S. 3313

To amend title 38, United States Code, to improve the assistance provided by the Department of Veterans Affairs to women veterans, to improve health care furnished by the Department, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 19, 2012

Mrs. MURRAY (for herself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Veterans’ Affairs

A BILL

To amend title 38, United States Code, to improve the assistance provided by the Department of Veterans Affairs to women veterans, to improve health care furnished by the Department, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) Short Title.—This Act may be cited as the
5 “Women Veterans and Other Health Care Improvements
6 Act of 2012”.

7 (b) Table of Contents.—The table of contents for
8 this Act is as follows:
Sec. 1. Short title; table of contents.
Sec. 2. Facilitation of reproduction and infertility research.
Sec. 3. Clarification that fertility counseling and treatment are medical services which the Secretary may furnish to veterans like other medical services.
Sec. 4. Reproductive treatment and care delivery for spouses and surrogates of veterans.
Sec. 5. Requirement to improve Department of Veterans Affairs women veterans call center.
Sec. 6. Modification of pilot program on counseling in retreat settings for women veterans newly separated from service in the Armed Forces.
Sec. 7. Pilot programs on assistance for child care for certain veterans.

SEC. 2. FACILITATION OF REPRODUCTION AND INFERTILITY RESEARCH.

(a) In General.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 7330B. Facilitation of reproduction and infertility research

“(a) Facilitation of Research Required.—The Secretary shall facilitate research conducted collaboratively by the Secretary of Defense and the Director of the National Institutes of Health to improve the ability of the Department of Veterans Affairs to meet the long-term reproductive health care needs of veterans who have a service-connected genitourinary disability or a condition that was incurred or aggravated in line of duty in the active military, naval, or air service, such as spinal cord injury, that affects the veterans’ ability to reproduce.

“(b) Dissemination of Information.—The Secretary shall ensure that information produced by the re-
search facilitated under this section that may be useful
for other activities of the Veterans Health Administration
is disseminated throughout the Veterans Health Adminis-
tration.”.

(b) CLERICAL AMENDMENT.—The table of sections
at the beginning of chapter 73 is amended by inserting
after the item relating to section 7330A the following new
item:

“7330B. Facilitation of reproduction and infertility research.”.

(e) REPORT.—Not later than three years after the
date of the enactment of this Act, the Secretary of Vet-
erans Affairs shall submit to Congress a report on the re-
search activities conducted by the Secretary under section
7330B of title 38, United States Code, as added by sub-
section (a).

SEC. 3. CLARIFICATION THAT FERTILITY COUNSELING AND
TREATMENT ARE MEDICAL SERVICES WHICH
THE SECRETARY MAY FURNISH TO VET-
ERANS LIKE OTHER MEDICAL SERVICES.

Section 1701(6) of such title is amended by adding
at the end the following new subparagraph:

“(H) Fertility counseling and treatment,
including treatment using assisted reproductive
technology.”.
SEC. 4. REPRODUCTIVE TREATMENT AND CARE DELIVERY FOR SPOUSES AND SURROGATES OF VETERANS.

(a) IN GENERAL.—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 1787. Reproductive treatment and care for spouses and surrogates of veterans

“(a) IN GENERAL.—The Secretary shall furnish fertility counseling and treatment, including through the use of assisted reproductive technology, to a spouse or surrogate of a severely wounded veteran who has an infertility condition incurred or aggravated in line of duty in the active military, naval, or air service and who is enrolled in the health care system established under section 1705(a) of this title if the spouse and the veteran apply jointly for such counseling and treatment through a process prescribed by the Secretary.

“(b) COORDINATION OF CARE FOR OTHER SPOUSES AND SURROGATES.—In the case of a spouse or surrogate of a veteran not described in subsection (a) who is seeking fertility counseling and treatment, the Secretary may coordinate fertility counseling and treatment for such spouse or surrogate.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended
by inserting after the item relating to section 1786 the following new section:

“1787. Reproductive treatment and care for spouses and surrogates of veterans.”

(c) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations to carry out section 1787 of title 38, United States Code, as added by paragraph (1).

