

116TH CONGRESS
1ST SESSION

S. 2948

To direct the Secretary of Veterans Affairs to carry out a pilot program for work therapy using service dog training.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 2019

Mr. TILLIS (for himself, Ms. SINEMA, Mrs. FISCHER, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to carry out a pilot program for work therapy using service dog training.

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.**

4 This Act may be cited as the “K9s for Veterans Ther-
5 apy Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) According to the analyses of veteran suicide
9 published by the Department of Veterans Affairs in
10 August 2016 and titled “Suicide Among Veterans

1 and Other Americans”, and in June 2018, titled
2 “VA National Suicide Data Report”—

3 (A) an average of 20 veterans died by sui-
4 cide each day in 2014;

5 (B) mental health disorders, including
6 major depression and other mood disorders,
7 have been associated with increased risk for sui-
8 cide;

9 (C) since 2001, the proportion of users of
10 health care from the Veterans Health Adminis-
11 tration with mental health conditions or sub-
12 stance use disorders has increased from ap-
13 proximately 27 percent in 2001 to more than
14 40 percent in 2014; and

15 (D) overall, suicide rates are highest
16 among patients with mental health and sub-
17 stance use disorder diagnoses who are in treat-
18 ment and lower among those who received a
19 mental health diagnosis but were not at risk
20 enough to require enhanced care from a mental
21 health provider.

22 (2) The Department of Veterans Affairs must
23 be more effective in its approach to reducing the
24 burden of veteran suicide connected to mental health
25 disorders, including post-traumatic stress disorder

1 (in this section referred to as “PTSD”), and new,
2 rigorous scientific research provides persuasive
3 weight to the growing anecdotal evidence that serv-
4 ice dogs ameliorate the symptoms associated with
5 PTSD, and in particular, may help prevent veteran
6 suicide.

7 (3) Several organizations have proven track
8 records of training service dogs for veterans with
9 mental health diagnoses, including PTSD, and dra-
10 matically improving their quality of life, ability to re-
11 enter society, and overall health and wellness.

12 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PILOT PRO-**
13 **GRAM FOR WORK THERAPY USING SERVICE**
14 **DOG TRAINING.**

15 (a) IN GENERAL.—Commencing not later than 120
16 days after the date of the enactment of this Act, the Sec-
17 retary of Veterans Affairs shall carry out a pilot program
18 under which the Secretary shall make grants to one or
19 more appropriate non-government entities for the purpose
20 of assessing the effectiveness of addressing symptoms of
21 post-deployment mental health and post-traumatic stress
22 disorder through a therapeutic medium of veterans train-
23 ing service dogs intended for veterans with disabilities.

24 (b) DURATION OF PILOT PROGRAM.—The pilot pro-
25 gram required by subsection (a) shall be carried out dur-

1 ing the five-year period beginning on the date of the com-
2 mencement of the pilot program.

3 (c) CONDITIONS ON RECEIPT OF GRANTS.—As a con-
4 dition of receiving a grant under this section, a non-gov-
5 ernment entity shall—

6 (1) submit to the Secretary certification that
7 the entity is an organization described in section
8 501(c)(3) of the Internal Revenue Code of 1986 and
9 is exempt from taxation under section 501(a) of
10 such Code that—

11 (A) trains service dogs for veterans with
12 disabilities; and

13 (B) is accredited by, or adheres to stand-
14 ards comparable to those of, an accrediting or-
15 ganization with demonstrated experience, na-
16 tional scope, and recognized leadership and ex-
17 pertise in the training of service dogs and edu-
18 cation in the use of service dogs;

19 (2) agree to cover all costs to provide services
20 under this section in excess of the grant amount;

21 (3) agree to reaccept or replace the service dog
22 trained by the veteran, if necessary, as determined
23 by the organization and the veteran conducting the
24 training;

1 (4) provide a wellness certification from a li-
2 censed veterinarian for any dog participating in the
3 pilot program;

4 (5) employ at least one person with clinical ex-
5 perience related to mental health;

6 (6) ensure that veterans participating in the
7 pilot program receive training from service dog
8 training instructors for a period of time determined
9 appropriate by the organization and the Secretary,
10 including service skills to address or alleviate symp-
11 toms unique to the needs of veterans;

12 (7) agree to provide lectures on service dog
13 training methodologies and practical hands-on train-
14 ing and grooming of service dogs;

15 (8) agree that in hiring service dog training in-
16 structors to carry out training under the pilot pro-
17 gram, the non-government entity will give a pref-
18 erence to veterans who have successfully graduated
19 from post-traumatic stress disorder or other residen-
20 tial treatment program and who have received ade-
21 quate certification in service dog training;

22 (9) agree not to use shock collars, choke collars,
23 or prong collars as training tools and to use positive
24 reinforcement training;

1 (10) agree that upon the conclusion of training
2 provided using the grant funds—

3 (A) the veteran who received the training
4 will keep the dog he or she trained unless the
5 veteran and the health care provider of the vet-
6 eran decide it is not in the best interest of the
7 veteran;

8 (B) if the veteran does not adopt the dog,
9 the entity will be responsible for caring for and
10 appropriately placing the dog;

11 (C) the Department of Veterans Affairs
12 will have no additional responsibility to provide
13 for any benefits under this section; and

14 (D) the Department of Veterans Affairs
15 will have no liability with respect to the dog;

16 (11) provide follow-up support service for the
17 life of the dog, including a contact plan between the
18 veteran and the entity to allow the veteran to reach
19 out for and receive adequate help with the service
20 dog and the organization to communicate with the
21 veteran to ensure the service dog is being properly
22 cared for; and

23 (12) submit to the Secretary an application
24 containing such information, certification, and assur-
25 ances as the Secretary may require.

