

110TH CONGRESS
1ST SESSION

H. R. 4107

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, from the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2007

Ms. HERSETH SANDLIN (for herself and Ms. GINNY BROWN-WAITE of Florida) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, from the Department of Veterans Affairs, 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 Health Care Improvement Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF
 VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS

Sec. 101. Long-term study on health of women serving in Operation Iraqi Free-
 dom and Operation Enduring Freedom.

Sec. 102. Study of barriers for women veterans to health care from the depart-
 ment of veterans affairs.

Sec. 103. Comprehensive assessment of women’s health care programs of the
 department of veterans affairs.

TITLE II—IMPROVEMENT AND EXPANSION OF HEALTH CARE
 PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR
 WOMEN VETERANS

Sec. 201. Improvement of sexual trauma care programs of the department of
 veterans affairs.

Sec. 202. Dissemination of information on effective treatment, including evi-
 dence-based treatments, for women veterans with post-trau-
 matic stress disorder (ptsd).

Sec. 203. Ensuring adequate provision of services for women veterans at De-
 partment of Veterans Affairs vet centers.

Sec. 204. Pilot program for child care for certain women veterans receiving
 health care from facilities of the department.

Sec. 205. Pilot program for women veterans newly separated from service for
 counseling in retreat settings.

Sec. 206. Addition of recently separated women veterans to serve on advisory
 committees.

3 **TITLE I—STUDIES AND ASSESS-**
 4 **MENTS OF DEPARTMENT OF**
 5 **VETERANS AFFAIRS HEALTH**
 6 **SERVICES FOR WOMEN VET-**
 7 **ERANS**

8 **SEC. 101. LONG-TERM STUDY ON HEALTH OF WOMEN SERV-**
 9 **ING IN OPERATION IRAQI FREEDOM AND OP-**
 10 **ERATION ENDURING FREEDOM.**

11 (a) PROSPECTIVE, POPULATION-BASED LONG-TERM
 12 STUDY.—The secretary of veterans affairs shall enter in

1 contracts with one or more qualified entities or organiza-
2 tions, in collaboration with the war-related injury and ill-
3 ness study centers of the veterans health administration,
4 to conduct a long-term epidemiologic study on the health
5 of women veterans who served on active duty in the com-
6 bat theatres of Operation Iraqi Freedom and Operation
7 Enduring Freedom. the study shall include information on
8 general health, mental health, reproductive health, and
9 mortality of such women veterans

10 (b) COHORT.—The study shall utilize a sufficiently
11 large cohort of women, and shall include a minimum fol-
12 low-up period of ten years.

13 (c) ARRANGEMENTS WITH THE DEPARTMENT OF
14 DEFENSE.—The Secretary of Defense shall enter into ar-
15 rangements with the Secretary of Veterans Affairs to
16 carry out the requirements of this section. The Secretary
17 of Defense shall make available to the Secretary of Vet-
18 erans Affairs health care data in the possession of the De-
19 partment of Defense with respect to such women veterans
20 and shall provide access to the cohort of such women while
21 serving in the armed forces. Such health care data shall
22 include relevant pre-deployment health and health risk as-
23 sessments with respect to such women veterans.

24 (d) ANNUAL REPORTS.—(1) Not later than 6 months
25 after the date of the enactment of this Act, the Secretary

1 of Veterans Affairs shall submit to Congress an initial re-
2 port on the status of the implementation of the section.

3 (2) Not later one year after the date of the submittal
4 to Congress of the initial report required under paragraph
5 (1), and annually thereafter through 2018, the Secretary
6 of Veterans Affairs shall submit to Congress report on the
7 progress and results of the long-term study required under
8 this section. The final report required under this para-
9 graph shall include a detailed description of the cumu-
10 lative findings of the study and shall include recommenda-
11 tions for such administrative and legislative action as the
12 Secretary of Veterans Affairs determines to be appro-
13 priate.

14 (e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to the Secretary of Vet-
16 erans Affairs such sums as are necessary to carry out the
17 provisions of this section.

18 **SEC. 102. STUDY OF BARRIERS FOR WOMEN VETERANS TO**
19 **HEALTH CARE FROM THE DEPARTMENT OF**
20 **VETERANS AFFAIRS.**

21 (a) STUDY.—The Secretary of Veterans Affairs shall
22 conduct a comprehensive assessment of the barriers to the
23 provision of comprehensive health care by the Department
24 of Veterans Affairs encountered by women who are vet-
25 erans, especially veterans of Operation Iraqi Freedom and

1 Operation Enduring Freedom. The study should survey
2 women veterans who seek or receive services from the
3 healthcare system of the Department of Veterans Affairs
4 as well as women veterans who do not seek or receive such
5 services.

