

110TH CONGRESS  
2D SESSION

# S. 2939

To expand and improve mental health care and reintegration programs for members of the National Guard and Reserve, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 30, 2008

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

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## A BILL

To expand and improve mental health care and reintegration programs for members of the National Guard and Reserve, 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.**

4       This Act may be cited as the “National Guard and  
5       Reserve Mental Health Access Act of 2008”.

6       **SEC. 2. IMPLEMENTATION OF YELLOW RIBBON RE-**  
7                               **INTEGRATION PROGRAM FOR MEMBERS OF**  
8                               **THE NATIONAL GUARD AND RESERVE.**

9       (a) DEADLINE FOR IMPLEMENTATION.—The Sec-  
10       retary of Defense shall establish the Yellow Ribbon Re-

1 integration Program for members of the National Guard  
2 and Reserve and their families required by section 582 of  
3 the National Defense Authorization Act for Fiscal Year  
4 2008 (Public Law 110–181; 122 Stat. 122; 10 U.S.C.  
5 10101 note) by not later than 180 days after the date  
6 of the enactment of this Act.

7 (b) REPORT ON IMPLEMENTATION OF PROGRAM.—

8 (1) REPORT REQUIRED.—Not later than 180  
9 days after the date of the enactment of this Act, the  
10 Under Secretary of Defense for Personnel and Read-  
11 iness shall submit to the Committee on Armed Serv-  
12 ices of the Senate and the Committee on Armed  
13 Services of the House of Representatives a report on  
14 the implementation of the Yellow Ribbon Reintegra-  
15 tion Program.

16 (2) ELEMENTS.—The report required by para-  
17 graph (1) shall include the following:

18 (A) A description and assessment of the  
19 implementation of the Yellow Ribbon Reintegra-  
20 tion Program as of the date of the report.

21 (B) Such recommendations as the Under  
22 Secretary considers appropriate for legislative  
23 or administration action to improve the Yellow  
24 Ribbon Reintegration Program.

1 (C) A description of any additional re-  
2 sources required to assure the full implementa-  
3 tion of the Yellow Ribbon Reintegration Pro-  
4 gram.

5 **SEC. 3. JOINT PSYCHOLOGICAL HEALTH PROGRAM.**

6 (a) PROGRAM REQUIRED.—

7 (1) IN GENERAL.—The Secretary of Defense  
8 shall, acting through the Chief of the National  
9 Guard Bureau, carry out a program for the pur-  
10 poses as follows:

11 (A) To improve access to psychological  
12 health care and services for members of the Na-  
13 tional Guard and their families.

14 (B) To improve coordination among the  
15 components of the Department of Defense in  
16 the provision of psychological health care to  
17 members of the National Guard during their  
18 transition from active duty in the Armed Forces  
19 to civilian life.

20 (C) To coordinate and oversee efforts of  
21 the Department of Defense to assist members  
22 of the National Guard with mental illness and  
23 members of the National Guard with Traumatic  
24 Brain Injury (TBI) post-deployment.

1           (2) DESIGNATION OF PROGRAM.—The program  
2           under this section shall be known as the “Joint Psy-  
3           chological Health Program” (in this section referred  
4           to as the “Program”).

5           (b) DIRECTORS OF PSYCHOLOGICAL HEALTH.—

6           (1) IN GENERAL.—In carrying out the Pro-  
7           gram, the Chief of the National Guard Bureau shall  
8           assign within the National Guard Bureau two indi-  
9           viduals to positions as follows:

10                   (A) Director of Psychological Health of the  
11                   Army National Guard of the United States.

12                   (B) Director of Psychological Health of the  
13                   Air National Guard of the United States.

14           (2) QUALIFICATIONS.—Each individual as-  
15           signed to a position under paragraph (1) shall have  
16           such qualifications and expertise as the Chief of the  
17           National Guard Bureau considers appropriate for  
18           such position.

