TITLE VI—HEALTH CARE SERVICES IN THE HOME

SEC. 601. SHORT TITLE.
This title may be cited as the "Health Care Services in the Home Act of 1987".

SEC. 602. ESTABLISHMENT OF GRANT PROGRAMS FOR DEMONSTRATION PROJECTS.
Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following:

"PART K—HEALTH CARE SERVICES IN THE HOME

"Subpart I—Grants for Demonstration Projects

"SEC. 395. ESTABLISHMENT OF PROGRAM.

"(a) In General.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall make not less than 3, and not more than 5, grants to States for the purpose of assisting grantees in carrying out demonstration projects—

"(1) to identify low-income individuals who can avoid institutionalization or prolonged hospitalization if skilled medical services or related health services (or both) are provided in the homes of the individuals;

"(2) to pay the costs of the provision of such services in the homes of such individuals; and

"(3) to coordinate the provision by public and private entities of such services, and other long-term care services, in the homes of such individuals.

"(b) Requirement With Respect to Age of Recipients of Services.—The Secretary may not make a grant under subsection (a) to a State unless the State agrees to ensure that not less than 25 percent of individuals receiving services pursuant to subsection (a) are individuals who are not less than 65 years of age.

"(c) Relationship to Items and Services Under Other Programs.—A State may not make payments from a grant under subsection (a) for any item or service to the extent that payment has been, or can reasonably be expected to be made, with respect to such item or service—

"(1) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

"(2) by an entity that provides health services on a prepaid basis.

"SEC. 396. LIMITATION ON DURATION OF GRANT AND REQUIREMENT OF MATCHING FUNDS.

"(a) Limitation on Duration of Grant.—The period during which payments are made to a State from a grant under section 395(a) may not exceed 3 years. Such payments shall be subject to annual evaluation by the Secretary.

"(b) Requirement of Matching Funds.—
“(1)(A) For the first year of payments to a State from a grant under section 395(a), the Secretary may not make such payments in an amount exceeding 75 percent of the costs of services to be provided by the State pursuant to such section.

“(B) For the second year of such payments to a State, the Secretary may not make such payments in an amount exceeding 65 percent of the costs of such services.

“(C) For the third year of such payments to a State, the Secretary may not make such payments in an amount exceeding 55 percent of the costs of such services.

“(2) The Secretary may not make a grant under section 395(a) to a State unless the State agrees to make available, directly or through donations from public or private entities, non-Federal contributions toward the costs of services to be provided pursuant to such section in an amount equal to—

“(A) for the first year of payments to the State from the grant, not less than $25 (in cash or in kind under subsection (c)) for each $75 of Federal funds provided in the grant;

“(B) for the second year of such payments to the State, not less than $35 (in cash or in kind under subsection (c)) for each $65 of such Federal funds; and

“(C) for the third year of such payments to the State, not less than $45 (in cash or in kind under subsection (c)) for each $55 of such Federal funds.

“(c) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required in subsection (b) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

42 USC 280c-2. "SEC. 397. GENERAL PROVISIONS.

“(a) LIMITATION ON ADMINISTRATIVE EXPENSES.—The Secretary may not make a grant under section 395(a) to a State unless the State agrees that not more than 10 percent of the grant will be expended for administrative expenses with respect to the grant.

“(b) DESCRIPTION OF INTENDED USE OF GRANT.—The Secretary may not make a grant under section 395(a) to a State unless—

“(1) the State submits to the Secretary a description of the purposes for which the State intends to expend the grant; and

“(2) such description provides information relating to the programs and activities to be supported and services to be provided, including—

“(A) the number of individuals who will receive services pursuant to section 395(a) and the average costs of providing such services to each such individual; and

“(B) a description of the manner in which such programs and activities will be coordinated with any similar programs and activities of public and private entities.

“(c) REQUIREMENT OF APPLICATION.—The Secretary may not make a grant under section 395(a) to a State unless the State has submitted to the Secretary an application for the grant. The application shall—

“(1) contain the description of intended expenditures required in subsection (b);
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"(2) with respect to carrying out the purpose for which the grant is to be made, provide assurances of compliance satisfactory to the Secretary; and

"(3) otherwise be in such form, be made in such manner, and contain such information and agreements as the Secretary determines to be necessary to carry out this subpart.

"(d) EVALUATIONS AND REPORT BY SECRETARY.—The Secretary shall—

"(1) provide for an evaluation of each demonstration project for which a grant is made under section 395(a); and

"(2) not later than 6 months after the completion of such evaluations, submit to the Congress a report describing the findings made as a result of the evaluations.

"(e) AUTHORIZATIONS OF APPROPRIATIONS.—For the purpose of carrying out this subpart, there is authorized to be appropriated $5,000,000 for each of the fiscal years 1988 through 1990.

"Subpart II—Grants for Demonstrations Projects With Respect to Alzheimer's Disease

SEC. 398. ESTABLISHMENT OF PROGRAM.

"(a) In General.—The Secretary shall make not less than 3, and not more than 5, grants to States for the purpose of assisting grantees in carrying out demonstration projects for planning, establishing, and operating programs—

"(1) to coordinate the development and operation by public and private organizations of diagnostic, treatment, care management, respite care, legal counseling, and education services provided within the State to individuals with Alzheimer's disease or related disorders and to the families and care providers of such individuals;

"(2) to provide home health care, personal care, day care, companion services, short-term care in health facilities, and other respite care to individuals with Alzheimer's disease or related disorders; and

"(3) to provide to health care providers, to individuals with Alzheimer's disease or related disorders, to the families of such individuals, to organizations established for such individuals and such families, and to the general public, information with respect to—

"(A) diagnostic services, treatment services, and related services available to such individuals and to the families of such individuals;

"(B) sources of assistance in obtaining such services, including assistance under entitlement programs; and

"(C) the legal rights of such individuals and such families.

