

116TH CONGRESS
1ST SESSION

S. 514

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2019

Mr. TESTER (for himself, Mr. BOOZMAN, Mrs. CAPITO, Mrs. BLACKBURN, Ms. STABENOW, Mr. SCHATZ, Ms. SINEMA, Ms. WARREN, Mr. MENENDEZ, Ms. HASSAN, Mr. REED, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mrs. MURRAY, Ms. CORTEZ MASTO, Mr. VAN HOLLEN, Ms. HARRIS, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. BOOKER, Mr. CASEY, Mr. BROWN, Mr. PETERS, and Mrs. FEINSTEIN) 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 benefits and services provided by the Department of Veterans Affairs to women veterans, 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 “Deborah Sampson Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—READJUSTMENT AND RELATED ASSISTANCE

Sec. 101. Provision of reintegration and readjustment services to veterans and family members in group retreat settings.

Sec. 102. Expansion of capabilities of Women Veterans Call Center to include text messaging.

TITLE II—LEGAL AND SUPPORTIVE SERVICES

Sec. 201. Department of Veterans Affairs public-private partnership on legal services for women veterans.

Sec. 202. Additional amount for Supportive Services for Veteran Families grant program to support organizations that have a focus on providing assistance to women veterans and their families.

Sec. 203. Gap analysis of Department of Veterans Affairs programs that provide assistance to women veterans who are homeless.

TITLE III—NEWBORN CARE

Sec. 301. Extension of period of eligibility for care for newborn children from the Department of Veterans Affairs.

TITLE IV—ELIMINATING BARRIERS TO ACCESS

Sec. 401. Women Veterans Retrofit Initiative.

Sec. 402. Staffing of women’s health primary care providers at medical facilities of the Department of Veterans Affairs.

Sec. 403. Additional funding for primary care and emergency care clinicians in Women Veterans Health Care Mini-Residency Program.

Sec. 404. Establishment of women veteran training module for non-Department of Veterans Affairs health care providers.

Sec. 405. Study on staffing of Women Veteran Program Manager program at medical centers of the Department of Veterans Affairs and training of staff.

TITLE V—DATA COLLECTION AND REPORTING

Sec. 501. Requirement for collection and analysis of data on Department of Veterans Affairs benefits and services and disaggregation of such data by sex and minority status.

Sec. 502. Report on availability of prosthetics for women veterans from the Department of Veterans Affairs.

Sec. 503. Requirement for Department of Veterans Affairs internet website to provide information on services available to women veterans.

Sec. 504. Report on locations where women veterans are using health care from Department of Veterans Affairs.

Sec. 505. Report on models of medical facilities of Department of Veterans Affairs for the treatment of women.

Sec. 506. Report on staffing of Department of Veterans relating to the treatment of women.

1 **TITLE I—READJUSTMENT AND**
 2 **RELATED ASSISTANCE**

3 **SEC. 101. PROVISION OF REINTEGRATION AND READJUST-**
 4 **MENT SERVICES TO VETERANS AND FAMILY**
 5 **MEMBERS IN GROUP RETREAT SETTINGS.**

6 (a) IN GENERAL.—Section 1712A of title 38, United
 7 States Code, is amended—

8 (1) in subsection (a)(1)(B)—

9 (A) in clause (ii), by redesignating sub-
 10 clauses (I) and (II) as items (aa) and (bb);

11 (B) by redesignating clauses (i) and (ii) as
 12 subclauses (I) and (II);

13 (C) in the matter preceding subclause (I),
 14 as redesignated by subparagraph (B), by strik-
 15 ing “Counseling” and inserting “(i) Coun-
 16 seling”; and

17 (D) by adding at the end the following new
 18 clause:

19 “(ii)(I) Except as provided in subclause (IV), coun-
 20 seling furnished to an individual under subparagraph (A)
 21 may include reintegration and readjustment services de-
 22 scribed in subclause (II) furnished in group retreat set-
 23 tings.

24 “(II) Reintegration and readjustment services de-
 25 scribed in this subclause are the following:

1 “(aa) Information on reintegration of the indi-
2 vidual into family, employment, and community.

3 “(bb) Financial counseling.

4 “(cc) Occupational counseling.

5 “(dd) Information and counseling on stress re-
6 duction.

7 “(ee) Information and counseling on conflict
8 resolution.

9 “(ff) Such other information and counseling as
10 the Secretary considers appropriate to assist the in-
11 dividual in reintegration into family, employment,
12 and community.

