

117TH CONGRESS
2D SESSION

H. R. 6823

To amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2022

Ms. BROWNLEY (for herself and Mr. BERGMAN) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Elizabeth Dole Home and Community Based Services for
6 Veterans and Caregivers Act of 2022” or the “Elizabeth
7 Dole Home Care Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Increase to expenditure cap for noninstitutional care alternatives to nursing home care.
- Sec. 3. Coordination with Program of All-Inclusive Care for the Elderly.
- Sec. 4. Home and community based services: programs.
- Sec. 5. Coordination with Program of Comprehensive Assistance for Family Caregivers.
- Sec. 6. Development of centralized website for program information.
- Sec. 7. Improvements relating to Home Maker and Home Health Aide program.
- Sec. 8. Reviews and other improvements relating to home and community based services.
- Sec. 9. Definitions.

3 **SEC. 2. INCREASE OF EXPENDITURE CAP FOR NONINSTITU-**
 4 **TIONAL CARE ALTERNATIVES TO NURSING**
 5 **HOME CARE.**

6 (a) INCREASE OF EXPENDITURE CAP.—Section
 7 1720C(d) of title 38, United States Code, is amended—
 8 (1) by striking “The total cost” and inserting
 9 “(1) Except as provided in paragraph (2), the total
 10 cost”;
 11 (2) by striking “65 percent” and inserting “100
 12 percent”; and
 13 (3) by adding at the end the following new
 14 paragraph:
 15 “(2) The total cost of providing services or in-kind
 16 assistance in the case of any veteran for any fiscal year
 17 under the program may exceed 100 percent of the cost
 18 that would otherwise have been incurred as specified in

1 paragraph (1) if the Secretary determines such higher
 2 total cost is in the best interest of the veteran.”.

3 (b) APPLICABILITY.—The amendments made by sub-
 4 section (a) shall apply with respect to fiscal years begin-
 5 ning on or after the date of the enactment of this Act.

6 **SEC. 3. COORDINATION WITH PROGRAM OF ALL-INCLUSIVE**
 7 **CARE FOR THE ELDERLY.**

8 Section 1720C of title 38, United States Code, as
 9 amended by section 2, is further amended by adding at
 10 the end the following new subsection:

11 “(f) In furnishing services to a veteran under the pro-
 12 gram conducted pursuant to subsection (a), if a medical
 13 center of the Department through which such program is
 14 administered is located in a geographic area in which serv-
 15 ices are available to the veteran under a PACE program
 16 (as such term is defined in sections 1894(a)(2) and
 17 1934(a)(2) of the Social Security Act (42 U.S.C.
 18 1395eee(a)(2); 1396u–4(a)(2))), the Secretary shall estab-
 19 lish a partnership with the PACE program operating in
 20 that area for the furnishing of such services.”.

21 **SEC. 4. HOME AND COMMUNITY BASED SERVICES: PRO-**
 22 **GRAMS.**

23 (a) PROGRAMS.—Chapter 17 of title 38, United
 24 States Code, is amended by inserting after section 1720J

1 the following new section (and conforming the table of sec-
2 tions at the beginning of such chapter accordingly):

3 **“§ 1720K. Home and community based services: pro-**
4 **grams**

5 “(a) IN GENERAL.—In furnishing noninstitutional al-
6 ternatives to nursing home care pursuant to the authority
7 of section 1720C of this title (or any other authority under
8 this chapter or other provision of law administered by the
9 Secretary of Veterans Affairs), the Secretary shall carry
10 out each of the programs specified in this section in ac-
11 cordance with such relevant authorities except as other-
12 wise provided in this section.

13 “(b) VETERAN DIRECTED CARE PROGRAM.—(1) The
14 Secretary of Veterans Affairs, in collaboration with the
15 Secretary of Health and Human Services, shall carry out
16 a program to be known as the ‘Veteran Directed Care pro-
17 gram’ under which the Secretary of Veterans Affairs may
18 enter into agreements with the providers described in
19 paragraph (2) to provide to eligible veterans funds to ob-
20 tain such in-home care services and related items as may
21 be determined appropriate by the Secretary of Veterans
22 Affairs and selected by the veteran, including through the
23 veteran hiring individuals to provide such services and
24 items or directly purchasing such services and items.