19           (3) DUTIES.—A Director of Psychological  
20           Health under paragraph (1) shall carry out such du-  
21           ties with respect to the component of the National  
22           Guard concerned as are provided by law or by the  
23           Chief of the National Guard Bureau.

24           (c) PROGRAM ELEMENTS.—

1           (1) STATE NETWORKS OF PSYCHOLOGICAL  
2 HEALTH PROFESSIONALS.—The Program shall con-  
3 sist of a network of psychological health profes-  
4 sionals in each State and Territory, the District of  
5 Columbia, and the Commonwealth of Puerto Rico in  
6 order to carry out programs and activities for the  
7 purposes of the Program.

8           (2) DIRECTORS.—

9           (A) IN GENERAL.—Each network of psy-  
10 chological health professionals established pur-  
11 suant to paragraph (1) for a State or Territory,  
12 the District of Columbia, or the Commonwealth  
13 of Puerto Rico shall be overseen and coordi-  
14 nated for the purposes of the Program by a Di-  
15 rector who shall be selected by the Chief of the  
16 National Guard Bureau from among individuals  
17 who meet such psychology licensure or certifi-  
18 cation requirements as the Chief of the Na-  
19 tional Guard Bureau considers appropriate.

20           (B) CONTRACT POSITION.—An individual  
21 selected to serve as a Director under paragraph  
22 (1) shall serve as a Director pursuant to a con-  
23 tract entered into by such individual for pur-  
24 poses of the Program.

1 (C) DUTIES.—Each Director under this  
2 paragraph shall have the duties as follows:

3 (i) To coordinate and oversee pro-  
4 grams and activities under the Program in  
5 the jurisdiction concerned.

6 (ii) To work with applicable Federal,  
7 State, and community agencies to develop  
8 and implement a comprehensive plan for  
9 responding to the psychological needs of  
10 members of the National Guard and their  
11 families for the purposes of the Program.

12 (iii) To develop, coordinate, and over-  
13 see programs and activities to inform  
14 members of the National Guard and their  
15 families on how to access behavioral health  
16 services.

17 (iv) To develop, coordinate, and over-  
18 see programs and activities of education  
19 and training for leadership of the National  
20 Guard on matters relating to the psycho-  
21 logical health of members of the National  
22 Guard.

23 (v) To develop, coordinate, and over-  
24 see programs and activities to assist mem-  
25 bers of the National Guard and their fami-

1 lies in building psychological fitness and  
2 resilience while dispelling the stigma asso-  
3 ciated with seeking and obtaining mental  
4 health services.

5 (vi) To develop, coordinate, and over-  
6 see programs and activities to coordinate  
7 psychological care for members of the Na-  
8 tional Guard during their transition from  
9 Warrior Transitions Units (WTUs) to  
10 their local communities.

11 (vii) To improve access of members of  
12 the National Guard and their families to  
13 psychological care through coordination  
14 with appropriate State agencies and com-  
15 munity-based behavioral health services  
16 providers.

17 (viii) To develop and implement as-  
18 sessments of the resource needs of commu-  
19 nity-based behavior health service providers  
20 in order to provide members of the Na-  
21 tional Guard and their families with the  
22 behavioral health services they require.

23 (ix) To coordinate with other psycho-  
24 logical health components of and for the  
25 reserve components of the Armed Forces.

(x) To coordinate and oversee implementation of other Department of Defense initiatives to ensure that members of the National Guard and their families are aware of and informed about the psychological health initiatives of the Department of Defense.

(xi) To participate in national and regional work groups developing programs and activities to address the psychological needs of members of the National Guard and their families.

(xii) To conduct outreach to and education for families of members of the National Guard on recognition of mental health problems, including Post Traumatic Stress Disorder (PTSD) and other mental health problems, in members of the National Guard.

(3) NATIONAL GUARD PSYCHOLOGICAL HEALTH COUNCIL.—

(A) IN GENERAL.—The Chief of the National Guard Bureau shall establish for the purposes of the Program a council to be known as



1 the “National Guard Psychological Health  
2 Council”.