13 “(III) In furnishing reintegration and readjustment
14 services under subclause (I), the Secretary shall offer
15 women the opportunity to receive such services in group
16 retreat settings in which the only participants are women.

17 “(IV) An individual referred to in subparagraph
18 (C)(v) may receive reintegration and readjustment services
19 under subclause (I) only if the individual receives such
20 services with a family member described in subclause (I)
21 or (II) of such subparagraph.”.

22 (b) REQUEST FOR SERVICES.—Subsection (a)(2) of
23 such section is amended—

24 (1) by striking “Upon” and inserting “(A)
25 Upon”;

1 (2) by striking “paragraph (1)(B)” and insert-
 2 ing “paragraph (1)(B)(i)”; and

3 (3) by adding at the end the following new sub-
 4 paragraph:

5 “(B) Upon the request of an individual described in
 6 paragraph (1)(C), the Secretary shall furnish the indi-
 7 vidual reintegration and readjustment services in group
 8 retreat settings under paragraph (1)(B)(ii).”.

9 **SEC. 102. EXPANSION OF CAPABILITIES OF WOMEN VET-**
 10 **ERANS CALL CENTER TO INCLUDE TEXT MES-**
 11 **SAGING.**

12 The Secretary of Veterans Affairs shall expand the
 13 capabilities of the Women Veterans Call Center of the De-
 14 partment of Veterans Affairs to include a text messaging
 15 capability.

16 **TITLE II—LEGAL AND**
 17 **SUPPORTIVE SERVICES**

18 **SEC. 201. DEPARTMENT OF VETERANS AFFAIRS PUBLIC-**
 19 **PRIVATE PARTNERSHIP ON LEGAL SERVICES**
 20 **FOR WOMEN VETERANS.**

21 (a) **PARTNERSHIP REQUIRED.**—The Secretary of
 22 Veterans Affairs shall establish a partnership with at least
 23 one nongovernmental organization to provide legal services
 24 to women veterans.

1 (b) FOCUS.—The focus of the partnership established
2 under subsection (a) shall be on the 10 highest unmet
3 needs of women veterans as set forth in the most recently
4 completed Community Homelessness Assessment, Local
5 Education and Networking Groups for Veterans
6 (CHALENG for Veterans) survey.

7 **SEC. 202. ADDITIONAL AMOUNT FOR SUPPORTIVE SERV-**
8 **ICES FOR VETERAN FAMILIES GRANT PRO-**
9 **GRAM TO SUPPORT ORGANIZATIONS THAT**
10 **HAVE A FOCUS ON PROVIDING ASSISTANCE**
11 **TO WOMEN VETERANS AND THEIR FAMILIES.**

12 Section 2044(e) of title 38, United States Code, is
13 amended—

14 (1) in paragraph (1), by adding at the end the
15 following new subparagraph:

16 “(F) \$400,000,000 for each of fiscal years
17 2020 through 2022.”; and

18 (2) by adding at the end the following new
19 paragraph:

20 “(4) Not less than \$20,000,000 shall be available
21 under paragraph (1)(H) for the provision of financial as-
22 sistance under subsection (a) to organizations that have
23 a focus on providing assistance to women veterans and
24 their families.”.

1 **SEC. 203. GAP ANALYSIS OF DEPARTMENT OF VETERANS**
2 **AFFAIRS PROGRAMS THAT PROVIDE ASSIST-**
3 **ANCE TO WOMEN VETERANS WHO ARE HOME-**
4 **LESS.**

5 (a) IN GENERAL.—The Secretary of Veterans Affairs
6 shall complete an analysis of programs of the Department
7 of Veterans Affairs that provide assistance to women vet-
8 erans who are homeless or precariously housed to identify
9 the areas in which such programs are failing to meet the
10 needs of such women.

11 (b) REPORT.—Not later than 270 days after the date
12 of the enactment of this Act, the Secretary shall submit
13 to the Committee on Veterans' Affairs of the Senate and
14 the Committee on Veterans' Affairs of the House of Rep-
15 resentatives a report on the analysis completed under sub-
16 section (a).

17 **TITLE III—NEWBORN CARE**

18 **SEC. 301. EXTENSION OF PERIOD OF ELIGIBILITY FOR**
19 **CARE FOR NEWBORN CHILDREN FROM THE**
20 **DEPARTMENT OF VETERANS AFFAIRS.**

21 Section 1786(a) of title 38, United States Code, is
22 amended, in the matter preceding paragraph (1), by strik-
23 ing “seven days” and inserting “14 days”.