SEC. 5. REQUIREMENT TO IMPROVE DEPARTMENT OF VETERANS AFFAIRS WOMEN VETERANS CALL CENTER.

The Secretary of Veterans Affairs shall enhance the capabilities of the Department of Veterans Affairs women veterans call center—

(1) to respond to requests by women veterans for assistance with accessing health care and benefits furnished under laws administered by the Secretary; and

(2) for referral of such veterans to community resources to obtain assistance with services not furnished by the Department.
SEC. 6. MODIFICATION OF PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE IN THE ARMED FORCES.

(a) INCREASE IN NUMBER OF LOCATIONS.—Subsection (c) of section 203 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1712A note) is amended by striking “three locations” and inserting “14 locations”.

(b) EXTENSION OF DURATION.—Subsection (d) of such section is amended by striking “2-year” and inserting “four-year”.

SEC. 7. PILOT PROGRAMS ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS.

(a) MODIFICATION OF DURATION OF PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.—Subsection (e) of section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 38 U.S.C. 1710 note) is amended to read as follows:

“(e) DURATION.—A child care center that is established as part of the pilot program may operate until the date that is two years after the date on which the pilot program is established in the third Veterans Integrated Service Network required by subsection (d).”.
(b) Requirement for Pilot Program on Assistance for Child Care for Certain Veterans Receiving Readjustment Counseling and Related Mental Health Services.—

(1) Pilot Program Required.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of providing, subject to paragraph (2), assistance to qualified veterans described in paragraph (3) to obtain child care so that such veterans can receive readjustment counseling and related mental health services.

(2) Limitation on Period of Payments.—Assistance may only be provided to a qualified veteran under the pilot program required by paragraph (1) for receipt of child care during the period that the qualified veteran receives readjustment counseling and related health care services at a Vet Center.

(3) Qualified Veterans.—For purposes of this subsection, a qualified veteran is a veteran who is—

(A) the primary caretaker of a child or children; and
(B)(i) receiving from the Department regular readjustment counseling and related mental health services; or

(ii) in need of readjustment counseling and related mental health services from the Department, and but for lack of child care services, would receive such counseling and services from the Department.

(4) LOCATIONS.—The Secretary shall carry out the pilot program under this subsection in no fewer than three Readjustment Counseling Service Regions selected by the Secretary for purposes of the pilot program.

(5) DURATION.—The pilot program under this subsection shall be carried out until the end of the two-year period beginning on the day on which the Secretary begins carrying out the pilot program at the last Readjustment Counseling Service Region selected under paragraph (4) at which the Secretary begins carrying out the pilot program.

(6) FORMS OF CHILD CARE ASSISTANCE.—

(A) IN GENERAL.—Child care assistance under this subsection may include the following:

(i) Stipends for the payment of child care offered by licensed child care centers
(either directly or through a voucher pro-
gram) which shall be, to the extent prac-
ticable, modeled after the Department of
Veterans Affairs Child Care Subsidy Pro-
gram established pursuant to section 630
of the Treasury and General Government
Appropriations Act, 2002 (Public Law

(ii) Payments to private child care
agencies.

(iii) Collaboration with facilities or
programs of other Federal departments or
agencies.

(iv) Such other forms of assistance as
the Secretary considers appropriate.

(B) AMOUNTS OF STIPENDS.—In the case
that child care assistance under this subsection
is provided as a stipend under subparagraph
(A)(i), such stipend shall cover the full cost of
such child care.

(7) REPORT.—Not later than 180 days after
the completion of the pilot program required by
paragraph (1), the Secretary shall submit to Con-
gress a report on the pilot program. The report shall
include the findings and conclusions of the Secretary
as a result of the pilot program, and shall include
such recommendations for the continuation or ex-
pansion of the pilot program as the Secretary con-
siders appropriate.

(8) Authorization of Appropriations.—
There is authorized to be appropriated to the Sec-
retary of Veterans Affairs to carry out the pilot pro-
gram required by paragraph (1) $1,000,000 for each
of fiscal years 2014 and 2015.

(9) Vet Center Defined.—In this section,
the term “Vet Center” means a center for readjust-
ment counseling and related mental health services
for veterans under section 1712A of title 38, United
States Code.