3 (B) MEMBERSHIP.—The members of the  
4 National Guard Psychological Health Council  
5 shall be the Directors of Psychological Health  
6 assigned under subsection (b) and the Directors  
7 of Psychological Health under paragraph (2).

8 (C) ORGANIZATION.—The National Guard  
9 Psychological Health Council may carry out its  
10 duties on a national or regional basis as consid-  
11 ered appropriate by the Council.

12 (D) DUTIES.—The National Guard Psy-  
13 chological Health Council shall have the fol-  
14 lowing duties:

15 (i) To oversee and coordinate the de-  
16 velopment of the Program and any pro-  
17 grams and activities to be carried out  
18 under the Program.

19 (ii) To ensure consistency nationally  
20 in the programs and activities to be carried  
21 out under the Program.

22 (iii) To act as advisors to the Chief of  
23 the National Guard Bureau for all matters  
24 relating to the psychological needs of mem-

1           bers of the National Guard and their fami-  
2           lies.

3           (iv) To ensure the dissemination of  
4           best practices in behavioral health care  
5           services to providers of behavioral health  
6           care services to members of the National  
7           Guard and their families.

8           (v) To develop uniform standards for  
9           measuring success in the provision of be-  
10          havioral health care services to members of  
11          the National Guard and their families.

12       (4) COLLABORATION.—

13           (A) IN GENERAL.—The National Guard  
14           Bureau and the Department of Defense shall  
15           work collaboratively in implementing and car-  
16           rying out the Program.

17           (B) OTHER COLLABORATION.—In carrying  
18           out programs and activities under the Program,  
19           the Directors of Psychological Health assigned  
20           under subsection (b) and the Directors of Psy-  
21           chological Health under paragraph (2) shall  
22           work with the following:

23           (i) The Department of Veterans Af-  
24           fairs.

1 (ii) The Substance Abuse and Mental  
 2 Health Services Administration of the De-  
 3 partment of Health and Human Services.

4 (iii) Appropriate State agencies, in-  
 5 cluding State mental health agencies and  
 6 State veterans agencies.

7 (d) TERRITORY DEFINED.—In this section, the term  
 8 “Territory” has the meaning given that term in section  
 9 101(1) of title 32, United States Code.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
 11 hereby authorized to be appropriated for the Department  
 12 of Defense for fiscal year 2009 for operation and mainte-  
 13 nance, \$8,035,000, which shall be available for the Joint  
 14 Psychological Health Program under this section in that  
 15 fiscal year.

16 **SEC. 4. PILOT PROGRAMS ON PRE-DEPLOYMENT AND POST-**  
 17 **DEPLOYMENT TELEMENTAL HEALTH SERV-**  
 18 **ICES FOR MEMBERS OF THE NATIONAL**  
 19 **GUARD AND RESERVE.**

20 (a) PILOT PROGRAMS REQUIRED.—

21 (1) IN GENERAL.—The Secretary of Defense  
 22 and the Secretary of Veterans Affairs shall jointly  
 23 carry out one or more pilot programs on the provi-  
 24 sion of mental health services to members of the Na-  
 25 tional Guard and Reserve, both before and after de-

1       ployment, through telemental health technologies in  
2       order to assess the feasibility and advisability of uti-  
3       lizing of such technologies for the provision of men-  
4       tal health services to members of the National  
5       Guard and Reserve both before and after deploy-  
6       ment.

7               (2) DISCHARGE WITH RESPECT TO NATIONAL  
8       GUARD.—Each pilot program carried out under this  
9       section with respect to members of the National  
10      Guard shall be carried out in consultation with the  
11      Chief of the National Guard Bureau.

12              (3) COORDINATION.—The Secretary of Defense  
13      and the Secretary of Veterans Affairs shall carry out  
14      the pilot programs in coordination with the Sub-  
15      stance Abuse and Mental Health Services Adminis-  
16      tration of the Department of Health and Human  
17      Services and such other departments and agencies of  
18      the Federal Government as the Secretaries consider  
19      appropriate to assure quality in the provision of  
20      mental health services to members of the National  
21      Guard and Reserve under the pilot programs.