6 (b) ELEMENTS.—(1) In conducting the study re-
7 quired by subsection (a), the Secretary of Veterans Affairs
8 shall conduct research on the effects of the following:

9 (A) Perceived stigma with respect to seeking
10 mental health care services.

11 (B) The effect of driving distance or availability
12 of other forms of transportation to the nearest ap-
13 propriate facility of the Department on access to
14 care.

15 (C) Availability of child care.

16 (D) Acceptability of integrated primary care, or
17 with women’s health clinics, or both.

18 (E) Comprehension of eligibility requirements
19 for, and the scope of services available under, such
20 health care.

21 (F) The quality and nature of the reception by
22 providers of such health care and their staff of the
23 veteran.

1 (G) The perception of personal safety and com-
2 fort of women veterans in inpatient, outpatient, and
3 behavioral health facilities of the Department.

4 (H) Cultural sensitivity of health care providers
5 and staff to issues that particularly affect women.

6 (I) The effectiveness of outreach for health care
7 services available to women veterans.

8 (J) Such other significant barriers as the Sec-
9 retary of Veterans Affairs may identify.

10 (2) The Secretary of Veterans Affairs shall enter into
11 contracts with qualified independent entities or organiza-
12 tions to carry out of the studies and research required
13 under this section.

14 (c) MANDATORY REVIEW OF DATA BY CERTAIN DI-
15 VISIONS WITHIN THE DEPARTMENT.—The Secretary of
16 Veterans Affairs shall ensure that the head of each speci-
17 fied division of the Department (as defined in subsection
18 (e)(2)) reviews the results of the study. The head of each
19 specified division of the Department shall submit findings
20 with respect to the study to the Under Secretary for
21 Health and to other pertinent program offices within the
22 Department of Veterans Affairs with duties relating to
23 health care services for women veterans.

24 (d) REPORTS.—(1) Not later than 6 months after the
25 date of the enactment of this Act, the Secretary of Vet-

1 erans Affairs shall submit to Congress a report on the sta-
2 tus of the implementation of the section.

3 (2) Not later than 30 months after the date of the
4 enactment of this section, the Secretary of Veterans Af-
5 fairs shall submit to Congress a report on the study re-
6 quired under this section. The report shall include rec-
7 ommendations for such administrative and legislative ac-
8 tion as the Secretary of Veterans Affairs determines to
9 be appropriate. The report shall also include the findings
10 of the head of each specified division of the Department
11 and of the Under Secretary for Health.

12 (e) DEFINITION.—In this section—

13 (1) the term “facility of the Department” has
14 the meaning given that term in section 1701(3) of
15 title 38, United States Code; and

16 (2) the term “specified division of the Depart-
17 ment” means—

18 (A) the Center for Women Veterans, estab-
19 lished under section 318 of title 38, United
20 States Code; and

21 (B) the Advisory Committee on Women
22 Veterans, established under section 542 of title
23 38, United States Code.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the Secretary of Vet-

1 erans Affairs such sums as are necessary to carry out the
2 provisions of this section.

3 **SEC. 103. COMPREHENSIVE ASSESSMENT OF WOMEN'S**
4 **HEALTH CARE PROGRAMS OF THE DEPART-**
5 **MENT OF VETERANS AFFAIRS.**

6 (a) IN GENERAL.—The Secretary of Veterans Affairs
7 shall conduct a comprehensive assessment of all health
8 care services and programs provided by the Department
9 of Veterans Affairs for the health care needs of women
10 veterans. Such comprehensive assessment shall include as-
11 sessments of specialized programs for women with post-
12 traumatic stress disorder, for women who are homeless,
13 for women who require care for substance abuse or mental
14 illnesses, and for women who require pregnancy care.

15 (b) SPECIFIC MATTERS STUDIED.—(1) The Sec-
16 retary of Veterans Affairs shall identify each of the fol-
17 lowing programs for women veterans provided by the De-
18 partment and determine whether effective health care
19 services, including evidenced-based health care services,
20 are readily available to and easily accessed by women vet-
21 erans:

22 (A) Health promotion programs.

23 (B) Disease prevention programs.

