQUIRED.*—*The Secretary shall estab-*
4 *lish a program on research, education, and clinical care*
5 *to provide intensive neuro-rehabilitation to veterans with*
6 *a severe traumatic brain injury, including veterans in a*
7 *minimally conscious state who would otherwise receive only*
8 *long-term residential care.*

9 “(b) *COLLABORATION REQUIRED.*—*The Secretary*
10 *shall establish the program required by subsection (a) in*
11 *collaboration with the Defense and Veterans Brain Injury*
12 *Center and academic institutions selected by the Secretary*
13 *from among institutions having an expertise in research in*
14 *neuro-rehabilitation.*

15 “(c) *EDUCATION REQUIRED.*—*As part of the program*
16 *required by subsection (a), the Secretary shall, in collabora-*
17 *tion with the Defense and Veterans Brain Injury Center,*
18 *conduct educational programs on recognizing and diag-*
19 *nosizing mild and moderate cases of traumatic brain injury.*

20 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
21 *authorized to be appropriated to the Secretary for each of*
22 *fiscal years 2008 through 2012, \$10,000,000 to carry out*
23 *the program required by subsection (a).”.*

24 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
25 *the beginning of chapter 73 is amended by inserting after*
26 *the item relating to section 7330 the following new item:*

“7330A. Severe traumatic brain injury research, education, and clinical care program.”.

1 (c) *REPORT*.—Not later than 18 months after the date
2 of the enactment of this Act, the Secretary of Veterans Af-
3 fairs shall submit to Congress a report on the research to
4 be conducted under the program required by section 7330A
5 of title 38, United States Code, as added by subsection (a).

6 **SEC. 105. PILOT PROGRAM ON ASSISTED LIVING SERVICES**
7 **FOR VETERANS WITH TRAUMATIC BRAIN IN-**
8 **JURY.**

9 (a) *PILOT PROGRAM*.—Not later than 90 days after
10 the date of the enactment of this Act, the Secretary of Vet-
11 erans Affairs shall, in collaboration with the Defense and
12 Veterans Brain Injury Center, carry out a pilot program
13 to assess the effectiveness of providing assisted living serv-
14 ices to eligible veterans to enhance the rehabilitation, qual-
15 ity of life, and community integration of such veterans.

16 (b) *DURATION OF PROGRAM*.—The pilot program shall
17 be carried out during the five-year period beginning on the
18 date of the commencement of the pilot program.

19 (c) *PROGRAM LOCATIONS*.—

20 (1) *IN GENERAL*.—The pilot program shall be
21 carried out at locations selected by the Secretary for
22 purposes of the pilot program. Of the locations so se-
23 lected—

1 (A) *at least one shall be in each health care*
2 *region of the Veterans Health Administration*
3 *that contains a polytrauma center of the Depart-*
4 *ment of Veterans Affairs; and*

5 (B) *any other locations shall be in areas*
6 *that contain high concentrations of veterans with*
7 *traumatic brain injury, as determined by the*
8 *Secretary.*

9 (2) *SPECIAL CONSIDERATION FOR VETERANS IN*
10 *RURAL AREAS.—Special consideration shall be given*
11 *to provide veterans in rural areas with an oppor-*
12 *tunity to participate in the pilot program.*

13 (d) *PROVISION OF ASSISTED LIVING SERVICES.—*

14 (1) *AGREEMENTS.—In carrying out the pilot*
15 *program, the Secretary may enter into agreements for*
16 *the provision of assisted living services on behalf of el-*
17 *igible veterans with a provider participating under a*
18 *State plan or waiver under title XIX of such Act (42*
19 *U.S.C. 1396 et seq.).*

20 (2) *STANDARDS.—The Secretary may not place,*
21 *transfer, or admit a veteran to any facility for as-*
22 *sisted living services under this program unless the*
23 *Secretary determines that the facility meets such*
24 *standards as the Secretary may prescribe for purposes*
25 *of the pilot program. Such standards shall, to the ex-*

1 *tent practicable, be consistent with the standards of*
2 *Federal, State, and local agencies charged with the re-*
3 *ponsibility of licensing or otherwise regulating or in-*
4 *specting such facilities.*

5 *(e) CONTINUATION OF CASE MANAGEMENT AND REHA-*
6 *BILITATION SERVICES.—In carrying the pilot program*
7 *under subsection (a), the Secretary shall continue to provide*
8 *each veteran who is receiving assisted living services under*
9 *the pilot program with rehabilitative services and shall des-*
10 *ignate Department health-care employees to furnish case*
11 *management services for veterans participating in the pilot*
12 *program.*

13 *(f) REPORT.—*

14 *(1) IN GENERAL.—Not later than 60 days after*
15 *the completion of the pilot program, the Secretary*
16 *shall submit to the congressional veterans affairs com-*
17 *mittees a report on the pilot program.*

18 *(2) CONTENTS.—The report required by para-*
19 *graph (1) shall include the following:*

20 *(A) A description of the pilot program.*

21 *(B) An assessment of the utility of the ac-*
22 *tivities under the pilot program in enhancing*
23 *the rehabilitation, quality of life, and commu-*
24 *nity reintegration of veterans with traumatic*
25 *brain injury.*

1 (C) *Such recommendations as the Secretary*
2 *considers appropriate regarding the extension or*
3 *expansion of the pilot program.*

4 (g) *DEFINITIONS.—In this section:*

5 (1) *The term “assisted living services” means*
6 *services of a facility in providing room, board, and*
7 *personal care for and supervision of residents for*
8 *their health, safety, and welfare.*

9 (2) *The term “case management services” in-*
10 *cludes the coordination and facilitation of all services*
11 *furnished to a veteran by the Department of Veterans*
12 *Affairs, either directly or through contract, including*
13 *assessment of needs, planning, referral (including re-*
14 *referral for services to be furnished by the Department,*
15 *either directly or through a contract, or by an entity*
16 *other than the Department), monitoring, reassess-*
17 *ment, and followup.*

18 (3) *The term “congressional veterans affairs*
19 *committees” means—*

20 (A) *the Committee on Veterans’ Affairs of*
21 *the Senate; and*

22 (B) *the Committee on Veterans’ Affairs of*
23 *the House of Representatives.*

24 (4) *The term “eligible veteran” means a veteran*
25 *who—*

1 (A) is enrolled in the Department of Vet-
2 erans Affairs health care system;

3 (B) has received treatment for traumatic
4 brain injury from the Department of Veterans
5 Affairs;

6 (C) is unable to manage routine activities
7 of daily living without supervision and assist-
8 ance; and

9 (D) could reasonably be expected to receive
10 ongoing services after the end of the pilot pro-
11 gram under this section under another govern-
12 ment program or through other means.

13 (h) *AUTHORIZATION OF APPROPRIATIONS.*—There is
14 authorized to be appropriated to the Secretary of Veterans
15 Affairs to carry out this section, \$8,000,000 for each of fis-
16 cal years 2008 through 2013.

17 **SEC. 106. AGE-APPROPRIATE NURSING HOME CARE.**

18 (a) *FINDING.*—Congress finds that young veterans who
19 are injured or disabled through military service and require
20 long-term care should have access to age-appropriate nurs-
21 ing home care.

22 (b) *REQUIREMENT TO PROVIDE AGE-APPROPRIATE*
23 *NURSING HOME CARE.*—Section 1710A is amended—

24 (1) by redesignating subsection (c) as subsection

25 (d); and

1 (2) by inserting after subsection (b) the following
2 new subsection (c):

3 “(c) *The Secretary shall ensure that nursing home care*
4 *provided under subsection (a) is provided in an age-appro-*
5 *priate manner.*”.