1 “(2) The providers described in this paragraph are
2 the following:

3 “(A) An Aging and Disability Resource Center,
4 an area agency on aging, or a State agency.

5 “(B) A center for independent living.

6 “(3) In carrying out the Veteran Directed Care pro-
7 gram, the Secretary of Veterans Affairs shall—

8 “(A) administer such program through each
9 medical center of the Department of Veterans Af-
10 fairs;

11 “(B) ensure the availability of such program in
12 American Samoa, Guam, the Commonwealth of the
13 Northern Mariana Islands, the Commonwealth of
14 Puerto Rico, the Virgin Islands of the United States,
15 and any other territory or possession of the United
16 States; and

17 “(C) ensure the availability of such program for
18 eligible veterans who are Native American veterans
19 receiving care and services furnished by the Indian
20 Health Service, a tribal health program, an Urban
21 Indian organization, or (in the case of a Native Ha-
22 waiian veteran) a Native Hawaiian health care sys-
23 tem.

24 “(4) If a veteran participating in the Veteran Di-
25 rected Care program is catastrophically disabled, the vet-

1 eran may continue to use funds under the program during
2 a period of hospitalization in the same manner that the
3 veteran would be authorized to use such funds under the
4 program if the veteran were not hospitalized.

5 “(c) HOME MAKER AND HOME HEALTH AIDE PRO-
6 GRAM.—(1) The Secretary shall carry out a program to
7 be known as the ‘Home Maker and Home Health Aide
8 program’ under which the Secretary may enter into agree-
9 ments with home health agencies to provide to eligible vet-
10 erans such home health aide services as may be deter-
11 mined appropriate by the Secretary.

12 “(2) In carrying out the Home Maker and Home
13 Health Aide program, the Secretary shall ensure the avail-
14 ability of such program—

15 “(A) in the locations specified in subparagraph
16 (B) of subsection (b)(3); and

17 “(B) for the veteran populations specified in
18 subparagraph (C) of such subsection.

19 “(d) HOME BASED PRIMARY CARE PROGRAM.—The
20 Secretary shall carry out a program to be known as the
21 ‘Home Based Primary Care program’ under which the
22 Secretary may furnish to eligible veterans in-home health
23 care, the provision of which is overseen by a physician of
24 the Department.

1 “(e) PURCHASED SKILLED HOME CARE PROGRAM.—

2 The Secretary shall carry out a program to be known as
3 the ‘Purchased Skilled Home Care program’ under which
4 the Secretary may furnish to eligible veterans such in-
5 home care services as may be determined appropriate and
6 selected by the Secretary for the veteran.

7 “(f) CAREGIVER SUPPORT.—(1) With respect to a
8 resident caregiver of a veteran participating in a program
9 under this section who is a family caregiver, the Secretary
10 shall—

11 “(A) if the veteran meets the requirements of
12 a covered veteran under section 1720G(b) of this
13 title, provide to such caregiver the option of enroll-
14 ing in the program of general caregiver support serv-
15 ices under such section;

16 “(B) provide to such caregiver not fewer than
17 14 days of covered respite care each year; and

18 “(C) conduct on an annual basis (and, to the
19 extent practicable, in connection with in-person serv-
20 ices provided under the program in which the vet-
21 eran is participating), a wellness check of such care-
22 giver.

23 “(2) The Secretary shall provide not fewer than 30
24 days of covered respite care each year to any resident care-

1 giver who provides services funded under the Veteran Di-
2 rected Care program under subsection (b).

3 “(3) Covered respite care provided to a resident care-
4 giver of a veteran under paragraph (1) or (2), as the case
5 may be, may exceed 14 days annually or 30 days annually,
6 respectively, if such extension is requested by the resident
7 caregiver or veteran and determined medically appropriate
8 by the Secretary.

