

# United States Senate

WASHINGTON, DC 20510

February 28, 2008

The Honorable James Peake  
Secretary of Veterans Affairs  
810 Vermont Ave NW  
Washington, DC 20420

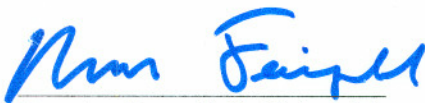
Dear Secretary Peake:

We write to urge the Department of Veterans Affairs (VA) to issue regulations implementing section 211 of Pub. L. 109-461. Section 211 requires the VA to reimburse state veterans' homes for long-term care of certain veterans. We are concerned that regulations implementing this provision have not been issued since the bill became law on December 22, 2006. This delay has greatly affected the 1,200 eligible veterans and the state facilities that care for these individuals.

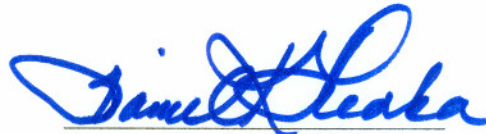
Then-Secretary Nicholson indicated in the enclosed July 23, 2007, letter that the agency "will work diligently to ensure that these regulations are published and implemented as soon as possible." Eight months later, we call on the VA to issue these regulations within 30 days. We further request that you provide assurances that the VA will, as required by law, make these regulations effective retroactively so that the homes and veterans that have been paying for covered care are directly reimbursed.

Thank you for your prompt attention to this matter.

Sincerely,



Senator Russell D. Feingold



Senator Daniel K. Akaka



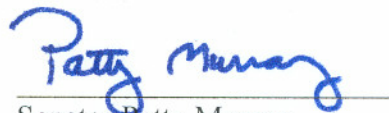
Senator Hillary Rodham Clinton



Senator Ken Conrad



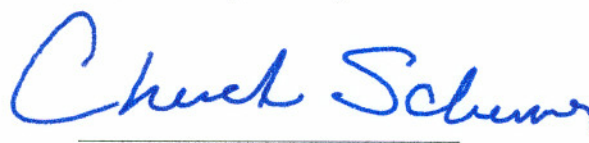
Senator Carl Levin



Senator Patty Murray

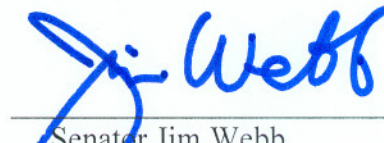



Senator John D. Rockefeller

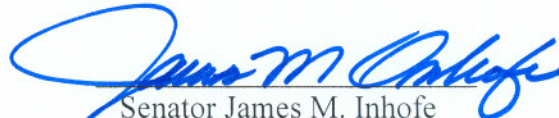


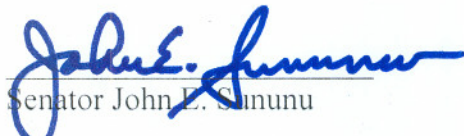
Senator Chuck Schumer

  
Senator Debbie Stabenow

  
Senator Jim Webb

  
Senator Ron Wyden

  
Senator James M. Inhofe

  
Senator John E. Sununu



THE SECRETARY OF VETERANS AFFAIRS  
WASHINGTON

July 23, 2007

The Honorable Russell Feingold  
United States Senate  
Washington, DC 20510

Dear Senator Feingold:

Thank you for your letter inquiring about a modification to the State Veterans Home program authorized by section 211 of the Veterans Benefits, Health Care, and Information Technology Act of 2006, Public Law 109-461. This modification requires the Department of Veterans Affairs (VA) to determine the prevailing rate for nursing home care at non-VA nursing homes in the geographic area of each State home. VA is then required to pay that rate (or the State home's actual cost of care if less) for care provided in State homes to certain service-connected veterans.

VA is developing the regulations that are necessary to implement the provisions of section 211. It is anticipated that once the regulations and rates are finalized, retroactive payments will be made to State Veterans Homes.

VA will work diligently to ensure that these regulations are published and implemented as soon as possible. Thank you for your continued support of America's veterans.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R. James Nicholson".

R. James Nicholson