1 (d) VETERAN ELIGIBILITY.—

2 (1) IN GENERAL.—For the purposes of this sec-
3 tion, an eligible veteran is a veteran who—

4 (A) is enrolled in the patient enrollment
5 system of the Department of Veterans Affairs
6 under section 1705 of title 38, United States
7 Code;

8 (B) has been recommended for the pilot
9 program under this section by a qualified health
10 care provider or clinical team based on the med-
11 ical judgment that the veteran may benefit
12 from participating in the pilot program; and

13 (C) agrees to successfully complete train-
14 ing provided by a non-government entity that
15 receives a grant under this section.

16 (2) RELATIONSHIP TO PARTICIPATION IN
17 OTHER PROGRAM.—Veterans may participate in the
18 pilot program under this section in conjunction with
19 the compensated work therapy program of the De-
20 partment of Veterans Affairs.

21 (3) CONTINUING ELIGIBILITY REQUIREMENT.—
22 To remain eligible to participate in the pilot pro-
23 gram, a veteran shall see the health care provider or
24 clinical team of the Department of Veterans Affairs
25 treating the veteran for post-traumatic stress dis-

1 order not less frequently than once every 180 days
2 to determine, based on a clinical evaluation of effi-
3 cacy, whether the veteran continues to benefit from
4 the pilot program.

5 (4) CARE FOR SERVICE DOG.—If at any point
6 a veteran is no longer able or willing to care for a
7 service dog provided to the veteran under this sec-
8 tion, the entity that provided the service dog and the
9 veteran shall determine the appropriate recourse to
10 ensure the safety of both the veteran and the service
11 dog.

12 (e) COLLECTION OF DATA.—In carrying out this sec-
13 tion, the Secretary shall—

14 (1) develop metrics and other appropriate
15 means to measure, with respect to veterans partici-
16 pation in the pilot program—

17 (A) the improvement in psychosocial func-
18 tion and therapeutic compliance of such vet-
19 erans;

20 (B) changes with respect to the depend-
21 ence of such veterans on prescription narcotics
22 and psychotropic medication; and

23 (C) quality of life indicators and other ap-
24 propriate measures with respect to such vet-
25 erans;

1 (2) establish processes to document and track
2 the progress of such veterans under the pilot pro-
3 gram in terms of the benefits and improvements
4 noted as a result of the pilot program; and

5 (3) with respect to any veteran who decides to
6 keep the dog he or she has personally trained, the
7 Secretary shall continue to collect the data under
8 paragraphs (1) and (2) during the five-year period
9 following the date on which the veteran decides to
10 keep the dog.

11 (f) COMPTROLLER GENERAL BRIEFINGS AND RE-
12 PORT.—

13 (1) INITIAL BRIEFING.—Not later than one
14 year after the date of the commencement of the pilot
15 program under subsection (a), the Comptroller Gen-
16 eral of the United States shall provide to the Com-
17 mittee on Veterans' Affairs of the Senate and the
18 Committee on Veterans' Affairs of the House of
19 Representatives a briefing on the methodology estab-
20 lished for the pilot program.

21 (2) FOLLOW-UP BRIEFING.—Not later than two
22 years after the briefing on the methodology estab-
23 lished for the pilot program under paragraph (1),
24 the Comptroller General shall provide to the commit-

1 tees specified in paragraph (1) a briefing that in-
2 cludes—

3 (A) an assessment of the elements required
4 for the report under paragraph (3)(B); and

5 (B) if there are any such elements that
6 cannot be included in the briefing—

7 (i) an explanation as to why those ele-
8 ments cannot be included; and

9 (ii) such recommendations as the
10 Comptroller General may have to improve
11 the pilot program to ensure such elements
12 will be included in the report.

13 (3) FINAL REPORT.—

14 (A) IN GENERAL.—Not later than 270
15 days after the date on which the pilot program
16 terminates, the Comptroller General shall sub-
17 mit to the committees specified in paragraph
18 (1) a report on the pilot program.

19 (B) ELEMENTS.—The report required by
20 subparagraph (A) shall include an evaluation of
21 the approach and methodology used for the
22 pilot program with respect to—

23 (i) helping veterans with post-trau-
24 matic stress disorder return to civilian life;

1 (ii) relevant metrics, including reduc-
2 tion in scores under the post-traumatic
3 stress disorder check-list (PCL-5), im-
4 provement in psychosocial function, and
5 therapeutic compliance; and

6 (iii) reducing the dependence of par-
7 ticipants on prescription narcotics and psy-
8 chotropic medication.

9 (g) SERVICE DOG TRAINING INSTRUCTOR DE-
10 FINED.—In this section, the term “service dog training
11 instructor” means an instructor who provides the direct
12 training of veterans with post-traumatic stress disorder
13 and other post-deployment issues in the art and science
14 of service dog training and handling.

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