9 “(g) DEFINITIONS.—In this section:

10 “(1) The terms ‘Aging and Disability Resource
11 Center’, ‘area agency on aging’, and ‘State agency’
12 have the meanings given those terms in section 102
13 of the Older Americans Act of 1965 (42 U.S.C.
14 3002).

15 “(2) The terms ‘caregiver’ and ‘family care-
16 giver’, with respect to a veteran, have the meanings
17 given those terms, respectively, under subsection (e)
18 of section 1720G of this title with respect to an eli-
19 gible veteran under subsection (a) of such section or
20 a covered veteran under subsection (b) of such sec-
21 tion, as the case may be.

22 “(3) The term ‘center for independent living’
23 has the meaning given that term in section 702 of
24 the Rehabilitation Act of 1973 (29 U.S.C. 796a).

1 “(4) The term ‘covered respite care’ means,
2 with respect to a caregiver of a veteran, respite care
3 that—

4 “(A) includes 24-hour per day care of the
5 veteran commensurate with the care provided
6 by the caregiver;

7 “(B) is medically and age-appropriate; and

8 “(C) includes in-home care.

9 “(5) The term ‘eligible veteran’ means any vet-
10 eran—

11 “(A) for whom the Secretary determines
12 participation in a specific program under this
13 section is medically necessary to promote, pre-
14 serve, or restore the health of the veteran; and

15 “(B) who absent such participation would
16 be at increased risk for hospitalization, place-
17 ment in a nursing home, or emergency room
18 care.

19 “(6) The term ‘home health agency’ has the
20 meaning given that term in section 1861(o) of the
21 Social Security Act (42 U.S.C. 1395x(o)).

22 “(7) The term ‘home health aide’ means an in-
23 dividual employed by a home health agency to pro-
24 vide in-home care services.

1 “(8) The term ‘in-home care service’ means any
2 service, including a personal care service, provided to
3 enable the recipient of such service to live at home.

4 “(9) The terms ‘Native American’ and ‘Native
5 American veteran’ have the meanings given those
6 terms in section 3765 of this title.

7 “(10) The terms ‘Native Hawaiian’ and ‘Native
8 Hawaiian health care system’ have the meanings
9 given those terms in section 12 of the Native Hawai-
10 ian Health Care Improvement Act (42 U.S.C.
11 11711).

12 “(11) The term ‘resident caregiver’ means a
13 caregiver, or a family caregiver, of a veteran who re-
14 sides with the veteran.

15 “(12) The terms ‘tribal health programs’ and
16 ‘Urban Indian organizations’ have the meanings
17 given those terms in section 4 of the Indian Health
18 Care Improvement Act (25 U.S.C. 1603).”.

19 (b) DEADLINE FOR IMPROVED ADMINISTRATION.—
20 The Secretary of Veterans Affairs shall ensure that the
21 Veteran Directed Care program and the Home Maker and
22 Home Health Aide program are administered through
23 each medical center of the Department of Veterans Affairs
24 in accordance with section 1720K of title 38, United

1 States Code (as added by subsection (a)), by not later
2 than two years after the date of the enactment of this Act.

3 **SEC. 5. COORDINATION WITH ASSISTANCE AND SUPPORT**
4 **SERVICES FOR CAREGIVERS.**

5 (a) COORDINATION WITH PROGRAM OF COMPREHEN-
6 SIVE ASSISTANCE FOR FAMILY CAREGIVERS.—

7 (1) COORDINATION.—Section 1720G(a) of title
8 38, United States Code, is amended by adding at
9 the end the following new paragraph:

10 “(14)(A) In the case of a veteran or caregiver who
11 seeks services under this subsection and is denied such
12 services, or a veteran or the family caregiver of a veteran
13 who is discharged from the program under this subsection,
14 the Secretary shall—

15 “(i) if the veteran meets the requirements of a
16 covered veteran under subsection (b), provide to
17 such caregiver the option of enrolling in the program
18 of general caregiver support services under such sub-
19 section;

20 “(ii) assess the veteran or caregiver for partici-
21 pation in any other available program of the Depart-
22 ment for home and community based services (in-
23 cluding the programs specified in section 1720K of
24 this title) for which the veteran or caregiver may be
25 eligible and, with respect to the veteran, store (and

1 make accessible to the veteran) the results of such
2 assessment in the electronic medical record of the
3 veteran; and

4 “(iii) provide to the veteran or caregiver written
5 information on any such program identified pursu-
6 ant to the assessment under clause (ii), including in-
7 formation about facilities, eligibility requirements,
8 and relevant contact information for each such pro-
9 gram.