"(b) Requirement With Respect to Certain Expenditures.—The Secretary may not make a grant under subsection (a) to a State unless the State agrees to expend not less than 50 percent of the grant for the provision of services described in subsection (a)(2).

"(c) Relationship to Items and Services Under Other Programs.—A State may not make payments from a grant under subsection (a) for any item or service to the extent that payment has been made, or can reasonably be expected to be made, with respect to such item or service—
“(1) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or
“(2) by an entity that provides health services on a prepaid basis.

42 USC 280c-4. “SEC. 399. LIMITATION ON DURATION OF GRANT AND REQUIREMENT OF MATCHING FUNDS.

“(a) LIMITATION ON DURATION OF GRANT.—The period during which payments are made to a State from a grant under section 398(a) may not exceed 3 years. Such payments shall be subject to annual evaluation by the Secretary.

“(b) REQUIREMENT OF MATCHING FUNDS.—
“(1)(A) For the first year of payments to a State from a grant under section 398(a), the Secretary may not make such payments in an amount exceeding 75 percent of the costs of services to be provided by the State pursuant to such section.
“(B) For the second year of such payments to a State, the Secretary may not make such payments in an amount exceeding 55 percent of the costs of such services.
“(C) For the third year of such payments to a State, the Secretary may not make such payments in an amount exceeding 55 percent of the costs of such services.
“(2) The Secretary may not make a grant under section 398(a) to a State unless the State agrees to make available, directly or through donations from public or private entities, non-Federal contributions toward the costs of services to be provided pursuant to such section in an amount equal to—
“(A) for the first year of payments to the State from the grant, not less than $25 in cash or in kind under subsection (c) for each $75 of Federal funds provided in the grant;
“(B) for the second year of such payments to the State, not less than $35 in cash or in kind under subsection (c) for each $75 of such Federal funds; and
“(C) for the third year of such payments to the State, not less than $45 in cash or in kind under subsection (c) for each $75 of such Federal funds.

“(c) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required in subsection (b) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

42 USC 280c-5. “SEC. 399A. GENERAL PROVISIONS.

“(a) LIMITATION ON ADMINISTRATIVE EXPENSES.—The Secretary may not make a grant under section 398(a) to a State unless the State agrees that not more than 10 percent of the grant will be expended for administrative expenses with respect to the grant.

“(b) DESCRIPTION OF INTENDED USE OF GRANT.—The Secretary may not make a grant under section 398(a) to a State unless—
“(1) the State submits to the Secretary a description of the purposes for which the State intends to expend the grant; and
“(2) such description provides information relating to the programs and activities to be supported and services to be provided, including—
in program, under an insurer or State health benefits
health services on a prepaid

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"(A) the number of individuals who will receive services
pursuant to section 398(a) and the average costs of provid-
such services to each such individual; and

"(B) a description of the manner in which such programs
and activities will be coordinated with any similar pro-
gams and activities of public and private entities.

"(c) REQUIREMENT OF APPLICATION.—The Secretary may not make
a grant under section 398(a) to a State unless the State has submit-
ted to the Secretary an application for the grant. The application
shall—

"(1) contain the description of intended expenditures required
in subsection (b);

"(2) with respect to carrying out the purpose for which the
grant is to be made, provide assurances of compliance satisfac-
tory to the Secretary; and

"(3) otherwise be in such form, be made in such manner, and
contain such information and agreements as the Secretary
determines to be necessary to carry out this subpart.

"(d) EVALUATIONS AND REPORT BY SECRETARY.—The Secretary
shall—

"(1) provide for an evaluation of each demonstration project
for which a grant is made under section 398(a); and

"(2) not later than 6 months after the completion of such
evaluations, submit to the Congress a report describing the
findings made as a result of the evaluations.

"(e) AUTHORIZATIONS OF APPROPRIATIONS.—For the purpose of
carrying out this subpart, there is authorized to be appropriated
$5,000,000 for each of the fiscal years 1988 through 1990.

TITLE VII—GENERAL PROVISIONS

SEC. 701. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsections
(b) and (c), this Act and the amendments made by this Act shall take
effect on October 1, 1987.

(b) APPLICATION OF AMENDMENTS.—The amendments made by
title I of this Act shall not apply with respect to—

(1) any area plan submitted under section 306(a) of the Older
Americans Act of 1965, or

42 USC 3001 note.
(2) any State plan submitted under section 307(a) of such Act, and approved for any fiscal year beginning before the date of the enactment of this Act.

(c) EFFECTIVE DATE OF SECTION 506.—The amendments made by section 506 of this Act shall take effect upon the expiration of the 90-day period beginning on the date of the enactment of this Act.


LEGISLATIVE HISTORY—H.R. 1451 (S. 887):

HOUSE REPORTS: No. 100-97 (Comm. on Education and Labor) and No. 100-427 (Comm. of Conference).

SENATE REPORTS: No. 100-128 (Comm. on Labor and Human Resources) and No. 100-140 (Select Comm. on Indian Affairs), both accompanying S. 887.


May 27, 28, considered and passed House.

Aug. 6, considered and passed Senate, amended, in lieu of S. 887.

Nov. 5, 12, Senate agreed to conference report.

Nov. 17, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 23 (1987):

Nov. 30, Presidential statement.