6 **SEC. 107. RESEARCH ON TRAUMATIC BRAIN INJURY.**

7 (a) *INCLUSION OF RESEARCH ON TRAUMATIC BRAIN*
8 *INJURY UNDER ONGOING RESEARCH PROGRAMS.—The*
9 *Secretary of Veterans Affairs shall, in carrying out research*
10 *programs and activities under the provisions of law referred*
11 *to in subsection (b), ensure that such programs and activi-*
12 *ties include research on the sequelae of mild to severe forms*
13 *of traumatic brain injury, including—*

14 (1) *research on visually-related neurological con-*
15 *ditions;*

16 (2) *research on seizure disorders;*

17 (3) *research on means of improving the diag-*
18 *nosis, rehabilitative treatment, and prevention of such*
19 *sequelae;*

20 (4) *research to determine the most effective cog-*
21 *nitive and physical therapies for the sequelae of trau-*
22 *matic brain injury; and*

23 (5) *research on dual diagnosis of post-traumatic*
24 *stress disorder and traumatic brain injury.*

1 (b) *RESEARCH AUTHORITIES.*—*The provisions of law*
2 *referred to in this subsection are the following:*

3 (1) *Section 3119 of title 38, United States Code,*
4 *relating to rehabilitation research and special*
5 *projects.*

6 (2) *Section 7303 of such title, relating to re-*
7 *search programs of the Veterans Health Administra-*
8 *tion.*

9 (3) *Section 7327 of such title, relating to re-*
10 *search, education, and clinical activities on complex*
11 *multi-trauma associated with combat injuries.*

12 (c) *COLLABORATION.*—*In carrying out the research re-*
13 *quired by subsection (a), the Secretary shall collaborate*
14 *with facilities that—*

15 (1) *conduct research on rehabilitation for indi-*
16 *viduals with traumatic brain injury; and*

17 (2) *receive grants for such research from the Na-*
18 *tional Institute on Disability and Rehabilitation Re-*
19 *search of the Department of Education.*

20 (d) *REPORT.*—*Not later than 90 days after the date*
21 *of the enactment of this Act, the Secretary shall submit to*
22 *the Committee on Veterans' Affairs of the Senate and the*
23 *Committee on Veterans' Affairs of the House of Representa-*
24 *tives a report describing in comprehensive detail the re-*
25 *search to be carried out pursuant to subsection (a).*

1 **TITLE II—LANE EVANS BENEFITS**
 2 **IMPROVEMENTS**

3 **SEC. 201. EXTENSION OF PERIOD OF ELIGIBILITY FOR**
 4 **HEALTH CARE FOR COMBAT SERVICE IN THE**
 5 **PERSIAN GULF WAR OR FUTURE HOS-**
 6 **TILITIES.**

7 *Section 1710(e)(3)(C) is amended by striking “2*
 8 *years” and inserting “5 years”.*

9 **SEC. 202. REPORT ON VETERANS AND THE PROVISION TO**
 10 **VETERANS OF BENEFITS AND SERVICES BY**
 11 **THE DEPARTMENT OF VETERANS AFFAIRS.**

12 *(a) IN GENERAL.—Chapter 5 is amended by inserting*
 13 *after section 530 the following new section:*

14 **“§530A. Report on veterans and the provision to vet-**
 15 **erans of benefits and services by the De-**
 16 **partment**

17 *“(a) ANNUAL REPORT REQUIRED.—(1) Not later than*
 18 *90 days after the end of the fiscal year in which this section*
 19 *is enacted and every fiscal year thereafter, the Secretary*
 20 *shall submit to the appropriate committees of Congress a*
 21 *report on veterans and the provision to veterans of benefits*
 22 *and services under the laws administered by the Secretary.*

23 *“(2) Each report required by paragraph (1) shall pro-*
 24 *vide the information specified in subsection (c), current as*

1 *of the last day of the fiscal year for which the report is*
2 *submitted.*

3 “(b) *QUARTERLY REPORT REQUIRED.—(1) Not later*
4 *than 60 days after the end of the first quarter following*
5 *the date on which this section is enacted and quarterly*
6 *thereafter, the Secretary shall submit to the appropriate*
7 *committees of Congress a report on the claims of veterans*
8 *for service-connected compensation under section 1114 of*
9 *this title.*

10 “(2) *Each report required by paragraph (1) shall pro-*
11 *vide the information specified in subparagraphs (A) and*
12 *(F) of subsection (c)(2), current as of the last day of the*
13 *quarter for which the report is submitted.*

14 “(c) *COVERED INFORMATION.—The information speci-*
15 *fied in this subsection for a report under subsection (a) is*
16 *information on veterans and the provision to veterans of*
17 *benefits and services under the laws administered by the*
18 *Secretary as follows:*

19 “(1) *For each covered tour of duty category, ag-*
20 *gregated personal information on veterans provided*
21 *benefits and services under the laws administered by*
22 *the Secretary, including demographic information as*
23 *follows:*

24 “(A) *Sex.*

25 “(B) *Age.*

1 “(C) *Marital status (whether married, sin-*
2 *gle, separated, or divorced).*

3 “(D) *Residence (by State, territory, or*
4 *country).*

5 “(E) *Armed Force, as of the date of dis-*
6 *charge or separation.*

7 “(F) *Service as a member of a regular com-*
8 *ponent of the Armed Forces or as a Reserve (in-*
9 *cluding whether National Guard or Reserve).*

10 “(G) *Separation status.*

11 “(2) *For each covered tour of duty category, ag-*
12 *gregated information on the compensation, pension,*
13 *and other benefits and services provided by the De-*
14 *partment to veterans, or provided with respect to such*
15 *veterans as the case may be, including the following:*

16 “(A) *The claims of such veterans for service-*
17 *connected compensation under section 1114 of*
18 *this title, including the following set forth by:*

19 “(i) *The number of such claims re-*
20 *ceived.*

21 “(ii) *The number of such claims proc-*
22 *essed.*

23 “(iii) *The number of such claims pend-*
24 *ing.*

1 “(iv) *The number of such claims grant-*
2 *ed.*

3 “(v) *The number of such claims denied.*

4 “(vi) *The number of such claims with*
5 *a combined disability rating of 10 percent*
6 *or more.*

7 “(B) *The amount of such compensation*
8 *paid to such veterans, stated as an average*
9 *monthly amount of such veterans receiving such*
10 *compensation set forth by the following:*

11 “(i) *Such veterans with a disability*
12 *rating of zero percent.*

13 “(ii) *Such veterans with a disability*
14 *rating of 10 percent.*

15 “(iii) *Such veterans with a disability*
16 *rating of 20 percent.*

17 “(iv) *Such veterans with a disability*
18 *rating of 30 percent.*

19 “(v) *Such veterans with a disability*
20 *rating of 40 percent.*

21 “(vi) *Such veterans with a disability*
22 *rating of 50 percent.*

23 “(vii) *Such veterans with a disability*
24 *rating of 60 percent.*

1 “(viii) *Such veterans with a disability*
2 *rating of 70 percent.*

3 “(ix) *Such veterans with a disability*
4 *rating of 80 percent.*

5 “(x) *Such veterans with a disability*
6 *rating of 90 percent.*

7 “(xi) *Such veterans with a disability*
8 *rating of 100 percent.*

9 “(xii) *Such veterans paid special*
10 *monthly compensation under any of sub-*
11 *sections (k) through (s) of section 1114 of*
12 *this title.*

13 “(C) *The claims for dependency and indem-*
14 *nity compensation under chapter 13 of this title,*
15 *with respect to such veterans, including the fol-*
16 *lowing:*

17 “(i) *The number of such claims re-*
18 *ceived.*

19 “(ii) *The number of such claims proc-*
20 *essed.*

21 “(iii) *The number of such claims pend-*
22 *ing.*

23 “(iv) *The number of such claims grant-*
24 *ed.*

25 “(v) *The number of such claims denied.*

1 “(D) *The amount of such dependency and*
2 *indemnity compensation paid with respect to*
3 *survivors of such veterans, stated as an average*
4 *monthly amount.*

5 “(E) *The number of such survivors who*
6 *have one or more dependent children under the*
7 *age of 18 and who receive additional benefits*
8 *under section 1311(f) of this title by reason*
9 *thereof.*

10 “(F) *The claims for pension under chapter*
11 *15 of this title, for or with respect to such vet-*
12 *erans, including the following:*

13 “(i) *The number of such claims re-*
14 *ceived.*

15 “(ii) *The number of such claims proc-*
16 *essed.*

17 “(iii) *The number of such claims pend-*
18 *ing.*

19 “(iv) *The number of such claims grant-*
20 *ed.*

21 “(v) *The number of such claims denied.*

22 “(G) *The amount of such pension paid for*
23 *or with respect to such veterans, stated as an av-*
24 *erage monthly amount set forth by whether such*
25 *veterans have—*

1 “(i) no eligible dependents;

2 “(ii) one or more dependents;

3 “(iii) benefits paid at the house bound
4 rate; and

5 “(iv) benefits paid at the rate for aid
6 and attendance.