10 “(B) For each veteran or family caregiver who is dis-
11 charged from the program under this subsection, a care-
12 giver support coordinator shall provide for a smooth and
13 personalized transition from such program to an appro-
14 priate program of the Department for home and commu-
15 nity based services (including the programs specified in
16 section 1720K of this title), including by integrating care-
17 giver support across programs.”.

18 (2) APPLICABILITY.—The amendments made
19 by paragraph (1) shall apply with respect to denials
20 and discharges occurring on or after the date of the
21 enactment of this Act.

22 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
23 Section 1720G(d) of such title is amended—

24 (1) by striking “or a covered veteran” each
25 place it appears and inserting “, a veteran denied or

1 discharged as specified in paragraph (14) of such
2 subsection, or a covered veteran”; and

3 (2) by striking “under subsection (a), means”
4 each place it appears and inserting “under sub-
5 section (a) or a veteran denied or discharged as
6 specified in paragraph (14) of such subsection,
7 means”.

8 (c) REVIEW RELATING TO CAREGIVER CONTACT.—

9 The Secretary shall conduct a review of the capacity of
10 the Department to establish a streamlined system for con-
11 tacting all caregivers enrolled in the program of general
12 caregiver support services under section 1720G(b) of title
13 38, United States Code, to provide to such caregivers pro-
14 gram updates and alerts relating to emerging services for
15 which such caregivers may be eligible.

16 **SEC. 6. DEVELOPMENT OF CENTRALIZED WEBSITE FOR**
17 **PROGRAM INFORMATION.**

18 (a) CENTRALIZED WEBSITE.—The Secretary shall
19 develop and maintain a centralized and publicly accessible
20 internet website of the Department as a clearinghouse for
21 information and resources relating to covered programs.

22 (b) CONTENTS.—The website under subsection (a)
23 shall contain the following:

24 (1) A description of each covered program.

1 (2) An informational assessment tool that en-
2 ables users to—

3 (A) assess the eligibility of a veteran, or a
4 caregiver of a veteran, for any covered program;
5 and

6 (B) receive information, as a result of such
7 assessment, on any covered program for which
8 the veteran or caregiver (as the case may be)
9 may be eligible.

10 (3) A list of required procedures for the direc-
11 tors of the medical facilities of the Department to
12 follow in determining the eligibility and suitability of
13 veterans for participation in a covered program, in-
14 cluding procedures applicable to instances in which
15 the resource constraints of a facility (or of a commu-
16 nity in which a facility is located) may result in the
17 inability to address the health needs of a veteran
18 under a covered program in a timely manner.

19 (c) UPDATES.—The Secretary shall ensure the
20 website under subsection (a) is updated on a periodic
21 basis.

22 **SEC. 7. IMPROVEMENTS RELATING TO HOME MAKER AND**
23 **HOME HEALTH AIDE PROGRAM.**

24 (a) PILOT PROGRAM FOR COMMUNITIES WITH
25 SHORTAGE OF HOME HEALTH AIDES.—

1 (1) PROGRAM.—The Secretary shall carry out a
2 pilot program under which the Secretary shall pro-
3 vide home maker and home health aide services to
4 veterans who reside in communities with a shortage
5 of home health aides.

6 (2) LOCATIONS.—The Secretary shall select 10
7 geographic locations in which the Secretary deter-
8 mines there is a shortage of home health aides at
9 which to carry out the pilot program under para-
10 graph (1).

