

110TH CONGRESS
1ST SESSION

S. 2497

To ensure that families of members of the National Guard and Reserve have full access to mental health care during the mobilization, deployment, and demobilization of such members, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2007

Ms. KLOBUCHAR introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To ensure that families of members of the National Guard and Reserve have full access to mental health care during the mobilization, deployment, and demobilization of such members, 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. ACCESS TO MENTAL HEALTH CARE OF FAMI-**
4 **LIES OF MEMBERS OF THE NATIONAL GUARD**
5 **AND RESERVE DURING THEIR MOBILIZA-**
6 **TION, DEPLOYMENT, AND DEMOBILIZATION.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) The members of the National Guard and
2 Reserve have made extraordinary contributions to
3 Operation Iraqi Freedom and Operation Enduring
4 Freedom.

5 (2) The scope and scale of recent mobilizations
6 and deployments of members of the National Guard
7 and Reserve is unprecedented in the modern history
8 of the Armed Forces.

9 (3) The frequency and length of such mobiliza-
10 tions and deployments has placed significant strain
11 on the family members of deployed members.

12 (4) The Department of Defense Task Force on
13 Mental Health determined that family members of
14 deployed members of the National Guard and Re-
15 serve are more likely to experience mental health
16 challenges as a result of these mobilizations and de-
17 ployments.

18 (5) The Department of Defense Task Force on
19 Mental Health also determined that family members
20 of deployed members of the National Guard and Re-
21 serve are less likely to have ready access to mental
22 health care during periods of deployment.

23 (6) Family members of members of the Na-
24 tional Guard and Reserve often live far from mili-
25 tary installations that are the primary locations for

1 mental health care provided by the Department of
2 Defense.

3 (7) Adequate support for family members of de-
4 ployed members of the Armed Forces is critical to
5 maintaining morale, both on the battlefield and on
6 the home front.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the Department of Defense should undertake
9 appropriate actions to ensure that family members of
10 members of the National Guard and Reserve who are de-
11 ployed have full access to mental health care during the
12 periods of mobilization, deployment, and demobilization of
13 such members of the National Guard and Reserve.

14 (c) INITIATIVE TO INCREASE ACCESS TO MENTAL
15 HEALTH CARE.—

16 (1) IN GENERAL.—The Secretary of Defense
17 shall undertake a nationwide initiative intended to
18 increase access to mental health care for family
19 members of members of the National Guard and Re-
20 serve who are mobilized.

21 (2) ELEMENTS.—The initiative shall include
22 the following:

23 (A) Programs and activities to educate the
24 family members of members of the National
25 Guard and Reserve who are mobilized on poten-

1 tial mental health challenges connected with
2 such mobilization.

3 (B) Programs and activities to provide
4 such family members with complete information
5 on all mental health care resources available to
6 such family members through the Department
7 of Defense and otherwise.

8 (C) Requirements for mental health coun-
9 selors at military installations in communities
10 with large numbers of mobilized members of the
11 National Guard and Reserve to expand the
12 reach of their counseling activities to include
13 families of such members in such communities.

14 (d) MENTAL HEALTH CARE UNDER TRICARE.—

15 (1) IN GENERAL.—Under such regulations as
16 the Secretary of Defense shall prescribe, reimburse-
17 ment shall be provided under the TRICARE pro-
18 gram under chapter 55 of title 10, United States
19 Code, for any mental health care specified in para-
20 graph (3) that is provided to a family member of a
21 covered member of the National Guard or Reserve
22 during the period of deployment of such covered
23 member of the National Guard or Reserve as de-
24 scribed in paragraph (2).

1 (2) COVERED MEMBERS OF THE NATIONAL
2 GUARD OR RESERVE.—For purposes of this sub-
3 section, a covered member of the National Guard or
4 Reserve is any member of the National Guard or Re-
5 serve on active duty for more than 30 days for a de-
6 ployment in connection with Operation Iraqi Free-
7 dom or Operation Enduring Freedom who, while so
8 on active duty, is covered by the TRICARE program
9 on a for self and family basis.

10 (3) MENTAL HEALTH CARE.—The mental
11 health care specified in this paragraph is mental
12 health care as follows:

13 (A) Mental health care otherwise provided
14 to covered dependents of members of the uni-
15 formed services under the TRICARE program.

16 (B) Any mental health care and treatment
17 that is provided at a facility accredited by the
18 Joint Commission on Accreditation of
19 Healthcare Organizations.

20 (C) Any mental health care and treatment
21 that is provided at a facility accredited by a
22 State-accrediting institution, including a facility
23 not otherwise recognized as an authorized pro-
24 vider under the TRICARE program.

(D) Chemical dependency treatment at any partial hospital program, substance-abuse disorder rehabilitation facility, or residential treatment center accredited by the Joint Commission on Accreditation of Healthcare Organizations or by a State-accrediting institution.

(4) EFFECTIVE DATE.—This subsection shall take effect on January 1, 2008.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on this section.

(2) ELEMENTS.—Each report shall include the following:

(A) A current assessment of the extent to which family members of members of the National Guard and Reserve who are deployed have access to, and are utilizing, mental health care available under this section.

(B) A current assessment of the quality of mental health care being provided to family members of the National Guard and Reserve

1 who are deployed at State-accredited treatment
2 centers.

3 (C) Such recommendations for legislative
4 or administrative action as the Secretary con-
5 siders appropriate in order to further assure
6 full access by family members of members of
7 the National Guard and Reserve who are de-
8 ployed to mental health care during the mobili-
9 zation, deployment, and demobilization of such
10 members of the National Guard and Reserve.

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