

October 1, 2012

**STATE HOME CONSTRUCTION GRANT APPLICATIONS FOR PROJECTS THAT  
REMEDY CONDITIONS THREATENING THE LIVES OR SAFETY OF STATE  
HOME RESIDENTS**

**1. PURPOSE:** This Veterans Health Administration (VHA) Directive provides policy for reviewing grant applications for projects that remedy conditions threatening the lives or safety of residents of State Homes. This is necessary to ensure priority funding in the VHA State Home Construction Grant Program. **AUTHORITY:** *Title 38 Code of Federal Regulations (CFR) 59.50(a)(1)(i).*

**2. BACKGROUND**

a. Pursuant to 38 CFR Part 59, The Department of Veterans Affairs (VA) is required to give highest priority to those state home construction grant applications with certified state matching funds that propose projects that remedy a facility condition cited by an accrediting institution, a VA life safety engineer, or a state or local government agency, as threatening to the lives or safety of residents in the facility.

b. **Definition of a Life Safety Engineer.** A Life Safety Engineer (defined in 38 CFR 59.50(a)(1)(i)) is a qualified VA staff member with recognized program authority within VA for safety, security and law enforcement, environment of care, and/or engineering offices.

**3. POLICY:** It is VHA policy that all state grant applications must be reviewed to ensure that those which propose projects to remedy conditions that threaten the lives or safety of residents are designated and ranked on the VHA State Home Construction Grant Program priority list as Priority Group 1, subpriority 1, as required by 38 CFR 59.50(a)(1)(i).

**4. ACTION**

a. **UnderSecretary for Health (10).** The Under Secretary for Health develops policies for the State Home Construction Grant Program.

b. **Deputy Under Secretary for Health for Operations and Management (10N).** The Deputy Under Secretary for Health for Operations and Management is responsible for:

(1) Implementing the VHA State Home Construction Grant Program, and

(2) Oversight of Veterans Integrated Service Network (VISN) assessment of state safety project applications to remedy conditions that threaten the lives or safety of residents.

**THIS VHA DIRECTIVE EXPIRES OCTOBER 31, 2017**

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c. **Director, Office of Capital Asset Management and Support (10NA5).** The Director, Office of Capital Asset Management and Support (10NA5) is responsible for:

(1) Providing administrative management and technical support to VHA and states to ensure compliance with state home construction grant regulations.

(2) Reviewing state grant applications that propose projects that may address threats to the lives or safety of residents

(3) Determining if the proportional construction and equipment cost to address these threats exceeds 50 percent of the total project cost necessary for designation as a grant program safety project.

(4) Ensuring that any project application that VA may consider as remedying a threat to the lives or safety of residents includes documentation of a citation for a threat to the lives or safety of residents, as cited by a state or local government agency, an accrediting institution, or a VA Life Safety Engineer.

(5) Initiating, if documentation is not available from the state, an assignment to the VISN Director to provide written confirmation that the project addresses an existing threat to life or safety of the residents.

(6) Identifying state home construction grant applications that meet the requirements of subparagraphs 4c(2), 4c(3), and 4c(4) are categorized using the criteria in 38 CFR 59.50(a)(1)(i). This responsibility includes ensuring projects that mitigate citations that threaten the lives or safety of residents are placed in Priority Group 1, subpriority 1, even if the State home has not violated the Life Safety Code. **NOTE:** *Such violations are not required by 38 CFR 59.50(a)(1)(i).*

(7) Ensuring that applications for projects are according to the requirements of subparagraphs 4c(2), 4c(3), and 4c(4).

(8) Ensuring that citations affecting the security of residents are placed as the lowest priority under Priority Group 1, subpriority 1 (which means that they are prioritized as “all other projects” under the subpriority order established in 38 CFR 59.50(a)(1)(i)). Security projects relate to deficiencies in preserving residents’ safety by monitoring the residential environment and barring entry to unauthorized persons.

d. **VISN Director.** Each VISN Director is responsible for:

(1) Providing adequate resources and support for the implementation of this Directive.

(2) Ensuring the state grant projects are reviewed upon request of the Deputy Under Secretary for Health for Operations and Management (10N), or designee, for confirmation of

threats to the lives and safety of the residents that have been, or may be, as cited by a state or local government agency, an accrediting institution, or a VA Life Safety Engineer (see subpar. 2b).

**5. REFERENCE:** Grants to States for Construction or Acquisition of State Homes, 38 CFR Part 59.

**6. FOLLOW-UP RESPONSIBILITY:** The Deputy Under Secretary for Health for Operations and Management (10N) is responsible for the contents of this Directive. Questions may be directed to the Director, (10NA5) at (202) 632-7901.

**7. RESCISSIONS:** None. This VHA Directive expires October 31, 2017.

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DISTRIBUTION: E-mailed to the VHA Publication Distribution List 10/2/2012