11 (3) NURSING ASSISTANTS.—

12 (A) IN GENERAL.—In carrying out the
13 pilot program under paragraph (1), the Sec-
14 retary may hire nursing assistants as new em-
15 ployees of the Department of Veterans Affairs,
16 or reassign nursing assistants who are existing
17 employees of the Department, to provide to vet-
18 erans in-home care services (including basic
19 tasks authorized by the State certification of
20 the nursing assistant) under the pilot program,
21 in lieu of or in addition to the provision of such
22 services through non-Department home health
23 aides.

24 (B) RELATIONSHIP TO HOME BASED PRI-
25 MARY CARE PROGRAM.—Nursing assistants

1 hired or reassigned under subparagraph (A)
2 may provide services to a veteran under the
3 pilot program under paragraph (1) while serv-
4 ing as part of a health care team for the vet-
5 eran under the Home Based Primary Care pro-
6 gram.

7 (4) DURATION.—The pilot program under para-
8 graph (1) shall be for a duration of three years.

9 (5) REPORT TO CONGRESS.—Not later than one
10 year after the date on which the Secretary deter-
11 mines the pilot program under paragraph (1) has
12 terminated, the Secretary shall submit to the Com-
13 mittees on Veterans’ Affairs of the House of Rep-
14 resentatives and the Senate a report on the result of
15 the pilot program.

16 (b) REPORT ON USE OF FUNDS.—Not later than one
17 year after the date of the enactment of this Act, the Sec-
18 retary of Veterans Affairs shall submit to the Committees
19 on Veterans’ Affairs of the House of Representatives and
20 the Senate a report containing, with respect to the period
21 beginning in fiscal year 2011 and ending in fiscal year
22 2022, the following:

23 (1) An identification of the amount of funds
24 that were included in a budget of the Department of
25 Veterans Affairs during such period for the provision

1 of in-home care to veterans under the Home Maker
2 and Home Health Aide program but were not ex-
3 pended for such provision, disaggregated by medical
4 center of the Department for which such unex-
5 pended funds were budgeted.

6 (2) An identification of the number of veterans
7 for whom, during such period, the hours during
8 which a home health aide was authorized to provide
9 services to the veteran under the Home Maker and
10 Home Health Aide program were reduced for a rea-
11 son other than a change in the health care needs of
12 the veteran, and a detailed description of the reasons
13 why any such reductions may have occurred.

14 (c) UPDATED GUIDANCE ON PROGRAM.—Not later
15 than one year after the date of the enactment of this Act,
16 the Secretary shall issue updated guidance for the Home
17 Maker and Home Health Aide program. Such updated
18 guidance shall include the following:

19 (1) A process for the transition of veterans
20 from the Home Maker and Home Health Aide pro-
21 gram to other covered programs.

22 (2) A requirement for the directors of the med-
23 ical facilities of the Department to complete such
24 process whenever a veteran with care needs has been
25 denied services from home health agencies under the

1 Home Maker and Home Health Aide program as a
2 result of the clinical needs or behavioral issues of the
3 veteran.

4 **SEC. 8. REVIEWS AND OTHER IMPROVEMENTS RELATING**
5 **TO HOME AND COMMUNITY BASED SERVICES.**

6 (a) OFFICE OF GERIATRIC AND EXTENDED CARE.—

7 (1) REVIEW OF PROGRAMS.—The Under Sec-
8 retary for Health of the Department of Veterans Af-
9 fairs shall conduct a review of each program admin-
10 istered through the Office of Geriatric and Extended
11 Care of the Department, or successor office, to—

12 (A) ensure consistency in program man-
13 agement;

14 (B) eliminate service gaps at the medical
15 center level; and

16 (C) ensure the availability of, and the ac-
17 cess by veterans to, home and community based
18 services.

19 (2) ASSESSMENT OF STAFFING NEEDS.—The
20 Secretary of Veterans Affairs shall conduct an as-
21 sessment of the staffing needs of the Office of Geri-
22 atric and Extended Care of the Department of Vet-
23 erans Affairs, or successor office.

24 (3) GOALS FOR GEOGRAPHIC ALIGNMENT OF
25 CARE.—

1 (A) ESTABLISHMENT OF GOALS.—The Di-
2 rector of the Office of Geriatric and Extended
3 Care, or successor office, shall establish quan-
4 titative goals to enable aging or disabled vet-
5 erans who are not located near medical centers
6 of the Department to access extended care serv-
7 ices (including by improving access to home and
8 community based services for such veterans).

