

PUPPIES ASSISTING WOUNDED SERVICEMEMBERS FOR
VETERANS THERAPY ACT

MAY 12, 2021.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. TAKANO, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

[To accompany H.R. 1448]

The Committee on Veterans' Affairs, to which was referred the bill (H.R. 1448) to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy, and to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide service dogs to veterans with mental illnesses who do not have mobility impairments.

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AMENDMENT

The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Puppies Assisting Wounded Servicemembers for Veterans Therapy Act” or the “PAWS for Veterans Therapy Act”.

SEC. 2. DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM ON DOG TRAINING THERAPY.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of the Act, the Secretary of Veterans Affairs shall commence the conduct of a pilot program to provide canine training to eligible veterans diagnosed with post-traumatic stress disorder (in this section referred to as “PTSD”) as an element of a complementary and integrative health program for such veterans.

(b) **DURATION; MEDICAL CENTERS.**—

(1) **DURATION.**—The Secretary shall carry out the pilot program under subsection (a) for a five-year period beginning on the date of the commencement of the pilot program.

(2) **MEDICAL CENTERS.**—The Secretary shall ensure that such pilot program is carried out by not fewer than five medical centers of the Department of Veterans Affairs located in geographically diverse areas.

(c) **AGREEMENTS WITH ENTITIES.**—In carrying out the pilot program under subsection (a), the Secretary shall seek to enter into agreements with nongovernmental entities that the Secretary determines have the demonstrated ability to provide the canine training specified in subsection (a).

(d) **REQUIRED CONDITIONS.**—The Secretary shall include in any agreement under subsection (c) conditions requiring that the nongovernmental entity seeking to enter into the agreement—

(1) submits to the Secretary certification that the entity is an accredited service dog training organization;

(2) agrees to ensure that veterans participating in the pilot program under subsection (a) receive training from certified service dog training instructors for a period of time determined appropriate by the entity;

(3) agrees to ensure that veterans participating in such pilot program are prohibited from having access to a dog under such pilot program at any time during such participation without the supervision of a certified service dog training instructor;

(4) agrees to ensure that veterans participating in such pilot program receive training in skills unique to the needs of the veteran to address or alleviate PTSD symptoms of the veteran;

(5) agrees not to use shock collars or prong collars as training tools and to use positive reinforcement training; and

(6) agrees to provide any follow-up training support specified in subsection (e)(2), as applicable.

(e) **ADOPTION OF DOG.**—

(1) **IN GENERAL.**—A veteran who has participated in the pilot program under subsection (a) may adopt a dog that the veteran assisted in training during such pilot program if the veteran and the veteran’s health provider (in consultation with the entity that provided the canine training with respect to the dog under such pilot program) determine that it is in the best interest of the veteran.

(2) **FOLLOW-UP TRAINING SUPPORT.**—If a veteran adopts a dog under paragraph (1), the entity that provided the canine training with respect to the dog under the pilot program shall provide follow-up training support for the life of the dog. Such support shall include the provision of a contact plan between the veteran and the entity that enables the veteran to seek and receive assistance from the entity to ensure the dog is being properly cared for.

(f) **ELIGIBILITY FOR OTHER CARE AND TREATMENT.**—Participation in the pilot program under subsection (a) may not preclude a veteran from receiving any other medical care or treatment for PTSD furnished by the Department, including therapy, for which the veteran is otherwise eligible.

(g) **COLLECTION OF DATA.**—In carrying out this section, the Secretary shall—

(1) develop metrics and other appropriate means to measure, with respect to veterans participating in the pilot program under subsection (a)—

(A) the number of such veterans participating;

(B) the satisfaction of such veterans with the pilot program;

(C) whether participation in the pilot program resulted in any clinically relevant improvements for such veterans, as determined by the health care provider or clinical team that referred the veteran to participate in the pilot program; and

(D) such other factors as the Secretary may determine appropriate; and

(2) establish processes to document and track the progress of such veterans under the pilot program with respect to health benefits and improvements.