7 “(3) For each covered tour of duty category, ag-
8 gregated information on the use of vet centers by vet-
9 erans, including the number of veterans using services
10 of vet centers set forth by whether such veterans are
11 members of the National Guard or the Reserves.

12 “(4) For each covered tour of duty category, ag-
13 gregated information on the provision to veterans of
14 health care services by the Veterans Health Adminis-
15 tration, set forth by the following:

16 “(A) Whether the services provided were in-
17 patient or outpatient services.

18 “(B) Aggregate information about such vet-
19 erans served, including the number of such vet-
20 erans set forth by the following:

21 “(i) Sex.

22 “(ii) Age.

23 “(iii) Armed Force, as of the date of
24 discharge or separation.

1 “(iv) *Service as a member of a regular*
2 *component of the Armed Forces or as a Re-*
3 *serve (including whether National Guard or*
4 *Reserve).*

5 “(C) *Where such services were provided, in-*
6 *cluding whether such services were provided in a*
7 *hospital, vet center, or a specialty care facility*
8 *such as a polytrauma center.*

9 “(5) *For each covered tour of duty category, ag-*
10 *gregated information on mental health disorders of*
11 *veterans, including the number of veterans who after*
12 *December 31, 2002, have been diagnosed or treated for*
13 *one or more of the following:*

14 “(A) *Post-traumatic stress disorder.*

15 “(B) *Depressive disorders.*

16 “(C) *Neurotic disorders.*

17 “(D) *Substance use disorders.*

18 “(E) *Acute reaction to stress.*

19 “(F) *Such other mental disorders as the*
20 *Secretary considers appropriate.*

21 “(d) *PROTECTION OF IDENTITIES.—The Secretary*
22 *shall take appropriate actions in preparing and submitting*
23 *reports under this section to ensure that no personally iden-*
24 *tifying information on any particular veteran is included*
25 *or otherwise improperly released in such reports.*

1 “(e) *DEFINITIONS.—In this section:*

2 “(1) *The term ‘appropriate committees of Con-*
3 *gress’ means—*

4 “(A) *the Committees on Armed Services,*
5 *Appropriations, and Veterans’ Affairs of the*
6 *Senate; and*

7 “(B) *the Committees on Armed Services,*
8 *Appropriations, and Veterans’ Affairs of the*
9 *House of Representatives.*

10 “(2) *The term ‘duty in the Post 9/11 Global Op-*
11 *erations theater’ means service in the active military,*
12 *naval, or air service during the Post 9/11 Global Op-*
13 *erations in a location (including the airspace above)*
14 *as follows:*

15 “(A) *Afghanistan.*

16 “(B) *Iraq.*

17 “(C) *Any geographic location specified for*
18 *an award of the Global War on Terrorism Expe-*
19 *ditionary Medal to members of the Armed*
20 *Forces.*

21 “(3) *The term ‘covered tour of duty category’*
22 *means the following:*

23 “(A) *Deployment in only in Afghanistan.*

24 “(B) *Deployment in only in Iraq.*

1 (2) *assist health care providers of the Depart-*
 2 *ment of Veterans Affairs in identifying opportunities*
 3 *for quality improvement and cost containment; and*

4 (3) *increase the understanding and general*
 5 *awareness of the public of hospital quality issues.*

6 (b) *ESTABLISHMENT.*—*Subchapter III of chapter 17 is*
 7 *amended by adding at the end the following new section:*

8 **“§ 1730A. Hospital Quality Report Card Initiative**

9 “(a) *IN GENERAL.*—*Not later than 18 months after the*
 10 *date of the enactment of this section, the Secretary shall*
 11 *establish and implement a Hospital Quality Report Card*
 12 *Initiative (in this section referred to as the ‘Initiative’) to*
 13 *report on health care quality in VA hospitals.*

14 “(b) *AVAILABILITY OF INFORMATION ON QUALITY AND*
 15 *PERFORMANCE OF VA HOSPITALS.*—(1)(A) *Under the ini-*
 16 *tiative, the Secretary shall make available to the public the*
 17 *most current information on the quality and performance*
 18 *of each VA hospital on the Internet web site or in the pro-*
 19 *motional literature of each such VA hospital. Such informa-*
 20 *tion shall include quality measures that allow for an assess-*
 21 *ment of the following, with respect to health care provided*
 22 *by VA hospitals:*

23 “(i) *Effectiveness.*

24 “(ii) *Safety.*

25 “(iii) *Timeliness.*

1 “(iv) *Efficiency.*

2 “(v) *Patient satisfaction.*

3 “(B) *In reporting information pursuant to subpara-*
4 *graph (A), the Secretary may display or provide links to*
5 *reports or analyses on VA hospital quality and performance*
6 *from all available objective sources, which may include the*
7 *following:*

8 “(i) *The Joint Commission on Accreditation of*
9 *Healthcare Organizations.*

10 “(ii) *The Office of the Inspector General.*

11 “(iii) *The Office of the Medical Inspector.*

12 “(iv) *Offices of the Department involved in the*
13 *collection and dissemination of data on the perform-*
14 *ance of individual hospitals.*

15 “(v) *National and local media entities.*

16 “(vi) *Professional journals.*

17 “(vii) *Such other sources as the Secretary con-*
18 *siders appropriate.*

19 “(C) *In reporting information as provided for under*
20 *subparagraph (A), the Secretary may risk adjust quality*
21 *measures to account for differences relating to—*

22 “(i) *the characteristics of the reporting VA hos-*
23 *pital, such as licensed bed size, geography, and teach-*
24 *ing hospital status; and*

1 “(ii) patient characteristics, such as health sta-
2 tus, severity of illness, and socioeconomic status.

3 “(D) Under the Initiative, the Secretary may verify
4 information reported under this paragraph to ensure accu-
5 racy and validity.

6 “(E) The Secretary shall disclose the nature and scope
7 of information reported under this paragraph to all VA hos-
8 pitals that are the subject of any such information.

9 “(F)(i) The Secretary shall inform the Committee on
10 Veterans’ Affairs of the Senate and the Committee on Vet-
11 erans’ Affairs of the House of Representatives of the nature
12 and scope of information to be reported under this para-
13 graph.

14 “(ii) The Secretary shall ensure that information on
15 health care quality is provided in a manner that is condu-
16 cive for comparisons with other local hospitals or regional
17 hospitals, as appropriate.

18 “(iii) The Secretary shall establish procedures for mak-
19 ing information under this paragraph available to the pub-
20 lic in accordance with the requirements of subparagraph
21 (A).

