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(Original Signature of Member)

114TH CONGRESS
2^D SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. LOEBSACK introduced the following bill; which was referred to the Committee on _____

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Never Again Act”.

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

3 (a) IN GENERAL.—Chapter 17 of title 38, United
4 States Code, is amended by inserting after section 1720G
5 the following new section:

6 **“§ 1720H. Provision of in-patient psychiatric care**

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

12 “(1) is closest to where the veteran resides; and
13 “(2) has the capacity and capability to provide
14 such care.

15 “(b) NON-DEPARTMENT FACILITIES.—(1) If the Sec-
16 retary determines, on a case-by-case basis, that a facility
17 of the Department does not have the capability or capacity
18 to furnish in-patient psychiatric care to a covered veteran
19 pursuant to subsection (a), the Secretary shall furnish
20 such care to such veteran at a non-Department facility.

21 “(2) For purposes of determining the rates of reim-
22 bursement for a non-Department facility that furnishes in-
23 patient psychiatric care pursuant to paragraph (1), the
24 Secretary shall treat such non-Department facility as a
25 health care provider being reimbursed pursuant to section

1 101(d)(2) of the Veterans Access, Choice, and Account-
2 ability Act of 2014 (Public Law 113–146).

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

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

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

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of such chapter is amended by inserting
11 after the item relating to section 1704 the following new
12 item:

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