

Public Law 94-417  
94th Congress

An Act

To amend title 38 of the United States Code to promote the care and treatment of veterans in State veterans' homes.

Sept. 21, 1976  
[H.R. 10394]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 641 of title 38, United States Code, is amended to read as follows:

Veterans.  
Care and  
treatment in State  
homes.

“§ 641. Criteria for payment

“(a) The Administrator shall pay each State at the per diem rate of—

- “(1) \$5.50 for domiciliary care,
- “(2) \$10.50 for nursing home care, and
- “(3) \$11.50 for hospital care,

for each veteran receiving such care in a State home, if such veteran is eligible for such care in a Veterans' Administration facility.

“(b) In no case shall the payments made with respect to any veteran under this section exceed one-half of the cost of the veterans' care in such State home.”

(b) Paragraph (19) of section 101 of title 38, United States Code, is amended by striking out “of any war (including the Indian Wars)” in the first sentence and “of any war” in the second sentence.

(c) (1) The amendments made by subsection (a) of this section shall be effective on October 1, 1976.

Effective date.  
38 USC 641 note.

(2) At the time of the first payment to a State under section 641 of title 38, United States Code, as amended by subsection (a) of this section, the Administrator of Veterans' Affairs shall pay such State, in a lump sum, an amount equal to the difference between the total amount paid each such State under such section 641 for care provided by such State in a State home from January 1, 1976, to October 1, 1976, and the amount such State would have been paid for providing such care if the amendment made by subsection (a) of this section had been effective on January 1, 1976.

Approved September 21, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-705 (Comm. on Veterans' Affairs).

SENATE REPORT No. 94-1164 (Comm. on Veterans' Affairs).

CONGRESSIONAL RECORD:

Vol. 121 (1975): Dec. 15, considered and passed House.

Vol. 122 (1976): Aug. 30, considered and passed Senate, amended.

Sept. 9, House concurred in Senate amendment.