

111TH CONGRESS
2^D SESSION

H. R. 5731

To amend title 38, United States Code, to provide for annual reviews of mental health professionals treating veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2010

Mrs. KIRKPATRICK of Arizona introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for annual reviews of mental health professionals treating veterans, 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 “Veterans Mental
5 Health Professionals Oversight Act of 2010”.

6 **SEC. 2. REVIEW OF MENTAL HEALTH PROFESSIONALS OF**
7 **THE DEPARTMENT OF VETERANS AFFAIRS.**

8 (a) IN GENERAL.—

1 (1) REVIEW.—Subchapter II of chapter 73 of
2 title 38, United States Code, is amended by adding
3 at the end the following new section:

4 **“§ 7330B. Review of mental health professionals**

5 “(a) REVIEW.—Not later than January 1 of each
6 year, the Inspector General of the Department of Veterans
7 Affairs shall conduct a review of mental health profes-
8 sionals employed by the Veterans Health Administration
9 during the preceding fiscal year.

10 “(b) REPORT.—Not later than 90 days after the date
11 on which the review under subsection (a) is completed, the
12 Inspector General shall submit to the Committee on Vet-
13 erans’ Affairs of the House of Representatives, the Com-
14 mittee on Veterans’ Affairs of the Senate, and the Advi-
15 sory Committee on Veterans with Psychological and Men-
16 tal Health Needs under section 547 of this title a report
17 on such review.

18 “(c) CONTENTS.—With respect to each covered facil-
19 ity in each geographic service area of the Veterans Health
20 Administration, the report shall include the following:

21 “(1) The number of full-time psychiatrists and
22 psychologists employed during the preceding fiscal
23 year.

1 “(2) The number of part-time (or part-time
2 equivalent) psychiatrists and psychologists employed
3 during the preceding fiscal year.

4 “(3) The number of mental health nursing staff
5 employed during the preceding fiscal year.

6 “(4) The number of certified social workers as-
7 signed to mental health programs during the pre-
8 ceding fiscal year.

9 “(5) The number of other direct-care mental
10 health staff, including counselors and outreach work-
11 ers, employed during the preceding fiscal year.

12 “(6) The number of administrative and support
13 staff assigned to mental health programs during the
14 preceding fiscal year.

15 “(7) The number of full-time direct-care em-
16 ployees for all programs of the Veterans Health Ad-
17 ministration.

18 “(8) The number of unfilled vacancies for men-
19 tal health positions that have been authorized for
20 each geographic service area (including the number
21 of positions per each covered facility) and the aver-
22 age length of time such positions remain unfilled.

23 “(d) DEFINITION.—In this section, the term ‘covered
24 facility’ includes each medical center, facility, and commu-

1 nity-based outpatient clinic of the Veterans Health Admin-
2 istration.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of chapter 73 is amended by
5 inserting after the item relating to section 7330A
6 the following new item:

“7330B. Review of mental health professionals”.

7 (b) REPORT.—Not later than October 1, 2011, the
8 Inspector General of the Department of Veterans Affairs
9 shall submit to the Committee on Veterans’ Affairs of the
10 House of Representatives, the Committee on Veterans’ Af-
11 fairs of the Senate, and the Advisory Committee on Vet-
12 erans with Psychological and Mental Health Needs under
13 section 547 of title 38, United States Code, as added by
14 section 3 of this Act, a report under section 7330B of such
15 title, as added by subsection (a) of this section, with re-
16 spect to each of fiscal years 2004 through 2009.

17 **SEC. 3. ADVISORY COMMITTEE ON VETERANS WITH PSY-**
18 **CHOLOGICAL AND MENTAL HEALTH NEEDS.**

19 (a) IN GENERAL.—Subchapter III of chapter 5 of
20 title 38, United States Code, is amended by adding at the
21 end the following:

22 **“§ 547. Advisory committee on veterans with psycho-**
23 **logical and mental health needs**

24 “(a) ESTABLISHMENT.—The Secretary shall estab-
25 lish an advisory committee to be known as the Advisory

1 Committee on Veterans with Psychological and Mental
2 Health Needs (in this section referred to as the ‘Com-
3 mittee’).

4 “(b) MEMBERSHIP.—The Committee shall consist of
5 members appointed by the Secretary, including—

6 “(1) mental health practitioners of the Depart-
7 ment;

8 “(2) veterans;

9 “(3) individuals representing veteran service or-
10 ganizations; and

11 “(4) individuals representing other organiza-
12 tions related to mental health or veterans.

13 “(c) RESPONSIBILITIES OF COMMITTEE.—(1) The
14 Secretary shall, on a regular basis, consult with and seek
15 the advice of the Committee with respect to the provision
16 of mental health care to veterans.