(h) **REPORT BY SECRETARY.**—Not later than one year before the date on which the pilot program under subsection (a) terminates, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report containing the recommendations of the Secretary regarding—

- (1) whether to extend or make permanent the pilot program; and
- (2) the feasibility and advisability of expanding the pilot program to address mental health conditions other than PTSD.

(i) **GAO BRIEFING AND STUDY.**—

(1) **BRIEFING.**—Not later than one year after the date of the commencement of the pilot program under subsection (a), the Comptroller General of the United States shall provide to the Committees on Veterans' Affairs of the House of Representatives and the Senate a briefing on the methodology established for the pilot program.

(2) **REPORT.**—Not later than 270 days after the date on which the pilot program terminates, the Comptroller General shall submit to the committees specified in paragraph (1) a report on the pilot program. Such report shall include an evaluation of the approach and methodology used for the pilot program with respect to—

- (A) assisting veterans with PTSD; and
- (B) measuring relevant metrics, such as reduction in scores under the Clinician Administered PTSD Scale (CAPS), improvement in psychosocial function, and therapeutic compliance.

(j) **DEFINITIONS.**—In this section:

(1) The term “accredited service dog training organization” means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that—

- (A) provides service dogs to veterans with PTSD; and
- (B) is accredited by an accrediting organization with demonstrated experience, national scope, and recognized leadership and expertise in the training of service dogs and education in the use of service dogs (as determined by the Secretary).

(2) The term “eligible veteran” means a veteran who—

- (A) is enrolled in the patient enrollment system in the Department of Veterans Affairs under section 1705 of title 38, United States Code; and
- (B) has been recommended for participation in the pilot program under subsection (a) by a qualified mental health care provider or clinical team based on medical judgment that the veteran may benefit from such participation with respect to the diagnosed PTSD of the veteran.

(3) The term “service dog training instructor” means an instructor who provides the direct training of veterans with PTSD in the art and science of service dog training and handling.

SEC. 3. PROVISION OF SERVICE DOGS AND VETERINARY INSURANCE BENEFITS TO VETERANS WITH POST-TRAUMATIC STRESS DISORDER WHO DO NOT HAVE CERTAIN IMPAIRMENTS.

(a) **IN GENERAL.**—Section 1714 of title 38, United States Code, is amended by adding at the end the following new subsections:

“(e) The Secretary may provide a service dog to a veteran under subsection (c)(3) regardless of whether the veteran has a mobility impairment.

“(f)(1) The Secretary shall provide to any veteran described in paragraph (2) a commercially available veterinary insurance policy for each dog provided to such veteran under subsection (b) or (c).

“(2) A veteran described in this paragraph is a veteran who—

- “(A) is diagnosed with post-traumatic stress disorder or a visual, hearing, or substantial mobility impairment;
- “(B) has received a dog under subsection (b) or (c) in connection with such disorder or impairment; and
- “(C) meets such other requirements as the Secretary may prescribe.”.

(b) **APPLICABILITY.**—Section 1714(f) of title 38, United States Code, as added by subsection (a), shall apply with respect to a veteran provided a dog by the Secretary of Veterans Affairs regardless of whether the provision occurs before, on, or after the date of the enactment of this Act.

PURPOSE AND SUMMARY

H.R. 1448, as amended, would require the Secretary of the Department of Veterans Affairs (VA) to conduct a pilot program at five VA medical centers, in partnership with accredited service dog training organizations, through which veterans diagnosed with

post-traumatic stress disorder (PTSD) may participate in training mental health service dogs for therapeutic benefit. In addition, it removes VA's requirement that veterans with PTSD also have mobility impairment before being referred for a mental health service dog. It also extends VA's veterinary insurance benefit, currently available only to veterans who have received service dogs through VA for vision, hearing, and/or mobility impairments, to veterans who are prescribed mental health service dogs. Representative Steve Stivers of Ohio introduced H.R. 1448 on March 1, 2021.

