

**NINETY-EIGHTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Cincinnati, Ohio
August 30, 31, September 1, 2016**

**Resolution No. 143: Department of Veterans Affairs Nursing Home Capacity
Origin: Maryland
Submitted by: Convention Committee on Veterans Affairs & Rehabilitation**

WHEREAS, Department of Veterans Affairs (VA) long-term care has been the subject of discussion and legislation for nearly twenty years; and

WHEREAS, In a landmark July 1984 study, *Caring for the Older Veteran*, it was predicted that a wave of elderly veterans had the potential to overwhelm VA's long-term care capacity; and

WHEREAS, The recommendations of the Federal Advisory Committee on the Future of Long-Term Care in its 1998 report, *VA Long-Term Care at the Crossroads*, made recommendations that serve as the foundation for VA's national strategy to revitalize and reengineer long-term care services; and

WHEREAS, Public Law 106-117, the Millennium Act, enacted in November 1999, required VA to continue to ensure 1998 levels of extended care services (defined as VA nursing home care, VA domiciliary, VA home-based primary care, and VA adult day health care) in its facilities; and

WHEREAS, The Millennium Act specifically requires VA to maintain its in-house nursing home care unit bed capacity at the 1998 level of 13,391; however, VA has never met this mandate; and

WHEREAS, Recent General Accounting Office reports show that VA has failed to fully implement mandates of the Millennium Act that would expand non-institutional long-term care services; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Cincinnati, Ohio, August 30, 31, September 1, 2016, That the Department of Veterans Affairs (VA) should be required to restore its nursing home care unit capacity as intended by Congress to the 1998 level of 13, 391; and, be it further

RESOLVED, That VA must create incentives and receive appropriate funding to maintain its nursing home care unit beds rather than abandon them to alternative sources; and, be it further

RESOLVED, That VA be prohibited from counting any but their own nursing home care unit beds for the purposes of compliance with the provisions of Public Law 106-117, the Millennium Act; and, be it finally

RESOLVED, That Congress should appropriate sufficient funds to support the provisions of the non-institutional long-term care mandates of Public Law 106-117, the Millennium Act, so that VA is not forced to reduce its nursing home care unit capacity in order to comply with said non-institutional care mandates.