9 (B) IMPLEMENTATION TIMELINE.—Each
10 goal established under subparagraph (A) shall
11 include a timeline for the implementation of the
12 goal at each medical center of the Department.

13 (4) GOALS FOR IN-HOME SPECIALTY CARE.—
14 The Director of the Office of Geriatric and Extended
15 Care, or successor office, shall establish quantitative
16 goals to address the specialty care needs of veterans
17 through in-home care, including by ensuring the
18 education of home health aides and caregivers of vet-
19 erans in the following areas:

20 (A) Dementia care.

21 (B) Care for spinal cord injuries and dis-
22 eases.

23 (C) Ventilator care.

24 (D) Other speciality care areas as deter-
25 mined by the Secretary.

1 (5) REPORT TO CONGRESS.—Not later than one
2 year after the date of the enactment of this Act, the
3 Secretary shall submit to the Committees on Vet-
4 erans' Affairs of the House of Representatives and
5 the Senate a report containing the findings of the
6 review under paragraph (1), the results of the as-
7 sessment under paragraph (2), and the goals estab-
8 lished under paragraphs (3) and (4).

9 (b) REVIEW OF INCENTIVES AND EFFORTS RELAT-
10 ING TO HOME AND COMMUNITY BASED SERVICES.—

11 (1) REVIEW.—The Secretary of Veterans Af-
12 fairs shall conduct a review of the following:

13 (A) The financial and organizational incen-
14 tives for the directors of medical centers of the
15 Department to establish or expand covered pro-
16 grams at such medical centers.

17 (B) Any incentives for such directors to
18 provide to veterans home and community based
19 services in lieu of institutional care.

20 (C) The efforts taken by the Secretary to
21 enhance spending of the Department for ex-
22 tended care by shifting the balance of such
23 spending from institutional care to home and
24 community based services.

1 (D) The plan of the Under Secretary for
2 Health of the Department to accelerate efforts
3 to enhance spending as specified in subpara-
4 graph (C), to match the progress of similar ef-
5 forts taken by the Administrator of the Centers
6 for Medicare & Medicaid Services with respect
7 to spending of the Centers for Medicare & Med-
8 icaid Services for extended care.

9 (2) REPORT TO CONGRESS.—Not later than one
10 year after the date of the enactment of this Act, the
11 Secretary shall submit to the Committees on Vet-
12 erans' Affairs of the House of Representatives and
13 the Senate a report on the findings of the review
14 under paragraph (1).

15 (c) REVIEW OF RESPITE CARE SERVICES.—Not later
16 than two years after the date of the enactment of this Act,
17 the Secretary of Veterans Affairs shall conduct a review
18 of the use, availability, and effectiveness, of the respite
19 care services furnished by the Secretary under chapter 17
20 of title 38, United States Code.

21 (d) COLLABORATION TO IMPROVE HOME AND COM-
22 MUNITY BASED SERVICES.—

23 (1) REPORT ON EXPANSION OF CERTAIN MEN-
24 TAL HEALTH SERVICES.—

1 (A) REPORT.—Not later than two years
2 after the date of the enactment of this Act, the
3 Secretary of Veterans Affairs, in collaboration
4 with the Secretary of Health and Human Serv-
5 ices, shall submit to the Committees on Vet-
6 erans' Affairs of the House of Representatives
7 and the Senate a report containing rec-
8 ommendations for the expansion of mental
9 health services and related support to the care-
10 givers of veterans.

11 (B) MATTERS INCLUDED.—The report
12 under subparagraph (A) shall include an assess-
13 ment of the feasibility and advisability of au-
14 thorizing access to Vet Centers by—

15 (i) family caregivers enrolled in a pro-
16 gram under section 1720G of title 38,
17 United States Code; and

18 (ii) family caregivers of veterans par-
19 ticipating in a program specified in section
20 1720K of such title, as added by section 4.