24 (C) Health Care programs.

1 (2) In making such determination, the Secretary of
2 Veterans Affairs shall identify—

3 (A) the frequency with which such services are
4 available and provided,

5 (B) the demographics of the women veterans
6 population,

7 (C) the sites where such services are available
8 and provided, and

9 (D) whether, and to what extent, waiting lists,
10 geographic distance, and other factors obstruct the
11 receipt of any of such services at any such site.

12 (c) DEVELOPMENT OF PLAN TO IMPROVE SERV-
13 ICES.—(1) After conducting the assessments required by
14 subsection (a), the Secretary of Veterans Affairs shall de-
15 velop a program to improve the provision of health care
16 services to women veterans and to project the future
17 health care, including mental health care, needs of women
18 serving in the combat theatres of Operation Iraqi Freedom
19 and Operation Enduring Freedom. In developing the pro-
20 gram under this subsection, the Secretary of Veterans Af-
21 fairs shall list the types of services available under each
22 program at each Medical Center of the Department and
23 shall indicate projected resource and staffing requirements
24 to meet the health care needs of women veterans.

1 (d) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary of Veterans
3 Affairs shall submit to Congress a report on the assess-
4 ment conducted pursuant to this section. The report shall
5 include recommendations for such administrative and leg-
6 islative action as the Secretary of Veterans Affairs deter-
7 mines to be appropriate.

8 (e) GAO REPORT.—The Comptroller General of the
9 United States shall review the report of the Secretary of
10 Veterans Affairs required under subsection (d). Not later
11 than 6 months after the date on which the Secretary sub-
12 mits such report, the Comptroller General shall submit to
13 Congress a report containing the findings of the Comp-
14 troller General with respect to the report of the Secretary
15 and may include such recommendations for administrative
16 or legislative actions as the Comptroller General deter-
17 mines to be appropriate.

1 **TITLE II—IMPROVEMENT AND**
2 **EXPANSION OF HEALTH CARE**
3 **PROGRAMS OF THE DEPART-**
4 **MENT OF VETERANS AFFAIRS**
5 **FOR WOMEN VETERANS**

6 **SEC. 201. IMPROVEMENT OF SEXUAL TRAUMA CARE PRO-**
7 **GRAMS OF THE DEPARTMENT OF VETERANS**
8 **AFFAIRS.**

9 (a) IMPROVED TRAINING FOR HEALTH CARE PER-
10 SONNEL.—Section 1720D of title 38, United States Code,
11 is amended—

12 (1) by redesignating subsection (d) as sub-
13 section (f); and

14 (2) by inserting after subsection (c) the fol-
15 lowing new subsections:

16 “(d)(1)(A) The Secretary shall provide training for
17 mental health professionals who provide counseling and
18 care to veterans eligible for services under subsection (a).
19 In carrying out such training, the Secretary shall ensure
20 that all such mental health professionals have been trained
21 in a consistent manner and that such training includes
22 principles of evidence-based treatment and care for sexual
23 trauma.

24 “(B) In the case of primary care providers who pro-
25 vide medical care for veterans who may be eligible for serv-

1 ices under subsection (a), the Secretary shall ensure ap-
2 propriate training of such primary care providers in
3 screening for and recognizing symptoms of sexual trauma
4 and procedures for the prompt referral of such veterans
5 to mental health professionals described in subparagraph
6 (A).

7 “(2) Counseling, care, and services under subsection
8 (a) should include the services of therapists qualified to
9 provide counseling for sexual trauma and who dem-
10 onstrate a comprehension of the burden of exposure to
11 both combat and sexual trauma inservicemembers of the
12 Armed Forces.

13 “(e) The Secretary shall submit to Congress an an-
14 nual report on the counseling and care and services pro-
15 vided to veterans by reason of this section. Each report
16 shall include data for the year involved with respect to the
17 following:

18 “(1) The number of mental health professionals
19 and primary care providers who received training
20 under subsection (d).

21 “(2) The number of women veterans who re-
22 ceived counseling and care and services under sub-
23 section (a) from professionals and providers who re-
24 ceived training under subsection (d).

1 order and other co-morbid conditions (attributable to com-
2 bat or sexual trauma) that are proven effective for women
3 veterans. The Secretary shall develop and implement the
4 plan through the National Center for Post-traumatic
5 Stress Disorder (PTSD) of the Department of Veterans
6 Affairs.

