

110TH CONGRESS  
2D SESSION

# S. 3176

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide mental health and substance abuse services.

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## IN THE SENATE OF THE UNITED STATES

JUNE 23, 2008

Mr. REID (for Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide mental health and substance abuse services.

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 “Disaster Recovery Sub-  
5       stance Abuse Mental Health Treatment Act of 2008”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act—

1           (1) the term “emergency response provider”  
2           has the meaning given that term in section 2 of the  
3           Homeland Security Act of 2002 (6 U.S.C. 101); and  
4           (2) the term “major disaster” has the meaning  
5           given that term in section 102 of the Robert T.  
6           Stafford Disaster Relief and Emergency Assistance  
7           Act (42 U.S.C. 5122).

8 **SEC. 3. MENTAL HEALTH AND SUBSTANCE ABUSE SERV-**  
9 **ICES.**

10       (a) AUTHORITY.—

11           (1) IN GENERAL.—Title IV of the Robert T.  
12           Stafford Disaster Relief and Emergency Assistance  
13           Act (42 U.S.C. 5170 et seq.) is amended by striking  
14           section 416 and inserting the following:

15 **“SEC. 416. MENTAL HEALTH AND SUBSTANCE ABUSE SERV-**  
16 **ICES.**

17       “(a) IN GENERAL.—The President may provide men-  
18       tal health and substance abuse services, including crisis  
19       counseling, mental health treatment referrals, and in se-  
20       vere cases, mental health and substance abuse treatment  
21       (including medication and medication management) to in-  
22       dividuals affected by a major disaster (including children  
23       and other vulnerable populations, and emergency response  
24       providers (as that term is defined in section 2 of the  
25       Homeland Security Act of 2002 (6 U.S.C. 101)) respond-

1 ing to a major disaster) to relieve or prevent mental health  
2 or substance abuse problems caused or aggravated by that  
3 major disaster or its aftermath.

4 “(b) FINANCIAL ASSISTANCE.—The assistance pro-  
5 vided under subsection (a) may include providing financial  
6 assistance to Federal, State, or local government agencies,  
7 public or private mental health or substance abuse organi-  
8 zations, or mental health providers to provide mental  
9 health or substance abuse services or train individuals to  
10 provide such services.

11 “(c) DURATION OF ASSISTANCE.—

12 “(1) IN GENERAL.—The President may provide  
13 financial assistance under this section relating to a  
14 particular major disaster to a Federal, State, or  
15 local government agency or a public or private men-  
16 tal health or substance abuse organization for a pe-  
17 riod of not longer than 18 months.

18 “(2) EXTENSION.—In limited circumstances,  
19 such as a catastrophic incident (as that term is de-  
20 fined in section 501 of the Homeland Security Act  
21 of 2002 (6 U.S.C. 311), the President may extend  
22 the period of financial assistance under this section  
23 if the President determines that the extension is in  
24 the public interest.”.

1           (2) EFFECTIVE DATE.—The amendment made  
2       by this subsection shall apply to any major disaster  
3       declared by the President on or after August 29,  
4       2005.

5       (b) RESPONSE PLAN.—Not later than 180 days after  
6       the date of enactment of this Act, the Administrator of  
7       the Substance Abuse and Mental Health Services Admin-  
8       istration and the head of any other Federal agency that  
9       provides mental health or substance abuse services, in co-  
10      ordination with the Administrator of the Federal Emer-  
11      gency Management Agency and State and local govern-  
12      ment officials with responsibilities for providing mental  
13      health or substance abuse prevention and services, shall—

14           (1) conduct a survey of mental health services  
15      and substance abuse services; and

16           (2) develop a strategy for the adequate provi-  
17      sion of mental health and substance abuse services  
18      to individuals affected by major disasters and to  
19      emergency response providers responding to major  
20      disasters.

21       (c) TECHNICAL AND CONFORMING AMENDMENTS.—  
22      Title IV of the Robert T. Stafford Disaster Relief and  
23      Emergency Assistance Act (42 U.S.C. 5170 et seq.) is  
24      amended by redesignating section 425 (relating to essen-  
25      tial service providers), as added by section 601 of the

- 1 SAFE Port Act (Public Law 109–347; 120 Stat. 1941),
- 2 as section 427.