22      (b) PROGRAM REQUIREMENTS.—

23              (1) LOCATIONS.—

24                      (A) IN GENERAL.—The pilot programs  
25              under this section shall be carried out in such

1 location or locations as the Secretary of De-  
2 fense and the Secretary of Veterans Affairs  
3 shall jointly select.

4 (B) EMPHASIS ON SERVICES TO MEMBERS  
5 IN RURAL AREAS.—In selecting locations for  
6 pilot programs, the Secretary of Defense and  
7 the Secretary of Veterans Affairs shall afford  
8 an emphasis to locations in which services  
9 under the pilot programs are provided to mem-  
10 bers of the National Guard and Reserve resid-  
11 ing in a rural area.

12 (2) UTILIZATION OF EVIDENCE-BASED PRAC-  
13 TICES.—Each pilot program under this section shall  
14 utilize telemental health technologies that have prov-  
15 en effective in the provision of mental health services  
16 to members of the Armed Forces.

17 (c) REPORT.—

18 (1) IN GENERAL.—Not later than one year  
19 after the date of the enactment of this Act, the Sec-  
20 retary of Defense and the Secretary of Veterans Af-  
21 fairs shall jointly submit to Congress a report on the  
22 pilot programs carried out under this section.

23 (2) ELEMENTS.—The report under paragraph  
24 (1) shall including a description of each pilot pro-  
25 gram carried out under this section, including—

1 (A) the types of mental health services pro-  
2 vided;

3 (B) the types of telemental health tech-  
4 nologies utilized in providing such services;

5 (C) the number of members of the Na-  
6 tional Guard and Reserve provided such serv-  
7 ices; and

8 (D) the outcomes for members of the Na-  
9 tional Guard and Reserve in receiving such  
10 services.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
12 hereby authorized to be appropriated for the Department  
13 of Defense for fiscal year 2009 for operation and mainte-  
14 nance, \$2,005,000, to carry out pilot programs under this  
15 section in such fiscal year.

16 **SEC. 5. ANTI-STIGMA CAMPAIGN REGARDING MENTAL**  
17 **HEALTH SERVICES AMONG MEMBERS OF THE**  
18 **NATIONAL GUARD AND RESERVE RETURNING**  
19 **FROM DEPLOYMENT AND THEIR FAMILIES.**

20 (a) CAMPAIGN REQUIRED.—

21 (1) IN GENERAL.—The Secretary of Defense  
22 and the Secretary of Veterans Affairs shall jointly  
23 carry out a program of outreach intended to reduce  
24 the stigma among members of the National Guard  
25 and Reserve returning from deployment, and their

1 families, associated with seeking and obtaining men-  
2 tal health services.

3 (2) DISCHARGE WITH RESPECT TO NATIONAL  
4 GUARD.—The campaign carried out under this sec-  
5 tion with respect to members of the National Guard  
6 shall be carried out in consultation with the Chief of  
7 the National Guard Bureau.

8 (3) COORDINATION.—The Secretary of Defense  
9 and the Secretary of Veterans Affairs shall carry out  
10 the campaign in coordination with the Substance  
11 Abuse and Mental Health Services Administration of  
12 the Department of Health and Human Services.

13 (b) ELEMENTS.—In carrying out the campaign re-  
14 quired by this section, the Secretary of Defense and the  
15 Secretary of Veterans Affairs shall carry out such pro-  
16 grams and activities (including the award of contracts,  
17 grants, and cooperative agreements with appropriate enti-  
18 ties) as the Secretaries consider appropriate to reduce the  
19 stigma among members of the National Guard and Re-  
20 serve returning from deployment, and their families, asso-  
21 ciated with seeking and obtaining mental health services.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
23 hereby authorized to be appropriated for fiscal year 2009,  
24 \$2,000,000, to carry out this section.

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