

**AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MRS. MCBATH OF GEORGIA**

At the end of title LI, insert the following:

1 **SEC. 51 ____ . REQUIREMENT THAT STATE HOMES FOR VET-**
2 **ERANS HAVE GOVERNING BODIES AND AD-**
3 **MINISTRATORS AND PAYMENTS TO ASSIST**
4 **STATE HOMES IN HIRING INFECTION**
5 **PREVENTIONISTS.**

6 (a) GOVERNING BODIES AND ADMINISTRATORS.—

7 (1) IN GENERAL.—Subchapter V of chapter 17
8 of title 38, United States Code, is amended by in-
9 serting after section 1741 the following new section:

10 **“§ 1741A. Administration requirements**

11 “As a condition on the receipt of per diem payments
12 under this subchapter, a State home shall—

13 “(1) have a governing body that—

14 “(A) is legally responsible for establishing
15 and implementing policies regarding the man-
16 agement and operation of the State home;

17 “(B) consists of more than one person; and

18 “(C) appoints an administrator or deputy
19 superintendent described in paragraph (2);

1 “(2) employ an administrator or deputy super-
2 intendent who—

3 “(A) is licensed by the State, if required by
4 State law; and

5 “(B) meets standards established by the
6 Secretary of Health and Human Services under
7 sections 1819(f)(4) and 1919(f)(4) of the Social
8 Security Act (42 U.S.C. 1395i-3(f)(4),
9 1396r(f)(4));

10 “(3) employ an infection preventionist (as that
11 term is defined in section 1744A of this title); and

12 “(4) include in information submitted each year
13 to the Secretary—

14 “(A) the name of the infection prevention-
15 ist employed under paragraph (3); and

16 “(B) an emergency plan, updated annually,
17 in case of a public health emergency or other
18 disaster.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of such subchapter is amend-
21 ed by inserting after the item relating to section
22 1741 the following new item:

 “1741A. Administration requirements.”.

23 (b) FUNDING OF INFECTION PREVENTIONISTS.—

1 (1) ESTABLISHMENT.—Such subchapter is fur-
2 ther amended by inserting after section 1744 the fol-
3 lowing new section:

4 **“§ 1744A. Hiring and retention of infection**
5 **preventionists: payments to assist States**

6 “(a) PAYMENT PROGRAM.—The Secretary shall make
7 payments to States under this section for the purpose of
8 assisting State homes in the hiring and retention of infec-
9 tion preventionists.

10 “(b) ELIGIBLE RECIPIENTS.—Payments to a State
11 for a fiscal year under this section shall, subject to submis-
12 sion of an application, be made to any State that during
13 that fiscal year receives per diem payments under this sub-
14 chapter for that fiscal year.

15 “(c) LIMITATIONS ON AMOUNT OF PAYMENT.—A
16 payment under this section may not be used to provide
17 more than 50 percent of the salary or wages for an infec-
18 tion preventionist for a fiscal year.

19 “(d) APPLICATIONS.—(1) A payment under this sec-
20 tion for any fiscal year with respect to any State home
21 may only be made based upon an application submitted
22 by the State seeking such payment with respect to that
23 State home.

24 “(2) Each application under paragraph (1) shall de-
25 scribe the salary or wages of the infection preventionist.

1 “(e) SOURCE OF FUNDS.—Payments under this sec-
2 tion shall be made from funds available for other pay-
3 ments under this subchapter.

4 “(f) DISBURSEMENT.—Payments under this section
5 to a State home shall be made as part of the disbursement
6 of payments under section 1741 of this title with respect
7 to that State home.

8 “(g) USE OF CERTAIN RECEIPTS.—The Secretary
9 shall require as a condition of any payment under this sec-
10 tion that, in any case in which the State home receives
11 a refund payment made by an employee in breach of the
12 terms of an agreement for employee assistance that used
13 funds provided under this section, the payment shall be
14 returned to the incentive program account for the State
15 home and credited as a non-Federal funding source.

16 “(h) ANNUAL REPORT.—(1) Any State home receiv-
17 ing a payment under this section for any fiscal year, shall,
18 as a condition of the payment, be required to agree to pro-
19 vide to the Secretary a report setting forth in detail the
20 use of funds received through the payment.

21 “(2)(A) Each report under paragraph (1) for a fiscal
22 year shall be provided to the Secretary not later than 60
23 days after the end of the fiscal year and shall be subject
24 to audit by the Secretary.

1 “(B) Eligibility for payment under this section for
2 any fiscal year is contingent upon the receipt by the Sec-
3 retary of the annual report under this subsection for the
4 previous fiscal year in accordance with this subsection.

5 “(i) REGULATIONS.—(1) The Secretary shall pre-
6 scribe regulations to carry out this section.

7 “(2) Regulations required under paragraph (1) shall
8 include the establishment of criteria for the award of pay-
9 ments under this section.

10 “(j) INFECTION PREVENTIONIST DEFINED.—In this
11 section, the term ‘infection preventionist’, with respect to
12 a State home, means an individual—

13 “(1) who has primary professional training in
14 nursing, medical technology, microbiology, epidemi-
15 ology, or a related field;

16 “(2) whom the Secretary determines is qualified
17 by education, training, experience, or certification;

18 “(3) who works at least part-time at the State
19 home; and

20 “(4) who has completed specialized training in
21 infection prevention and control.”.

22 “(2) CLERICAL AMENDMENT.—The table of sec-
23 tions at the beginning of such subchapter is amend-
24 ed by inserting after the item relating to section
25 1744 the following new item:

“1744A. Hiring and retention of infection preventionists: payments to assist States.”.