1 **TITLE IV—ELIMINATING**
2 **BARRIERS TO ACCESS**

3 **SEC. 401. WOMEN VETERANS RETROFIT INITIATIVE.**

4 (a) **IN GENERAL.**—The Secretary of Veterans Affairs
5 shall retrofit existing medical facilities of the Department
6 of Veterans Affairs with fixtures, materials, and other out-
7 fitting measures to support the provision of care to women
8 veterans at such facilities.

9 (b) **PLAN.**—Not later than 180 days after the date
10 of the enactment of this Act, the Secretary shall submit
11 to the Committee on Veterans’ Affairs of the Senate and
12 the Committee on Veterans’ Affairs of the House of Rep-
13 resentatives a plan to address deficiencies in environment
14 of care for women veterans at medical facilities of the De-
15 partment.

16 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is
17 authorized to be appropriated to the Secretary
18 \$20,000,000 to carry out subsection (a) in addition to
19 amounts otherwise made available to the Secretary for the
20 purposes set forth in such subsection.

21 **SEC. 402. STAFFING OF WOMEN’S HEALTH PRIMARY CARE**
22 **PROVIDERS AT MEDICAL FACILITIES OF THE**
23 **DEPARTMENT OF VETERANS AFFAIRS.**

24 The Secretary of Veterans Affairs shall ensure that
25 each medical facility of the Department of Veterans Af-

1 fairs has not fewer than one full-time or part-time wom-
 2 en’s health primary care provider whose duties include, to
 3 the extent possible, providing training to other health care
 4 providers of the Department on the needs of women vet-
 5 erans.

6 **SEC. 403. ADDITIONAL FUNDING FOR PRIMARY CARE AND**
 7 **EMERGENCY CARE CLINICIANS IN WOMEN**
 8 **VETERANS HEALTH CARE MINI-RESIDENCY**
 9 **PROGRAM.**

10 (a) IN GENERAL.—There is authorized to be appro-
 11 priated to the Secretary of Veterans Affairs \$1,000,000
 12 for each fiscal year for the Women Veterans Health Care
 13 Mini-Residency Program of the Department of Veterans
 14 Affairs to provide opportunities for participation in such
 15 program for primary care and emergency care clinicians.

16 (b) TREATMENT OF AMOUNTS.—The amounts au-
 17 thorized to be appropriated under subsection (a) shall be
 18 in addition to amounts otherwise made available to the
 19 Secretary for the purposes set forth in such subsection.

20 **SEC. 404. ESTABLISHMENT OF WOMEN VETERAN TRAINING**
 21 **MODULE FOR NON-DEPARTMENT OF VET-**
 22 **ERANS AFFAIRS HEALTH CARE PROVIDERS.**

23 (a) IN GENERAL.—Not later than one year after the
 24 date of the enactment of this Act, the Secretary of Vet-
 25 erans Affairs shall establish and make available to commu-

1 nity providers a training module that is specific to women
2 veterans.

3 (b) **COMMUNITY PROVIDER DEFINED.**—In this sec-
4 tion, the term “community provider” means a non-Depart-
5 ment of Veterans Affairs health care provider who pro-
6 vides health care to veterans under the laws administered
7 by the Secretary of Veterans Affairs.

8 **SEC. 405. STUDY ON STAFFING OF WOMEN VETERAN PRO-**
9 **GRAM MANAGER PROGRAM AT MEDICAL**
10 **CENTERS OF THE DEPARTMENT OF VET-**
11 **ERANS AFFAIRS AND TRAINING OF STAFF.**

12 (a) **STUDY.**—The Secretary of Veterans Affairs shall
13 conduct a study on the use of the Women Veteran Pro-
14 gram Manager program of the Department of Veterans
15 Affairs to determine—

16 (1) if the program is appropriately staffed at
17 each medical center of the Department;

18 (2) whether each medical center of the Depart-
19 ment is staffed with a Women Veteran Program
20 Manager; and

21 (3) whether it would be feasible and advisable
22 to have a Women Veteran Program Ombudsman at
23 each medical center of the Department.

24 (b) **REPORT.**—Not later than 270 days after the date
25 of the enactment of this Act, the Secretary shall submit

1 to the Committee on Veterans' Affairs of the Senate and
2 the Committee on Veterans' Affairs of the House of Rep-
3 resentatives a report on the study conducted under sub-
4 section (a).