22 “(G) The analytic methodologies and limitations on
23 information sources utilized by the Secretary to develop and
24 disseminate information under this paragraph may be
25 identified and acknowledged in a notice or disclaimer, and

1 *may include the appropriate and inappropriate uses of*
2 *such information.*

3 “(H) *Not less frequently than annually, the Secretary*
4 *may compare quality measures data submitted by each VA*
5 *hospital to the Secretary with quality measures data sub-*
6 *mitted to the Secretary in the prior year or years by each*
7 *such VA hospital in order to identify actions that could lead*
8 *to false or artificial improvements in the quality measure-*
9 *ments of such VA hospitals.*

10 “(2)(A) *The Secretary shall develop and implement ef-*
11 *fective safeguards to protect against the unauthorized use*
12 *or disclosure of VA hospital data that is reported under this*
13 *section.*

14 “(B) *The Secretary shall develop and implement effec-*
15 *tive safeguards to protect against the dissemination of in-*
16 *consistent, incomplete, invalid, inaccurate, or subjective VA*
17 *hospital data.*

18 “(C) *The Secretary shall ensure that identifiable pa-*
19 *tient data shall not be released to the public.*

20 “(c) *DEFINITION OF VA HOSPITAL.—In this section,*
21 *the term ‘VA hospital’ means a Department of Veterans Af-*
22 *airs Medical Center administered by the Secretary.”.*

23 “(c) *CLERICAL AMENDMENT.—The table of sections at*
24 *the beginning of chapter 17 is amended by inserting after*
25 *the item relating to section 1730 the following new item:*

“1730A. Hospital Quality Report Card Initiative.”.

1 **SEC. 204. MENTAL HEALTH: SERVICE-CONNECTION STATUS**
 2 **AND EVALUATIONS FOR CERTAIN VETERANS.**

3 (a) *PRESUMPTION OF SERVICE-CONNECTION OF MEN-*
 4 *TAL ILLNESS FOR CERTAIN VETERANS.*—*Section 1702 is*
 5 *amended—*

6 (1) *by striking “psychosis” and inserting “men-*
 7 *tal illness”;* and

8 (2) *in the heading, by striking “**psychosis**”*
 9 *and inserting “**mental illness**”.*

10 (b) *PROVISION OF MENTAL HEALTH EVALUATIONS*
 11 *FOR CERTAIN VETERANS.*—*Upon the request of a veteran*
 12 *described in section 1710(e)(3)(C) of title 38, United States*
 13 *Code, the Secretary shall provide to such veteran a prelimi-*
 14 *nary mental health evaluation as soon as practicable, but*
 15 *not later than 30 days after such request.*

16 **TITLE III—HEALTH CARE**
 17 **MATTERS**

18 **SEC. 301. ENROLLMENT OF PRIORITY 8 VETERANS IN PA-**
 19 **TIENT ENROLLMENT SYSTEM.**

20 *Section 17.36(c) of title 38, Code of Federal Regula-*
 21 *tions, shall have no further force or effect.*

22 **SEC. 302. SUBMITTAL OF ANNUAL ENROLLMENT DECISIONS**
 23 **TO CONGRESS.**

24 *Section 1705 is amended by adding at the end the fol-*
 25 *lowing new subsection:*

1 “(d)(1) *In operating the system of annual patient en-*
2 *rollment in accordance with subsection (a), the Secretary*
3 *shall, not later than August 1 of each year, publish in the*
4 *Federal Register notice of which categories of veterans the*
5 *Secretary has determined will be eligible to be enrolled in*
6 *the next fiscal year beginning after such publication.*

7 “(2)(A) *If, in a notice published in accordance with*
8 *paragraph (1), the Secretary proposes to restrict the cat-*
9 *egories of veterans to be eligible to be enrolled in the system*
10 *of annual patient enrollment in a fiscal year, the Secretary*
11 *shall, on the same date that such notice is published, submit*
12 *to the Committee on Veterans’ Affairs of the Senate and*
13 *the Committee on Veterans’ Affairs of the House of Rep-*
14 *resentatives a report setting forth an estimate of the dif-*
15 *ference between—*

16 “(i) *the cost to the Department in such fiscal*
17 *year of enrolling in such system any veterans who*
18 *would otherwise be enrolled if not for the operation of*
19 *such restriction, and*

20 “(ii) *the cost to the Department in such fiscal*
21 *year of enrolling veterans as proposed by the Sec-*
22 *retary in such notice.*

23 “(B) *The Secretary may not implement any restric-*
24 *tion on the categories of veterans eligible to be enrolled in*
25 *a fiscal year until 45 days after the date on which the re-*

1 port on such restriction under subparagraph (A) is sub-
 2 mitted under that subparagraph.”.

3 **SEC. 303. PROHIBITION ON COLLECTION OF COPAYMENTS**
 4 **AND OTHER FEES FOR HOSPITAL OR NURS-**
 5 **ING HOME CARE.**

6 (a) *IN GENERAL.*—Section 1710 is amended—

7 (1) by redesignating subsection (h) as subsection
 8 (i); and

9 (2) by inserting after subsection (g) the following
 10 new subsection (h):

11 “(h) Notwithstanding any other provision of this sec-
 12 tion, a veteran who is catastrophically disabled shall not
 13 be required to make any payment otherwise required under
 14 subsection (f) or (g) for the receipt of hospital care or nurs-
 15 ing home care under this section.”.

16 (b) *EFFECTIVE DATE.*—The amendments made by sub-
 17 section (a) shall take effect on October 1, 2007.

18 **SEC. 304. TRANSPORTATION GRANTS FOR RURAL VET-**
 19 **ERANS SERVICE ORGANIZATIONS.**

20 (a) *GRANTS AUTHORIZED.*—

21 (1) *IN GENERAL.*—The Secretary of Veterans Af-
 22 fairs shall establish a grant program to provide inno-
 23 vative transportation options to veterans in remote
 24 rural areas.

1 (2) *USE OF FUNDS.*—*Grants awarded under this*
2 *section may be used by State veterans’ service agen-*
3 *cies, veterans service organizations, and qualified*
4 *community transportation organizations to—*

5 (A) *assist veterans in remote rural areas to*
6 *travel to Department of Veterans Affairs medical*
7 *centers; and*

8 (B) *otherwise assist in providing medical*
9 *care to veterans in remote rural areas.*

10 (3) *MAXIMUM AMOUNT.*—*The amount of a grant*
11 *under this section may not exceed \$50,000.*

12 (4) *NO MATCHING REQUIREMENT.*—*The recipient*
13 *of a grant under this section shall not be required to*
14 *provide matching funds as a condition for receiving*
15 *such grant.*

16 (b) *REGULATIONS.*—*The Secretary shall prescribe reg-*
17 *ulations for—*

18 (1) *evaluating grant applications under this sec-*
19 *tion; and*

20 (2) *otherwise administering the program estab-*
21 *lished by this section.*

22 (c) *DEFINITIONS.*—*In this section:*

23 (1) *The term “qualified community transpor-*
24 *tation organizations” means a public or private non-*
25 *profit organization that is eligible for a grant under*

1 sections 5307 and 5311 of title 49, United States
2 Code.

3 (2) The term “veterans service organization”
4 means any organization recognized by the Secretary
5 of Veterans Affairs for the representation of veterans
6 under section 5902 of title 38, United States Code.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There are
8 authorized to be appropriated \$6,000,000 for each of the
9 fiscal years 2008 through 2012 to carry out this section.

10 **SEC. 305. DEMONSTRATION PROJECTS ON ALTERNATIVES**
11 **FOR EXPANDING CARE FOR VETERANS IN**
12 **RURAL AREAS.**

13 (a) IN GENERAL.—The Secretary of Veterans Affairs,
14 through the Director of the Office of Rural Health, shall
15 carry out demonstration projects to examine alternatives for
16 expanding care for veterans in rural areas, including the
17 following:

18 (1) Establishing a partnership between the De-
19 partment of Veterans Affairs and the Department of
20 Health and Human Services to coordinate care for
21 veterans in rural areas at community health centers.

22 (2) Expanding coordination between the Depart-
23 ment of Veterans Affairs and the Indian Health Serv-
24 ice to expand care for Native American veterans.