7 (b) DISSEMINATION OF INFORMATION ON TREAT-
8 MENT.—(1) The plan required under subsection (a) shall
9 include a proposed timetable for the dissemination of such
10 treatments, including evidence-based treatments, through-
11 out all facilities of the Department, but in no case may
12 such dissemination occur later than one year after the
13 date of the enactment of this Act.

14 (2) The timetable for the completion of such dissemi-
15 nation shall include proposed additional resources for the
16 treatment programs, for training of personnel involved in
17 counseling and treatment of women veterans suffering
18 from post-traumatic stress disorder attributable to combat
19 or sexual trauma.

20 (c) REPORT.—(1) Not later than two years after the
21 date of the enactment of this Act, the Secretary of Vet-
22 erans Affairs shall submit to Congress a report on the dis-
23 semination of effective treatments, including evidence-
24 based treatments, for women veterans suffering from post-

1 traumatic stress disorder through all facilities of the De-
2 partment.

3 (2) The report shall include description of—

4 (A) the methodology and results of the training
5 of personnel involved in counseling and treatment of
6 women veterans suffering from post-traumatic stress
7 disorder;

8 (B) the effectiveness of the treatments; and

9 (C) any recommended improvements with re-
10 spect to access to and availability of the treatment
11 services.

12 (3) In preparing the report under paragraph (1), the
13 Secretary shall also include any findings or recommenda-
14 tions of the Director of the Center for Women Veterans
15 and the Under Secretary for Health with respect to the
16 development and implementation of the strategy and the
17 completion of the dissemination of such treatments, in-
18 cluding evidence-based treatments.

19 **SEC. 203. ENSURING ADEQUATE PROVISION OF SERVICES**
20 **FOR WOMEN VETERANS AT DEPARTMENT OF**
21 **VETERANS AFFAIRS VET CENTERS.**

22 (a) IN GENERAL.—The Secretary of Veterans Affairs
23 shall conduct a study on centers for the provision of read-
24 justment counseling and related mental health services es-
25 tablished under section 1712A of title 38, United States

1 Code (in this section referred to as a “vet center”). The
2 Secretary shall determine whether such centers have the
3 capacity to provide a sufficient scope and intensity of serv-
4 ices for women veterans.

5 (b) ENSURING SUFFICIENT CAPACITY.—After con-
6 ducting the study under subsection (a), the Secretary of
7 Veterans Affairs shall develop a plan to ensure that ade-
8 quate counseling and mental health services shall be avail-
9 able at each vet center for women veterans, taking into
10 account the specialized needs of such veterans.

11 **SEC. 204. PILOT PROGRAM FOR CHILD CARE FOR CERTAIN**
12 **WOMEN VETERANS RECEIVING HEALTH**
13 **CARE FROM FACILITIES OF THE DEPART-**
14 **MENT.**

15 (a) IN GENERAL.—(1) Not later than six months
16 after the date of the enactment of this Act, the Secretary
17 of Veterans Affairs shall carry out a pilot program under
18 which, subject to paragraph (2), child care is provided,
19 directly or indirectly, for qualified veterans.

20 (2) Child care under the pilot program may only be
21 provided for the period of time that the qualified vet-
22 eran—

23 (A) receives the types of health care services re-
24 ferred to in paragraph (3) at a facility of the De-
25 partment; and

1 (B) requires to travel to and return from such
2 facility for the receipt of such health care services.

3 (3) In this section, the term “qualified veteran”
4 means a veteran who is a woman, who is the primary care-
5 taker of a child or children, and who is receiving from
6 the Department of Veterans Affairs one or more of the
7 following health care services:

8 (A) Regular mental health care services.

9 (B) Intensive mental health care services.

10 (C) Such other intensive health care services
11 that the Secretary determines that the provision of
12 child care would improve access to those health care
13 services.

14 (4) The Secretary shall carry out the pilot program
15 in no fewer than three Veterans Integrated Service Net-
16 works (VISNs).

17 (b) DURATION OF PILOT PROGRAM.—The pilot pro-
18 gram required by subsection (a) shall be carried out dur-
19 ing the two-year period beginning on the date of the com-
20 mencement of the pilot program.