5 (c) TRAINING.—The Secretary shall ensure that all
6 Women Veteran Program Managers and Women Veteran
7 Program Ombudsmen receive the proper training to carry
8 out their duties.

9 **TITLE V—DATA COLLECTION** 10 **AND REPORTING**

11 **SEC. 501. REQUIREMENT FOR COLLECTION AND ANALYSIS** 12 **OF DATA ON DEPARTMENT OF VETERANS AF-** 13 **FAIRS BENEFITS AND SERVICES AND DISAG-** 14 **GREGATION OF SUCH DATA BY SEX AND MI-** 15 **NORITY STATUS.**

16 The Secretary of Veterans Affairs shall—

17 (1) collect and analyze data on each program of
18 the Department of Veterans Affairs that provides a
19 service or benefit to a veteran, including the pro-
20 gram carried out under section 1144 of title 10,
21 United States Code;

22 (2) disaggregate such data by sex and minority
23 status, when the data lends itself to such disaggre-
24 gation; and

1 (3) publish the data collected and analyzed
2 under paragraph (1), except for such cases in which
3 the Secretary determines that some portions of the
4 data would undermine the anonymity of a veteran.

5 **SEC. 502. REPORT ON AVAILABILITY OF PROSTHETICS FOR**
6 **WOMEN VETERANS FROM THE DEPARTMENT**
7 **OF VETERANS AFFAIRS.**

8 Not later than one year after the date of the enact-
9 ment of this Act, the Secretary of Veterans Affairs shall
10 submit to the Committee on Veterans' Affairs of the Sen-
11 ate and the Committee on Veterans' Affairs of the House
12 of Representatives a report on the availability from the
13 Department of Veterans Affairs of prosthetics made for
14 women veterans, including an assessment of the avail-
15 ability of such prosthetics at each medical facility of the
16 Department.

17 **SEC. 503. REQUIREMENT FOR DEPARTMENT OF VETERANS**
18 **AFFAIRS INTERNET WEBSITE TO PROVIDE IN-**
19 **FORMATION ON SERVICES AVAILABLE TO**
20 **WOMEN VETERANS.**

21 (a) IN GENERAL.—The Secretary of Veterans Affairs
22 shall survey the internet websites and information re-
23 sources of the Department of Veterans Affairs in effect
24 on the day before the date of the enactment of this Act
25 and publish an internet website that serves as a central-

1 ized source for the provision to women veterans of infor-
2 mation about the benefits and services available to them
3 under laws administered by the Secretary.

4 (b) ELEMENTS.—The internet website published
5 under subsection (a) shall provide to women veterans in-
6 formation regarding all of the services available in the dis-
7 trict in which that the veteran is seeking such services,
8 including, with respect to each medical center and commu-
9 nity-based outpatient clinic in the applicable Veterans In-
10 tegrated Service Network—

11 (1) the name and contact information of each
12 women’s health coordinator;

13 (2) a list of appropriate staff for other benefits
14 available from the Veterans Benefits Administration,
15 the National Cemetery Administration, and such
16 other entities as the Secretary considers appropriate;
17 and

18 (3) such other information as the Secretary
19 considers appropriate.

20 (c) UPDATED INFORMATION.—The Secretary shall
21 ensure that the information described in subsection (b)
22 that is published on the internet website required by sub-
23 section (a) is updated not less frequently than once every
24 90 days.

1 (d) OUTREACH.—In carrying out this section, the
2 Secretary shall ensure that the outreach conducted under
3 section 1720F(i) of title 38, United States Code, includes
4 information regarding the internet website required by
5 subsection (a).

6 (e) DERIVATION OF FUNDS.—Amounts used by the
7 Secretary to carry out this section shall be derived from
8 amounts made available to the Secretary to publish inter-
9 net websites of the Department.

10 **SEC. 504. REPORT ON LOCATIONS WHERE WOMEN VET-**
11 **ERANS ARE USING HEALTH CARE FROM DE-**
12 **PARTMENT OF VETERANS AFFAIRS.**

13 (a) IN GENERAL.—Not later than 90 days after the
14 date of the enactment of this Act, and annually thereafter,
15 the Secretary of Veterans Affairs shall submit to the Com-
16 mittee on Veterans' Affairs of the Senate and the Com-
17 mittee on Veterans' Affairs of the House of Representa-
18 tives a report on the use by women veterans of health care
19 from the Department of Veterans Affairs.