21 (2) RECOMMENDATIONS.—

22 (A) DEVELOPMENT.—The Secretary of
23 Veterans Affairs shall develop recommendations
24 as follows:

1 (i) With respect to home and commu-
2 nity based services for veterans, the Sec-
3 retary of Veterans Affairs shall develop
4 recommendations regarding new services
5 (in addition to those furnished as of the
6 date of the enactment of this Act) in col-
7 laboration with the Secretary of Health
8 and Human Services.

9 (ii) With respect to the national short-
10 age of home health aides, the Secretary of
11 Veterans Affairs shall develop rec-
12 ommendations regarding methods to ad-
13 dress such shortage in collaboration with
14 the Secretary of Health and Human Serv-
15 ices and the Secretary of Labor.

16 (B) SUBMISSION TO CONGRESS.—The Sec-
17 retary of Veterans Affairs shall submit to the
18 Committees on Veterans' Affairs of the House
19 of Representatives and the Senate a report con-
20 taining the recommendations developed under
21 subparagraph (A) and an identification of any
22 changes in existing law or new statutory au-
23 thority necessary to implement the rec-
24 ommendations, as determined by the Secretary.

1 (3) FEEDBACK AND RECOMMENDATIONS ON
2 CAREGIVER SUPPORT.—

3 (A) FEEDBACK AND RECOMMENDA-
4 TIONS.—The Secretary of Veterans Affairs shall
5 solicit from the entities described in subpara-
6 graph (B) feedback and recommendations re-
7 garding opportunities for the Secretary to en-
8 hance home and community based services for
9 veterans and the caregivers of veterans, includ-
10 ing through the potential provision by the entity
11 of care and respite services to veterans and
12 caregivers who may not be eligible for any pro-
13 gram under section 1720G of title 10, United
14 States Code, or section 1720K of such title (as
15 added by section 4), but have a need for assist-
16 ance.

17 (B) COVERED ENTITIES.—The entities de-
18 scribed in this subparagraph are veterans serv-
19 ice organizations and nonprofit organizations
20 with a focus on caregiver support (as deter-
21 mined by the Secretary).

22 (4) COLLABORATION FOR NATIVE AMERICAN
23 VETERANS.—The Secretary of Veterans Affairs shall
24 collaborate with the Director of the Indian Health
25 Service and representatives from tribal health pro-

1 grams and Urban Indian organizations to ensure the
2 availability of home and community based services
3 for Native American veterans, including Native
4 American veterans receiving health care and medical
5 services under multiple health care systems.

6 **SEC. 9. DEFINITIONS.**

7 In this Act:

8 (1) The terms “caregiver” and “family care-
9 giver” have the meanings given those terms under
10 section 1720K(g) of title 38, United States Code (as
11 added by section 4).

12 (2) The term “covered program”—

13 (A) means any program of the Department
14 of Veterans Affairs for home and community
15 based services; and

16 (B) includes the programs specified in sec-
17 tion 1720K of title 38, United States Code (as
18 added by section 4).

19 (3) The term “home and community based
20 services”—

21 (A) means the services referred to in sec-
22 tion 1701(6)(E) of title 38, United States Code;
23 and

1 (B) includes services furnished under a
2 program specified in section 1720K of such title
3 (as added by section 4).

4 (4) The terms “Home Based Primary Care pro-
5 gram”, “Home Maker and Home Health Aide pro-
6 gram”, and “Veteran Directed Care program” mean
7 the programs of the Department of Veterans Affairs
8 specified in subsections (d), (c), and (b) of such sec-
9 tion 1720K, respectively.

10 (5) The terms “home health agency”, “home
11 health aide”, “Native American”, “Native American
12 veteran”, “tribal health programs”, and “Urban In-
13 dian organizations” have the meanings given those
14 terms in subsection (g) of such section 1720K.

15 (6) The term “Vet Center” has the meaning
16 given that term in section 1712A(h) of title 38,
17 United States Code.

18 (7) The term “veterans service organization”
19 means any organization recognized by the Secretary
20 under section 5902 of such title.

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