1 (b) *GEOGRAPHIC DISTRIBUTION.*—*The Secretary of*
2 *Veterans Affairs shall ensure that the demonstration*
3 *projects authorized under subsection (a) are located at not*
4 *less than three facilities that are geographically distributed*
5 *throughout the United States.*

6 (c) *REPORT.*—*Not later than two years after the date*
7 *of the enactment of this Act, the Secretary of Veterans Af-*
8 *fairs shall submit a report on the results of the demonstra-*
9 *tion projects conducted under subsection (a) to—*

10 (1) *the Committee on Veterans' Affairs and the*
11 *Committee on Appropriations of the Senate; and*

12 (2) *the Committee on Veterans' Affairs and the*
13 *Committee on Appropriations of the House of Rep-*
14 *resentatives.*

15 **SEC. 306. REPORT TO CONGRESS ON MATTERS RELATED TO**
16 **CARE FOR VETERANS WHO LIVE IN RURAL**
17 **AREAS.**

18 (a) *ANNUAL REPORT.*—*The Secretary of Veterans Af-*
19 *fairs shall submit to Congress each year, together with docu-*
20 *ments submitted to Congress in support of the budget of the*
21 *President for the fiscal year beginning in such year (as sub-*
22 *mitted pursuant to section 1105 of title 31, United States*
23 *Code), an assessment, current as of the fiscal year ending*
24 *in the year before such report is submitted, of the following:*

1 (1) *The implementation of the provisions of this*
2 *Act, including the amendments made by sections 309*
3 *and 310.*

4 (2) *The establishment and function of the Office*
5 *of Rural Health under section 7308 of title 38, United*
6 *States Code.*

7 (3) *The feasibility and advisability of estab-*
8 *lishing a partnership between the Department of Vet-*
9 *erans Affairs and the Centers for Medicare and Med-*
10 *icaid Services of the Department of Health and*
11 *Human Services to coordinate care for veterans in*
12 *rural areas at critical access hospitals (as designated*
13 *or certified under section 1820 of the Social Security*
14 *Act (42 U.S.C. 1395i-4)).*

15 (4) *Plans for the Department to employ the use*
16 *of telemedicine to serve rural veterans.*

17 (b) *ADDITIONAL REQUIREMENTS FOR INITIAL RE-*
18 *PORT.—The Secretary of Veterans Affairs shall submit to*
19 *Congress, together with the first report submitted under sub-*
20 *section (a), an assessment of the following:*

21 (1) *The fee-basis health-care program required by*
22 *subsection (b) of section 212 of the Veterans Benefits,*
23 *Health Care, and Information Technology Act of 2006*
24 *(Public Law 109-461; 120 Stat. 3422).*

1 (2) *The outreach program required by section*
2 *213 of such Act.*

3 **SEC. 307. VETERANS BENEFICIARY TRAVEL PROGRAM.**

4 (a) *REPEAL OF REQUIREMENT TO ADJUST AMOUNTS*
5 *DEDUCTED FROM PAYMENTS OR ALLOWANCES FOR BENE-*
6 *FICIARY TRAVEL.—Section 111(c) is amended—*

7 (1) *by striking paragraph (5); and*

8 (2) *in paragraph (2), by striking “, except as*
9 *provided in paragraph (5) of this subsection,”.*

10 (b) *DETERMINATION OF MILEAGE REIMBURSEMENT*
11 *RATE.—Section 111(g) is amended—*

12 (1) *by amending paragraph (1) to read as fol-*
13 *lows:*

14 “(1) *Subject to paragraph (3), in determining the*
15 *amount of allowances or reimbursement to be paid under*
16 *this section, the Secretary shall use the mileage reimburse-*
17 *ment rate for the use of privately owned vehicles by Govern-*
18 *ment employees on official business (when a Government*
19 *vehicle is available), as prescribed by the Administrator of*
20 *General Services under section 5707(b) of title 5.”;*

21 (2) *by striking paragraphs (3) and (4); and*

22 (3) *by inserting after paragraph (2) the fol-*
23 *lowing new paragraph (3):*

24 “(3) *Subject to the availability of appropriations, the*
25 *Secretary may modify the amount of allowances or reim-*

1 bursement to be paid under this section using a mileage
2 reimbursement rate in excess of that prescribed under para-
3 graph (1).”.

4 (c) *REPORT.*—Not later than 14 months after the date
5 of the enactment of this Act, the Secretary of Veterans Af-
6 fairs shall submit to the Committee on Veterans’ Affairs of
7 the Senate and the Committee on Veterans’ Affairs of the
8 House of Representatives a report containing an estimate
9 of the additional costs incurred by the Department of Vet-
10 erans Affairs because of this section, including—

11 (1) any costs resulting from increased utilization
12 of healthcare services by veterans eligible for travel al-
13 lowances or reimbursements under section 111 of title
14 38, United States Code; and

15 (2) the additional costs that would be incurred
16 by the Department should the Secretary exercise the
17 authority described in subsection (g)(3) of such sec-
18 tion.

19 (d) *EFFECTIVE DATE.*—The amendments made by this
20 section shall apply with respect to travel expenses incurred
21 after the expiration of the 90-day period that begins on the
22 date of the enactment of this Act.

1 **SEC. 308. MODIFICATION OF REQUIREMENTS FOR FUR-**
 2 **NISHING OUTPATIENT DENTAL SERVICES TO**
 3 **VETERANS WITH A SERVICE-CONNECTED**
 4 **DENTAL CONDITION OR DISABILITY.**

5 *Section 1712(a)(1)(B)(iv) is amended by striking “90-*
 6 *day” and inserting “180-day”.*

7 **SEC. 309. EXEMPTION FOR HOSPICE CARE FROM LONG-**
 8 **TERM CARE COPAYMENT REQUIREMENTS.**

9 *Section 1710 is amended—*

10 *(1) in subsection (f), by adding at the end the*
 11 *following new paragraph:*

12 *“(6) This subsection does not apply to hospital*
 13 *care or nursing home care that constitute hospice*
 14 *care.”; and*

15 *(2) in subsection (g), by adding at the end the*
 16 *following new paragraph:*

17 *“(4) This subsection does not apply to medical*
 18 *services that constitute hospice care.”.*

19 **TITLE IV—HOMELESS VETERANS**
 20 **MATTERS**

21 **SEC. 401. REPEAL OF AUTHORITY FOR ADJUSTMENTS TO**
 22 **PER DIEM PAYMENTS TO HOMELESS VET-**
 23 **ERANS SERVICE CENTERS FOR RECEIPT OF**
 24 **OTHER SOURCES OF INCOME.**

25 *Section 2012(a)(2) is amended—*

26 *(1) by striking subparagraphs (B) and (D);*

1 (2) *in subparagraph (A)—*

2 (A) *by striking “The rate” and inserting*
3 *“Except as provided in subparagraph (B), the*
4 *rate”;*

5 (B) *by striking “adjusted by the Secretary*
6 *under subparagraph (B)”;* and

7 (C) *by designating the second sentence as*
8 *subparagraph (B) and indenting the margin of*
9 *such subparagraph, as so designated, two ems*
10 *from the left margin; and*

11 (3) *in subparagraph (C), by striking “to make*
12 *the adjustment under subparagraph (B)”.*

13 **SEC. 402. DEMONSTRATION PROGRAM ON PREVENTING**
14 **VETERANS AT-RISK OF HOMELESSNESS FROM**
15 **BECOMING HOMELESS.**

16 (a) *DEMONSTRATION PROGRAM.—The Secretary of*
17 *Veterans Affairs shall carry out a demonstration program*
18 *for the purpose of—*

19 (1) *identifying members of the Armed Forces on*
20 *active duty who are at risk of becoming homeless after*
21 *they are discharged or released from active duty; and*

22 (2) *providing referral, counseling, and sup-*
23 *portive services, as appropriate, to help prevent such*
24 *members, upon becoming veterans, from becoming*
25 *homeless.*

1 (b) *PROGRAM LOCATIONS.*—*The Secretary shall carry*
 2 *out the demonstration program in at least three locations.*