17 “(2) In addition to providing advice under paragraph
18 (1), the Committee shall—

19 “(A) analyze data contained in the reports sub-
20 mitted under section 7330B of this title; and

21 “(B) collect information related to the provision
22 of mental health treatment to veterans by the De-
23 partment, including by visiting medical facilities of
24 the Department from time to time.

1 “(d) REPORTS.—Not later than March 1 of each
2 year, beginning March 1, 2011, the Committee shall sub-
3 mit to the Secretary a report on the programs and activi-
4 ties of the Department that pertain to veterans with psy-
5 chological and mental health needs.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of chapter 5 of title 38, United States
8 Code, is amended by adding at the end the following:

“547. Advisory committee on veterans with psychological and mental health
needs.”.

9 **SEC. 4. REPORT ON CHRONIC MENTAL HEALTH CONDI-**
10 **TIONS.**

11 Not later than 90 days after the date of the enact-
12 ment of this Act, the Secretary of Veterans Affairs shall
13 submit to the Committee on Veterans’ Affairs of the
14 House of Representatives and the Committee on Veterans’
15 Affairs of the Senate a report on chronic mental health
16 conditions. The report shall include the following:

17 (1) The number of veterans diagnosed with
18 chronic mental health conditions.

19 (2) The anticipated needs of veterans of Oper-
20 ation Enduring Freedom and Operation Iraqi Free-
21 dom with respect to the treatment of chronic mental
22 health conditions.

1 (3) With respect to treating the veterans de-
2 scribed in paragraph (2), the anticipated needs of
3 the Department of Veterans Affairs related to—

4 (A) the number (by type) of staff of the
5 Veterans Health Administration;

6 (B) the number (by type) of facilities of
7 the Veterans Health Administration;

8 (C) the equipment and other resources
9 used in such treatment; and

10 (D) the amount of funding required by the
11 Secretary.

12 (4) The optimal panel size of patients for men-
13 tal health professionals treating the veterans de-
14 scribed in paragraphs (1) and (2).

15 **SEC. 5. STUDY ON SUBSTANCE-USE DISORDERS AND REHA-**
16 **BILITATION.**

17 (a) STUDY.—The Secretary of Veterans Affairs shall
18 conduct a study of substance-use disorders among vet-
19 erans. Such study shall include—

20 (1) the barriers to rehabilitation and treatment
21 of such substance-use disorders;

22 (2) the effect early intervention services have on
23 treating substance-use disorders;

1 (3) the effect counseling, including couples and
2 family counseling, has on treating substance-use dis-
3 orders; and

4 (4) developing programs to combat any stigmas
5 related to treating substance-use disorders that pre-
6 vent veterans from seeking such treatment.

7 (b) REPORT.—Not later than one year after the date
8 of the enactment of this Act, the Secretary shall submit
9 to the Committee on Veterans' Affairs of the House of
10 Representatives and the Committee on Veterans' Affairs
11 of the Senate a report on the study required by subsection
12 (a).

13 **SEC. 6. COMPTROLLER GENERAL REPORTS ON MENTAL**
14 **HEALTH PROGRAMS.**

15 (a) MHSP AND UMHS.—

16 (1) IN GENERAL.—Not later than one year
17 after the date of the enactment of this Act, the
18 Comptroller General of the United States shall con-
19 duct a study to assess—

20 (A) the progress of the Secretary of Vet-
21 erans Affairs in implementing the Mental
22 Health Strategic Plan of the Veterans Health
23 Administration of the Department of Veterans
24 Affairs (published November 2004); and

1 (B) the status of the Uniform Mental
2 Health Services handbook of the Veterans
3 Health Administration (Veterans Health Ad-
4 ministration handbook 1160.01, published Sep-
5 tember 11, 2008) at the end of fiscal year
6 2010.

7 (2) REPORT.—Not later than 30 days after the
8 study under paragraph (1) is completed, the Comp-
9 troller General shall submit to the Committee on
10 Veterans' Affairs of the House of Representatives,
11 the Committee on Veterans' Affairs of the Senate,
12 and the Secretary of Veterans Affairs a report on
13 the study, including the number of full-time mental
14 health professionals the Comptroller General deter-
15 mines necessary to implement the Mental Health
16 Strategic Plan and the Uniform Mental Health Serv-
17 ices handbook.

18 (b) VERA SYSTEM.—Not later than one year after
19 the date of the enactment of this Act, the Comptroller
20 General shall submit to the Committee on Veterans' Af-
21 fairs of the House of Representatives, the Committee on
22 Veterans' Affairs of the Senate, and the Secretary of Vet-
23 erans Affairs a report on any modifications to the Vet-
24 erans' Equitable Resource Allocation system of the Vet-
25 erans Health Administration that the Comptroller General

- 1 determines necessary for the Secretary of Veterans Affairs
- 2 to meet the mental health needs of veterans.