BACKGROUND AND NEED FOR LEGISLATION

VA continues to be innovative and responsive to veterans' interest in adjunctive treatment approaches to promote their mental health and wellbeing, through expansion of Whole Health offerings at every VA medical center across the country and through implementation of prior Congressionally-mandated pilot programs to partner with non-VA entities in offering veterans opportunities to participate in animal-assisted therapies, sports and recreation programs, agricultural programs, and art therapy. VA also has an existing pilot program in the Palo Alto VA Medical Center polytrauma unit to offer veterans opportunities to help train service dogs for fellow veterans. Anecdotally, veterans involved in the Palo Alto pilot program have noted their satisfaction with and benefits from participation in the canine training, which is a training-as-therapeutic model. The intent of the Committee with the current legislation is to expand the number of veterans who may access this form of adjunctive treatment for PTSD and to make it more geographically accessible. The non-governmental entities with which VA enters into agreements to conduct the pilot program must submit to VA certification that they: (1) are organizations described in section 501(c)(3) of the Internal Revenue Code of 1986; (2) are accredited by an accrediting organization with demonstrated experience, national scope, and recognized leadership and expertise in the training and use of service dogs; and (3) have recognized expertise and staff experienced in training mental health service dogs specifically.

VA has an existing process by which it assesses, prescribes, and refers veterans for service dogs, and maintains contracts with accredited service dog organizations for pairing and provision of service dogs. VA does not purchase service dogs for veterans as part of this process, and veterans who are provided with a service dog are not charged for the service dog. Veterans with a diagnosis of PTSD are eligible for that process, but only if they have mobility impairment in addition to PTSD. The intent of this legislation is to remove the additional mobility impairment requirement and allow veterans to participate in the VA service dog assessment, prescription, and referral process solely on the basis of their PTSD diagnosis.

Currently, VA offers a veterinary insurance benefit to veterans who are prescribed and receive service dogs through VA. That benefit is only offered to veterans who receive service dogs on the basis of visual, hearing, and/or mobility impairment. This legislation expands the category of veterans who are offered the veterinary insurance benefit to include veterans with PTSD who receive service dogs through VA.

HEARINGS

H.R. 1448, as introduced, was examined at a legislative hearing by the Subcommittee on Health on April 15, 2021. The following witnesses testified at the hearing: The Honorable Mark Takano, U.S. House of Representatives, 41st Congressional District of California; The Honorable Lauren Underwood, U.S. House of Representatives, 14th Congressional District of Illinois; The Honorable Steve Stivers, U.S. House of Representatives, 15th Congressional District of Ohio; The Honorable Cynthia Axne, U.S. House of Representatives, 3rd Congressional District of Iowa; The Honorable Brenda L. Lawrence, U.S. House of Representatives, 14th Congressional District of Michigan; The Honorable Hakeem S. Jeffries, U.S. House of Representatives, 8th Congressional District of New York; Mr. Marquis Barefield, Assistant National Legislative Director, Disabled American Veterans; Mr. Brian Dempsey, Government Affairs Director, Wounded Warrior Project; Ms. Lindsay Church, Executive Director/Co-Founder, Minority Veterans of America; Dr. Clifford A. Smith, Director, Analytics, Innovations and Collaborations Veterans Health Administration, U.S. Department of Veterans Affairs; Dr. Amanda Johnson, Director, Women's Reproductive Health Veterans Health Administration, U.S. Department of Veterans Affairs.

COMMITTEE CONSIDERATION

On May 5, 2021, the full Committee met in an open session, a quorum being present, to consider H.R. 1448. An amendment in the nature of a substitute was offered by Representative Mike Bost of Illinois. The amendment was agreed to by voice vote. The Committee ordered that H.R. 1448, as amended, be ordered favorably reported to the House of Representatives.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report the legislation and amendments thereto. A motion to favorably report H.R. 1448, as amended, to the House of Representatives was offered by Ranking Member Mike Bost of Illinois and agreed to by voice vote.