3 (c) *IDENTIFICATION CRITERIA.*—*In developing and*
 4 *implementing the criteria to identify members of the Armed*
 5 *Forces, who upon becoming veterans, are at-risk of becom-*
 6 *ing homeless, the Secretary of Veterans Affairs shall consult*
 7 *with the Secretary of Defense and such other officials and*
 8 *experts as the Secretary considers appropriate.*

9 (d) *CONTRACTS.*—*The Secretary of Veterans Affairs*
 10 *may enter into contracts to provide the referral, counseling,*
 11 *and supportive services required under the demonstration*
 12 *program with entities or organizations that meet such re-*
 13 *quirements as the Secretary may establish.*

14 (e) *SUNSET.*—*The authority of the Secretary under*
 15 *subsection (a) shall expire on September 30, 2011.*

16 (f) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 17 *authorized to be appropriated \$2,000,000 for the purpose*
 18 *of carrying out the provisions of this section.*

19 **SEC. 403. EXPANSION AND EXTENSION OF AUTHORITY FOR**
 20 **PROGRAM OF REFERRAL AND COUNSELING**
 21 **SERVICES FOR AT-RISK VETERANS**
 22 **TRANSITIONING FROM CERTAIN INSTITU-**
 23 **TIONS.**

24 (a) *PROGRAM AUTHORITY.*—*Subsection (a) of section*
 25 *2023 is amended by striking “a demonstration program for*

1 *the purpose of determining the costs and benefits of pro-*
2 *viding” and inserting “a program of”.*

3 (b) *SCOPE OF PROGRAM.*—*Subsection (b) of such sec-*
4 *tion is amended—*

5 (1) *by striking “DEMONSTRATION” in the sub-*
6 *section heading;*

7 (2) *by striking “demonstration”; and*

8 (3) *by striking “in at least six locations” and*
9 *inserting “in at least 12 locations”.*

10 (c) *EXTENSION OF AUTHORITY.*—*Subsection (d) of*
11 *such section is amended by striking “shall cease” and all*
12 *that follows and inserting “shall cease on September 30,*
13 *2011.”.*

14 (d) *CONFORMING AMENDMENTS.*—

15 (1) *Subsection (c)(1) of such section is amended*
16 *by striking “demonstration”.*

17 (2) *The heading of such section is amended to*
18 *read as follows:*

19 **“§2023. Referral and counseling services: veterans at**
20 **risk of homelessness who are**
21 **transitioning from certain institutions”.**

22 (3) *Section 2022(f)(2)(C) of such title is amend-*
23 *ed by striking “demonstration”.*

1 (e) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 20 is amended by striking the item*
 3 *relating to section 2023 and inserting the following:*

*“2023. Referral and counseling services: veterans at risk of homelessness who are
 transitioning from certain institutions.”.*

4 **SEC. 404. AVAILABILITY OF GRANT FUNDS TO SERVICE CEN-**
 5 **TERS FOR PERSONNEL.**

6 *Section 2011 is amended by adding at the end the fol-*
 7 *lowing new subsection:*

8 “(i) *AVAILABILITY OF GRANT FUNDS FOR SERVICE*
 9 *CENTER PERSONNEL.*—*A grant under this section for a*
 10 *service center for homeless veterans may be used to provide*
 11 *funding for staff as necessary in order for the center to meet*
 12 *the service availability requirements of subsection (g)(1).”.*

13 **SEC. 405. PERMANENT AUTHORITY FOR DOMICILIARY SERV-**
 14 **ICES FOR HOMELESS VETERANS AND EN-**
 15 **HANCEMENT OF CAPACITY OF DOMICILIARY**
 16 **CARE PROGRAMS FOR FEMALE VETERANS.**

17 *Subsection (b) of section 2043 is amended to read as*
 18 *follows:*

19 “(b) *ENHANCEMENT OF CAPACITY OF DOMICILIARY*
 20 *CARE PROGRAMS FOR FEMALE VETERANS.*—*The Secretary*
 21 *shall take appropriate actions to ensure that the domi-*
 22 *ciliary care programs of the Department are adequate, with*
 23 *respect to capacity and with respect to safety, to meet the*
 24 *needs of veterans who are women.”.*

1 **SEC. 406. FINANCIAL ASSISTANCE FOR SUPPORTIVE SERV-**
 2 **ICES FOR VERY LOW-INCOME VETERAN FAMI-**
 3 **LIES IN PERMANENT HOUSING.**

4 (a) *PURPOSE.*—*The purpose of this section is to facili-*
 5 *tate the provision of supportive services for very low-income*
 6 *veteran families in permanent housing.*

7 (b) *FINANCIAL ASSISTANCE.*—

8 (1) *IN GENERAL.*—*Subchapter V of chapter 20 of*
 9 *title 38, United States Code, is amended by adding*
 10 *at the end the following new section:*

11 **“§2044. Financial assistance for supportive services**
 12 **for very low-income veteran families in**
 13 **permanent housing**

14 “(a) *DISTRIBUTION OF FINANCIAL ASSISTANCE.*—(1)
 15 *The Secretary shall provide financial assistance to eligible*
 16 *entities approved under this section to provide and coordi-*
 17 *nate the provision of supportive services described in sub-*
 18 *section (b) for very low-income veteran families occupying*
 19 *permanent housing.*

20 “(2) *Financial assistance under this section shall con-*
 21 *sist of grants for each such family for which an approved*
 22 *eligible entity is providing or coordinating the provision*
 23 *of supportive services.*

24 “(3)(A) *The Secretary shall provide such grants to*
 25 *each eligible entity that is providing or coordinating the*
 26 *provision of supportive services.*

1 “(B) *The Secretary is authorized to establish intervals*
2 *of payment for the administration of such grants and estab-*
3 *lish a maximum amount to be awarded, in accordance with*
4 *the services being provided and their duration.*

5 “(4) *In providing financial assistance under para-*
6 *graph (1), the Secretary shall give preference to entities pro-*
7 *viding or coordinating the provision of supportive services*
8 *for very low-income veteran families who are transitioning*
9 *from homelessness to permanent housing.*

10 “(5) *The Secretary shall ensure that, to the extent*
11 *practicable, financial assistance under this subsection is eq-*
12 *uitably distributed across geographic regions, including*
13 *rural communities and tribal lands.*

14 “(6) *Each entity receiving financial assistance under*
15 *this section to provide supportive services to a very low-*
16 *income veteran family shall notify that family that such*
17 *services are being paid for, in whole or in part, by the De-*
18 *partment.*

19 “(7) *The Secretary may require entities receiving fi-*
20 *nancial assistance under this section to submit a report to*
21 *the Secretary that describes the projects carried out with*
22 *such financial assistance.*

23 “(b) *SUPPORTIVE SERVICES.—The supportive services*
24 *referred to in subsection (a) are the following:*

1 “(1) *Services provided by an eligible entity or a*
2 *subcontractor of an eligible entity that address the*
3 *needs of very low-income veteran families occupying*
4 *permanent housing, including—*

5 “(A) *outreach services;*

6 “(B) *case management services;*

7 “(C) *assistance in obtaining any benefits*
8 *from the Department which the veteran may be*
9 *eligible to receive, including, but not limited to,*
10 *vocational and rehabilitation counseling, em-*
11 *ployment and training service, educational as-*
12 *sistance, and health care services; and*

13 “(D) *assistance in obtaining and coordi-*
14 *nating the provision of other public benefits pro-*
15 *vided in federal, State, or local agencies, or any*
16 *organization defined in subsection (f), includ-*
17 *ing—*

18 “(i) *health care services (including ob-*
19 *taining health insurance);*

20 “(ii) *daily living services;*

21 “(iii) *personal financial planning;*

22 “(iv) *transportation services;*

23 “(v) *income support services;*

24 “(vi) *fiduciary and representative*
25 *payee services;*

1 “(vii) legal services to assist the vet-
2 eran family with issues that interfere with
3 the family’s ability to obtain or retain
4 housing or supportive services;

5 “(viii) child care;

6 “(ix) housing counseling; and

7 “(x) other services necessary for main-
8 taining independent living.

