

114TH CONGRESS  
2D SESSION

# H. R. 6108

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

SEPTEMBER 21, 2016

Mr. LOEBSACK (for himself, Mr. STIVERS, Mrs. BUSTOS, Ms. GABBARD, Mr. WEBER of Texas, Mr. JONES, Mr. HONDA, Mr. GALLEGO, Mr. RANGEL, Mr. SERRANO, Mr. CURBELO of Florida, Mr. THOMPSON of California, Mr. WALZ, Mr. MARINO, Mr. COOPER, Mr. SWALWELL of California, Mr. BLUM, Mr. ROONEY of Florida, Mrs. NAPOLITANO, Mr. DENHAM, Mr. HUNTER, and Mr. SABLAN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

---

## 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  
16 Secretary determines, on a case-by-case basis, that a facil-  
17 ity of the Department does not have the capability or ca-  
18 pacity to furnish in-patient psychiatric care to a covered  
19 veteran pursuant to subsection (a), the Secretary shall  
20 furnish such care to such veteran at a non-Department  
21 facility.

22 “(2) For purposes of determining the rates of reim-  
23 bursement for a non-Department facility that furnishes in-  
24 patient psychiatric care pursuant to paragraph (1), the  
25 Secretary shall treat such non-Department facility as a  
26 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.”.

○