SECTION-BY-SECTION DESCRIPTION

Section 1. Short title

Section 1 establishes the title of the bill as Puppies Assisting Wounded Servicemembers for Veterans Therapy Act or the PAWS for Veterans Therapy Act.

Section 2. Department of Veterans Affairs pilot program on dog training therapy

Section 2 requires VA to establish five pilot sites at VA medical centers for veterans with PTSD to participate in service dog training for therapeutic benefit. VA must enter into agreements with accredited, non-governmental service dog training organizations to establish and conduct the pilot programs for five years.

Section 3. Provision of service dogs and veterinary insurance benefits to veterans with post-traumatic stress disorder who do not have certain impairments

Section 3 would amend section 1714 of title 38, United States Code, to clarify that VA may provide a service dog to a veteran under subsection (c)(3) regardless of whether the veteran has a mobility impairment. It also requires VA to provide to any veteran described in paragraph (2) a commercially available veterinary insurance policy for each dog provided to such veteran under subsection (b) or (c).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

The Committee did not receive a formal score on the amended bill in time for filing.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Article I, section 8 of the United States Constitution, H.R. 2942, as amended is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

EARMARK STATEMENT

H.R. 1448, as amended does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 1448, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 1448, as amended.

PERFORMANCE GOALS

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are to continue to encourage the design, evaluation, implementation, and dissemination of VA's adjunctive therapeutic opportunities for veterans with mental health challenges.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 1448, as amended, does not relate to the terms and condition of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 1448, as amended establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

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PART II—GENERAL BENEFITS

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**CHAPTER 17—HOSPITAL, NURSING HOME,
DOMICILIARY, AND MEDICAL CARE**

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**SUBCHAPTER II—HOSPITAL, NURSING HOME, OR
DOMICILIARY CARE AND MEDICAL TREATMENT**

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**§ 1714. Fitting and training in use of prosthetic appliances;
guide dogs; service dogs**

(a)(1) Any veteran who is entitled to a prosthetic appliance shall be furnished such fitting and training, including institutional training, in the use of such appliance as may be necessary, whether in a Department facility or other training institution, or by outpatient treatment, including such service under contract, and including travel and incidental expenses (under the terms and conditions set forth in section 111 of this title) to and from such veteran's home to such hospital or training institution.

(2) In furnishing prosthetic appliances under paragraph (1), the Secretary shall ensure women veterans are able to access clinically appropriate prosthetic appliances through each medical facility of the Department.

(b) The Secretary may provide guide dogs trained for the aid of the blind to veterans who are enrolled under section 1705 of this title. The Secretary may also provide such veterans with mechanical or electronic equipment for aiding them in overcoming the disability of blindness.

(c) The Secretary may, in accordance with the priority specified in section 1705 of this title, provide—

(1) service dogs trained for the aid of the hearing impaired to veterans who are hearing impaired and are enrolled under section 1705 of this title;

(2) service dogs trained for the aid of persons with spinal cord injury or dysfunction or other chronic impairment that substantially limits mobility to veterans with such injury, dysfunction, or impairment who are enrolled under section 1705 of this title; and

(3) service dogs trained for the aid of persons with mental illnesses, including post-traumatic stress disorder, to veterans with such illnesses who are enrolled under section 1705 of this title.

(d) In the case of a veteran provided a dog under subsection (b) or (c), the Secretary may pay travel and incidental expenses for that veteran under the terms and conditions set forth in section 111 of this title to and from the veteran's home for expenses incurred in becoming adjusted to the dog.

(e) The Secretary may provide a service dog to a veteran under subsection (c)(3) regardless of whether the veteran has a mobility impairment.

(f)(1) The Secretary shall provide to any veteran described in paragraph (2) a commercially available veterinary insurance policy for each dog provided to such veteran under subsection (b) or (c).

(2) A veteran described in this paragraph is a veteran who—

(A) is diagnosed with post-traumatic stress disorder or a visual, hearing, or substantial mobility impairment;

(B) has received a dog under subsection (b) or (c) in connection with such disorder or impairment; and

(C) meets such other requirements as the Secretary may prescribe.

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