20 (b) ELEMENTS.—Each report required by subsection
21 (a) shall include the following information:

22 (1) The number of women veterans who reside
23 in each State.

24 (2) The number of women veterans in each
25 State who are enrolled in the system of patient en-

1 rollment of the Department established and operated
2 under section 1705(a) of title 38, United States
3 Code.

4 (3) Of the women veterans who are so enrolled,
5 the number who have received health care under the
6 laws administered by the Secretary at least one time
7 during the one-year period preceding the submittal
8 of the report.

9 (4) The number of women veterans who have
10 been seen at each medical facility of the Department
11 during such year.

12 (5) The number of appointments that women
13 veterans have had at each such facility during such
14 year.

15 (6) If known, an identification of the medical
16 facility of the Department in each Veterans Inte-
17 grated Service Network with the largest rate of in-
18 crease in patient population of women veterans as
19 measured by the increase in unique women veteran
20 patient use.

21 (7) If known, an identification of the medical
22 facility of the Department in each Veterans Inte-
23 grated Service Network with the largest rate of de-
24 crease in patient population of women veterans as

1 measured by the decrease in unique women veterans
2 patient use.

3 **SEC. 505. REPORT ON MODELS OF MEDICAL FACILITIES OF**
4 **DEPARTMENT OF VETERANS AFFAIRS FOR**
5 **THE TREATMENT OF WOMEN.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, and annually thereafter,
8 the Secretary of Veterans Affairs shall submit to the Com-
9 mittee on Veterans' Affairs of the Senate and the Com-
10 mittee on Veterans' Affairs of the House of Representa-
11 tives a report on the use by the Department of Veterans
12 Affairs of general primary care clinics, separate but
13 shared spaces, and women's health centers as models of
14 providing health care to women veterans.

15 (b) ELEMENTS.—Each report required by subsection
16 (a) shall include the following:

17 (1) The number of facilities of the Department
18 that fall into each model described in subsection (a),
19 disaggregated by Veterans Integrated Service Net-
20 work and State.

21 (2) A description of the criteria used by the De-
22 partment to determine which such model is most ap-
23 propriate for each facility of the Department.

1 (3) An assessment of how the Department de-
2 cides to make investments to upgrade facilities to
3 the next higher-level model.

4 (4) A description of what, if any, plans the De-
5 partment has to upgrade facilities from the lowest-
6 level model, general primary care clinics, to another
7 model.

8 (5) An assessment of whether any facilities
9 could be upgraded to the next higher-level model
10 within planned investments under the strategic cap-
11 ital investment planning process of the Department.

12 (6) An assessment of whether any facilities
13 could be upgraded to the next higher-level model
14 with minor modifications to existing plans under the
15 strategic capital investment planning process of the
16 Department.

17 (7) An assessment of whether the Department
18 has a goal for how many facilities should fall into
19 each such model.

20 **SEC. 506. REPORT ON STAFFING OF DEPARTMENT OF VET-**
21 **ERANS RELATING TO THE TREATMENT OF**
22 **WOMEN.**

23 (a) IN GENERAL.—Not later than 90 days after the
24 date of the enactment of this Act, and annually thereafter,
25 the Secretary of Veterans Affairs shall submit to the Com-

1 mittee on Veterans' Affairs of the Senate and the Com-
2 mittee on Veterans' Affairs of the House of Representa-
3 tives a report on the staffing of the Department of Vet-
4 erans Affairs relating to the treatment of women.

5 (b) ELEMENTS.—Each report required by subsection
6 (a) shall include the following, disaggregated by Veterans
7 Integrated Service Network and State (except with respect
8 to paragraph (4)):

9 (1) The number of women's health centers.

10 (2) The number of patient aligned care teams
11 of the Department relating to women's health.

12 (3) The number of full- and part-time gyne-
13 cologists of the Department.

14 (4) The number of designated women's health
15 care providers of the Department, disaggregated by
16 facility of the Department.

17 (5) The number of health care providers of the
18 Department who have completed a mini-residency
19 for women's health care through Women Veterans
20 Health Care Mini-Residency Program of the Depart-
21 ment during the one-year period preceding the sub-
22 mittal of the report, and the number that plan to
23 participate in such a mini-residency during the one-
24 year period following such date.

1 (6) The number of designated women's health
2 care providers of the Department who have suffi-
3 cient female patients to retain their competencies
4 and proficiencies.

○