9 “(2) Services described in paragraph (1) that are
10 delivered to very low-income veteran families who are
11 homeless and who are scheduled to become residents of
12 permanent housing within 90 days pending the loca-
13 tion or development of housing suitable for permanent
14 housing.

15 “(3) Services described in paragraph (1) for very
16 low-income veteran families who have voluntarily
17 chosen to seek other housing after a period of tenancy
18 in permanent housing, that are provided, for a period
19 of 90 days after such families exit permanent housing
20 or until such families commence receipt of other hous-
21 ing services adequate to meet their current needs, but
22 only to the extent that services under this paragraph
23 are designed to support such families in their choice
24 to transition into housing that is responsive to their
25 individual needs and preferences.

1 “(c) *APPLICATION FOR FINANCIAL ASSISTANCE.—(1)*
2 *An eligible entity seeking financial assistance under sub-*
3 *section (a) shall submit to the Secretary an application*
4 *therefor in such form, in such manner, and containing such*
5 *commitments and information as the Secretary determines*
6 *to be necessary to carry out this section.*

7 “(2) *Each application submitted by an eligible entity*
8 *under paragraph (1) shall contain—*

9 “(A) *a description of the supportive services pro-*
10 *posed to be provided by the eligible entity and the*
11 *identified needs for those services;*

12 “(B) *a description of the types of very low-in-*
13 *come veteran families proposed to be provided such*
14 *services;*

15 “(C) *an estimate of the number of very low-in-*
16 *come veteran families proposed to be provided such*
17 *services;*

18 “(D) *evidence of the experience of the eligible en-*
19 *tity in providing supportive services to very low-in-*
20 *come veteran families; and*

21 “(E) *a description of the managerial capacity of*
22 *the eligible entity—*

23 “(i) *to coordinate the provision of sup-*
24 *portive services with the provision of permanent*

1 *housing by the eligible entity or by other organi-*
2 *zations;*

3 “(ii) *to assess continuously the needs of very*
4 *low-income veteran families for supportive serv-*
5 *ices;*

6 “(iii) *to coordinate the provision of sup-*
7 *portive services with the services of the Depart-*
8 *ment;*

9 “(iv) *to tailor supportive services to the*
10 *needs of very low-income veteran families; and*

11 “(v) *to seek continuously new sources of as-*
12 *sistance to ensure the long-term provision of sup-*
13 *portive services to very low-income veteran fami-*
14 *lies.*

15 “(3) *The Secretary shall establish criteria for the selec-*
16 *tion of eligible entities to be provided financial assistance*
17 *under this section.*

18 “(d) *TECHNICAL ASSISTANCE.—(1) The Secretary*
19 *shall provide training and technical assistance to partici-*
20 *pating eligible entities regarding the planning, develop-*
21 *ment, and provision of supportive services to very low-in-*
22 *come veteran families occupying permanent housing,*
23 *through the Technical Assistance grants program in section*
24 *2064 of this title.*

1 “(2) *The Secretary may provide the training described*
2 *in paragraph (1) directly or through grants or contracts*
3 *with appropriate public or nonprofit private entities.*

4 “(e) *FUNDING.—(1) From amounts appropriated to*
5 *the Department for Medical Services, there shall be avail-*
6 *able to carry out subsection (a), (b), and (c) amounts as*
7 *follows:*

8 “(A) *\$15,000,000 for fiscal year 2008.*

9 “(B) *\$20,000,000 for fiscal year 2009.*

10 “(C) *\$25,000,000 for fiscal year 2010.*

11 “(2) *Not more than \$750,000 may be available under*
12 *paragraph (1) in any fiscal year to provide technical assist-*
13 *ance under subsection (d).*

14 “(3) *There is authorized to be appropriated \$1,000,000*
15 *for each of the fiscal year 2008 through 2010 to carry out*
16 *the provisions of subsection (d).*

17 “(f) *DEFINITIONS.—In this section:*

18 “(1) *The term ‘consumer cooperative’ has the*
19 *meaning given such term in section 202 of the Hous-*
20 *ing Act of 1959 (12 U.S.C. 1701q).*

21 “(2) *The term ‘eligible entity’ means—*

22 “(A) *a private nonprofit organization; or*

23 “(B) *a consumer cooperative.*

1 “(3) *The term ‘homeless’ has the meaning given*
2 *that term in section 103 of the McKinney-Vento*
3 *Homeless Assistance Act (42 U.S.C. 11302).*

4 “(4) *The term ‘permanent housing’ means com-*
5 *munity-based housing without a designated length of*
6 *stay.*

7 “(5) *The term ‘private nonprofit organization’*
8 *means any of the following:*

9 “(A) *Any incorporated private institution*
10 *or foundation—*

11 “(i) *no part of the net earnings of*
12 *which inures to the benefit of any member,*
13 *founder, contributor, or individual;*

14 “(ii) *which has a governing board that*
15 *is responsible for the operation of the sup-*
16 *portive services provided under this section;*
17 *and*

18 “(iii) *which is approved by the Sec-*
19 *retary as to financial responsibility.*

20 “(B) *A for-profit limited partnership, the*
21 *sole general partner of which is an organization*
22 *meeting the requirements of clauses (i), (ii), and*
23 *(iii) of subparagraph (A).*

24 “(C) *A corporation wholly owned and con-*
25 *trolled by an organization meeting the require-*

1 ments of clauses (i), (ii), and (iii) of subpara-
2 graph (A).

3 “(D) A tribally designated housing entity
4 (as defined in section 4 of the Native American
5 Housing Assistance and Self-Determination Act
6 of 1996 (25 U.S.C. 4103)).

7 “(6)(A) Subject to subparagraphs (B) and (C),
8 the term ‘very low-income veteran family’ means a
9 veteran family whose income does not exceed 50 per-
10 cent of the median income for an area specified by the
11 Secretary for purposes of this section, as determined
12 by the Secretary in accordance with this paragraph.

13 “(B) The Secretary shall make appropriate ad-
14 justments to the income requirement under subpara-
15 graph (A) based on family size.

16 “(C) The Secretary may establish an income
17 ceiling higher or lower than 50 percent of the median
18 income for an area if the Secretary determines that
19 such variations are necessary because the area has
20 unusually high or low construction costs, fair market
21 rents (as determined under section 8 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437f)), or
23 family incomes.

24 “(7) The term ‘veteran family’ includes a veteran
25 who is a single person and a family in which the

1 *head of household or the spouse of the head of house-*
2 *hold is a veteran.”.*

3 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
4 *tions at the beginning of chapter 20 of such title is*
5 *amended by inserting after the item relating to sec-*
6 *tion 2043 the following new item:*

 “2044. *Financial assistance for supportive services for very low-income veteran families in permanent housing.*”.