21 (c) POSSIBLE FORMS OF CHILD CARE ASSIST-
22 ANCE.—Under the pilot program, the form of child care
23 assistance provided to qualified veterans may include sti-
24 pends for the payment of child care offered by child care
25 centers (either directly or through a voucher program), the

1 development of partnerships with private agencies, collabo-
2 ration with facilities or programs of other Federal depart-
3 ments or agencies, or the arrangement of after school care.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Secretary of Vet-
6 erans Affairs \$1,500,000 for each of fiscal years 2008 and
7 2009 to carry out the pilot program under this section.

8 (e) REPORT.—Not later than six months after the
9 completion of the pilot program, the Secretary shall sub-
10 mit to Congress a report on the pilot program and shall
11 include recommendations for the continuation or expan-
12 sion of the pilot program.

13 **SEC. 205. PILOT PROGRAM FOR WOMEN VETERANS NEWLY**
14 **SEPARATED FROM SERVICE FOR COUN-**
15 **SELING IN RETREAT SETTINGS.**

16 (a) IN GENERAL.—(1) Not later than six months
17 after the date of the enactment of this Act, the Secretary
18 of Veterans Affairs shall carry out a pilot program to
19 evaluate the feasibility and advisability of providing coun-
20 seling and transition adjustment assistance for women vet-
21 erans who are newly separated from active duty service.

22 (2) Under the pilot program, such counseling and as-
23 sistance shall be provided in a group retreat setting in
24 which the counseling and assistance is made available for

1 consecutive periods of days for such duration as the Sec-
2 retary determines to be effective.

3 (3) Participation in a pilot program under this sec-
4 tion is at the election of the woman veteran, and such elec-
5 tion may be made with or without a referral from a physi-
6 cian or mental health professional.

7 (b) SITES.—The Secretary of Veterans Affairs shall
8 carry out the pilot program in no fewer than five sites.

9 (c) DURATION OF PILOT PROGRAM.—The pilot pro-
10 gram required by subsection (a) shall be carried out dur-
11 ing the two-year period beginning on the date of the com-
12 mencement of the pilot program.

13 (d) COUNSELING SERVICES.—Under the pilot pro-
14 gram, a newly separated woman veteran is eligible for a
15 program of counseling tailored to her specific needs, based
16 on her active duty experience and her family situation in
17 order to assist with the transition from active duty to civil-
18 ian life at home. The program may include some or all
19 of the following services:

20 (1) Mental health counseling.

21 (2) Family and marital counseling.

22 (3) Role and relationship counseling.

23 (4) Counseling for substance-use disorder.

24 (5) Such other counseling services that the Sec-
25 retary of Veterans Affairs determines is necessary to

1 assist the veteran before final repatriation with her
2 family.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the Secretary of Vet-
5 erans Affairs \$2,000,000 for each of fiscal years 2008 and
6 2009 to carry out the pilot program under this section.

7 (f) REPORT.—Not later than six months after the
8 completion of the pilot program, the Secretary shall sub-
9 mit to Congress a report on the pilot program. The report
10 shall include the following:

11 (1) An assessment of the relative feasibility and
12 advisability of the pilot program.

13 (2) An assessment of the benefits of the pro-
14 gram, including any cost effectiveness associated
15 with the program and any projected cost-savings at-
16 tributable to early intervention and transition assist-
17 ance under the pilot program.

18 (3) Any recommendation for the continuation
19 or expansion of the pilot program.

20 **SEC. 206. ADDITION OF RECENTLY SEPARATED WOMEN**
21 **VETERANS TO SERVE ON ADVISORY COMMIT-**
22 **TEES.**

23 (a) ADVISORY COMMITTEE ON WOMEN VETERANS.—
24 Subsection (a)(2)(a) of section 542 of title 38, United
25 States Code, is amended—

1 (1) by striking “and” at the end of clause (ii);

2 (2) by striking the period at the end of clause

3 (iii) and inserting “; and”; and

4 (3) by inserting after clause (iii) the following

5 new clause:

6 “(iv) women who are recently sepa-

7 rated veterans.”.

8 (b) ADVISORY COMMITTEE ON MINORITY VET-

9 ERANS.—Subsection (a)(2)(a) of section 542 of title 38,

10 United States Code, is amended

11 (1) by striking “and” at the end of clause (iii);

12 (2) by striking the period at the end of clause

13 (iv) and inserting “; and”; and

14 (3) by inserting after clause (iv) the following

15 new clause:

16 “(v) recently separated veterans who

17 are minority group members.”.

18 (c) EFFECTIVE DATE.—The amendments made by

19 this section shall first apply to appointments made on or

20 after the date of the enactment of this Act.

○