7 (c) *STUDY OF EFFECTIVENESS OF PERMANENT HOUS-*
8 *ING PROGRAM.*—

9 (1) *IN GENERAL.*—*For fiscal years 2008 and*
10 *2009, the Secretary shall conduct a study of the effec-*
11 *tiveness of the permanent housing program under sec-*
12 *tion 2044 of title 38, United States Code, as added*
13 *by subsection (b), in meeting the needs of very low-*
14 *income veteran families, as that term is defined in*
15 *that section.*

16 (2) *COMPARISON.*—*In the study required by*
17 *paragraph (1), the Secretary shall compare the results*
18 *of the program referred to in that subsection with*
19 *other programs of the Department of Veterans Affairs*
20 *dedicated to the delivery of housing and services to*
21 *veterans.*

22 (3) *CRITERIA.*—*In making the comparison re-*
23 *quired in paragraph (2), the Secretary shall examine*
24 *the following:*

1 (A) *The satisfaction of veterans targeted by*
2 *the programs described in paragraph (2).*

3 (B) *The health status of such veterans.*

4 (C) *The housing provided such veterans*
5 *under such programs.*

6 (D) *The degree to which such veterans are*
7 *encouraged to productive activity by such pro-*
8 *grams.*

9 (4) *REPORT.—Not later than March 31, 2010,*
10 *the Secretary shall submit to the Committee on Vet-*
11 *erans' Affairs of the Senate and the Committee on*
12 *Veterans' Affairs of the House of Representatives a re-*
13 *port on the results of the study required by paragraph*
14 *(1).*

15 **TITLE V—CONSTRUCTION**
16 **MATTERS**

17 **SEC. 501. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
18 **PROJECT, DENVER, COLORADO.**

19 (a) *IN GENERAL.—The Secretary of Veterans Affairs*
20 *may carry out a major medical facility project for a re-*
21 *placement facility for the Department of Veterans Affairs*
22 *Medical Center, Denver, Colorado, in an amount not to ex-*
23 *ceed \$548,000,000.*

24 (b) *AUTHORITY FOR USE OF EXISTING FUNDS.—The*
25 *Secretary of Veterans Affairs may obligate and expend any*

1 *unobligated amount in the “Construction, Major Projects”*
 2 *account of the Department of Veterans Affairs to purchase*
 3 *a site for, and for the construction of, the Department of*
 4 *Veterans Affairs replacement facility authorized in sub-*
 5 *section (a).*

6 **SEC. 502. INCREASE IN AUTHORIZATION FOR MAJOR MED-**
 7 **ICAL FACILITY PROJECT TO CONSOLIDATE**
 8 **THE MEDICAL CENTERS OF THE DEPART-**
 9 **MENT OF VETERANS AFFAIRS AT THE UNI-**
 10 **VERSITY DRIVE AND H. JOHN HEINZ III DIVI-**
 11 **SIONS, PITTSBURGH, PENNSYLVANIA.**

12 *Section 802(12) of the Veterans Benefits, Health Care,*
 13 *and Information Technology Act of 2006 (Public Law 109–*
 14 *461; 120 Stat. 3443) is amended by striking*
 15 *“\$189,205,000” and inserting “\$248,000,000”.*

16 **SEC. 503. AUTHORIZATION OF MAJOR MEDICAL FACILITY**
 17 **PROJECT, ATLANTA, GEORGIA.**

18 *The Secretary of Veterans Affairs may carry out a*
 19 *major medical facility project for modernization of inpa-*
 20 *tient wards at the Department of Veterans Affairs Medical*
 21 *Center, Atlanta, Georgia, in an amount not to exceed*
 22 *\$20,534,000.*

23 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

24 *There is authorized to be appropriated for the Sec-*
 25 *retary of Veterans Affairs for fiscal year 2008 for the Con-*

1 *struction, Major Projects, account \$627,329,000 for the*
2 *projects authorized in sections 501 and 503 and for the*
3 *project covered by section 502.*

4 **SEC. 505. DESIGNATION OF CHARLIE NORWOOD DEPART-**
5 **MENT OF VETERANS AFFAIRS MEDICAL CEN-**
6 **TER.**

7 *(a) FINDINGS.—Congress finds the following:*

8 *(1) Charlie Norwood volunteered for service in*
9 *the United States Army Dental Corps in a time of*
10 *war, providing dental and medical services in the Re-*
11 *public of Vietnam in 1968, earning the Combat Med-*
12 *ical Badge and two awards of the Bronze Star.*

13 *(2) Captain Norwood, under combat conditions,*
14 *helped develop the Dental Corps operating procedures,*
15 *that are now standard, of delivering dentists to for-*
16 *ward-fire bases, and providing dental treatment for*
17 *military service dogs.*

18 *(3) Captain Norwood provided dental, emergency*
19 *medical, and surgical care for United States per-*
20 *sonnel, Vietnamese civilians, and prisoners-of-war.*

21 *(4) Dr. Norwood provided military dental care*
22 *at Fort Gordon, Georgia, following his service in Viet-*
23 *nam, then provided private-practice dental care for*
24 *the next 25 years for patients in the greater Augusta,*
25 *Georgia, area, including care for military personnel,*

1 *retirees, and dependents under Department of Defense*
2 *programs and for low-income patients under Georgia*
3 *Medicaid.*

4 (5) *Congressman Norwood, upon being sworn*
5 *into the United States House of Representatives in*
6 *1995, pursued the advancement of health and dental*
7 *care for active duty and retired military personnel*
8 *and dependents, and for veterans, through his public*
9 *advocacy for strengthened Federal support for mili-*
10 *tary and veterans' health care programs and facili-*
11 *ties.*

12 (6) *Congressman Norwood co-authored and*
13 *helped pass into law the Keep our Promises to Amer-*
14 *ica's Military Retirees Act, which restored lifetime*
15 *healthcare benefits to veterans who are military retir-*
16 *ees through the creation of the Department of Defense*
17 *TRICARE for Life Program.*

18 (7) *Congressman Norwood supported and helped*
19 *pass into law the Retired Pay Restoration Act pro-*
20 *viding relief from the concurrent receipt rule penal-*
21 *izing disabled veterans who were also military retir-*
22 *ees.*

23 (8) *Throughout his congressional service from*
24 *1995 to 2007, Congressman Norwood repeatedly de-*
25 *feated attempts to reduce Federal support for the De-*

1 *partment of Veterans Affairs Medical Center in Au-*
2 *gusta, Georgia, and succeeded in maintaining and in-*
3 *creasing Federal funding for the center.*

4 (9) *Congressman Norwood maintained a life*
5 *membership in The American Legion, the Veterans of*
6 *Foreign Wars, and the Military Order of the World*
7 *Wars.*

8 (10) *Congressman Norwood's role in protecting*
9 *and improving military and veteran's health care*
10 *was recognized by the Association of the United States*
11 *Army through the presentation of the Cocklin Award*
12 *in 1998, and through his induction into the Associa-*
13 *tion's Audie Murphy Society in 1999.*

14 (b) *DESIGNATION.—*

15 (1) *IN GENERAL.—The Department of Veterans*
16 *Affairs Medical Center located at 1 Freedom Way in*
17 *Augusta, Georgia, shall after the date of the enact-*
18 *ment of this Act be known and designated as the*
19 *“Charlie Norwood Department of Veterans Affairs*
20 *Medical Center”.*

21 (2) *REFERENCES.—Any reference in any law,*
22 *regulation, map, document, record, or other paper of*
23 *the United States to the medical center referred to in*
24 *paragraph (1) shall be considered to be a reference to*

1 (1) *Section 7451(c)(1) is amended by striking “,*
2 *in the next annual report required by subsection*
3 *(g),”.*

4 (2) *Section 7452 is amended—*

5 (A) *in subsection (b)—*

6 (i) *by striking paragraph (2); and*

7 (ii) *by striking “(1) Under regula-*
8 *tions” and inserting “Under regulations”;*

9 *and*

10 (B) *in subsection (e), by striking the last*
11 *sentence.*

12 **SEC. 603. POST 9/11 GLOBAL OPERATIONS DEFINED.**

13 *Section 101 is amended by adding at the end the fol-*
14 *lowing new paragraph:*

15 “(34) *The term ‘Post 9/11 Global Operations’ means*
16 *the period of the Persian Gulf War beginning on September*
17 *11, 2001, and ending on the date thereafter prescribed by*
18 *Presidential proclamation or by law.”.*

Amend the title so as to read: “To amend title 38, United States Code, to improve health care programs for veterans, and for other purposes.”.

Calendar No. 335

110TH CONGRESS
1ST Session

S. 1233

[Report No. 110-147]

A BILL

To provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

AUGUST 29, 2007

Reported, under authority of the order of the Senate of August 3, 2007, with an amendment and an amendment to the title