

111TH CONGRESS
2^D SESSION

H. R. 5953

IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2010

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights and to display in each prosthetics and orthotics clinic of the Department an Injured and Amputee Veterans Bill of Rights, 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. DISPLAY OF WOMEN VETERANS BILL OF**
4 **RIGHTS.**

5 (a) DISPLAY.—The Secretary of Veterans Affairs
6 shall ensure that the Women Veterans Bill of Rights de-
7 scribed in subsection (b) is printed on signs in accessible
8 formats and displayed prominently and conspicuously in
9 each facility of the Department of Veterans Affairs and
10 distributed widely to women veterans.

11 (b) WOMEN VETERANS BILL OF RIGHTS.—The
12 Women Veterans Bill of Rights described in this sub-
13 section is a sign stating that women veterans should have
14 the following rights:

15 (1) The right to a coordinated, comprehensive,
16 primary women’s health care, at every Department
17 of Veterans Affairs medical facility, including the
18 recognized models of best practices, systems, and
19 structures for care delivery that ensure that every
20 woman veteran has access to a Department of Vet-
21 erans Affairs primary care provider who can meet all
22 her primary care needs, including gender-specific,
23 acute and chronic illness, preventive, and mental
24 health care.

1 (2) The right to be treated with dignity and re-
2 spect at all Department of Veterans Affairs facili-
3 ties.

4 (3) The right to innovation in care delivery pro-
5 moted and incentivized by the Veterans Health Ad-
6 ministration to support local best practices fitted to
7 the particular configuration and women veteran pop-
8 ulation.

9 (4) The right to request and get treatment by
10 clinicians with specific training and experience in
11 women's health issues.

12 (5) The right to enhanced capabilities of med-
13 ical providers, clinical support, non-clinical, and ad-
14 ministrative, to meet the comprehensive health care
15 needs of women veterans.

16 (6) The right to request and expect gender eq-
17 uity in provision of clinical health care services.

18 (7) The right to equal access to health care
19 services as that of their male counterparts.

20 (8) The right to parity to their male veteran
21 counterpart regarding the outcome of performance
22 measures of health care services.

23 (9) The right to be informed, through outreach
24 campaigns, of benefits under laws administered by
25 the Secretary of Veterans Affairs and to be included

1 in Department outreach materials for any benefits
2 and service to which they are entitled.

3 (10) The right to be featured proportionately,
4 including by age and ethnicity, in Department out-
5 reach materials, including electronic and print media
6 that clearly depict them as being the recipient of the
7 benefits and services provided by the Department.

8 (11) The right to be recognized as an important
9 separate population in new strategic plans for serv-
10 ice delivery within the health care system of the De-
11 partment of Veterans Affairs.

12 (12) The right to equal consideration in hiring
13 and employment for any job to which they apply.

14 (13) The right to equal consideration in secur-
15 ing Federal contracts.

16 (14) The right to equal access and accommoda-
17 tions in homeless programs that will meet their
18 unique family needs.

19 (15) The right to have their claims adjudicated
20 equally, fairly, and accurately without bias or dis-
21 parate treatment.

22 (16) The right to have their military sexual
23 trauma and other injuries compensated in a way
24 that reflects the level of trauma sustained.

1 (17) The right to expect that all veteran service
2 officers, especially those who are trained by the De-
3 partment of Veterans Affairs Training Responsibility
4 Involvement Preparation program for claims proc-
5 essing, are required to receive training to be aware
6 of and sensitive to the signs of military sexual trau-
7 ma, domestic violence, and personal assault.

8 (18) The right to the availability of female per-
9 sonnel to assist them in the disability claims applica-
10 tion and appellate processes of the Department.

11 (19) The right to the availability of female com-
12 pensation and pension examiners.

13 (20) The right to expect specialized training be
14 provided to disability rating personnel regarding
15 military sexual trauma and gender-specific illnesses
16 so that these claims can be adjudicated more accu-
17 rately.

18 (21) The right to expect the collection of gen-
19 der-specific data on disability ratings, for the per-
20 formance of longitudinal and trend analyses, and for
21 other applicable purposes.

22 (22) The right to a method to identify and
23 track outcomes for all claims involving personal as-
24 sault trauma, regardless of the resulting disability.

1 (23) The right for women veterans' programs
2 and women veteran coordinators to be measured and
3 evaluated for performance, consistency, and account-
4 ability.

5 (24) The right to burial benefits under the laws
6 administered by the Secretary of Veterans Affairs.

7 **SEC. 2. DISPLAY OF INJURED AND AMPUTEE VETERANS**
8 **BILL OF RIGHTS.**

9 (a) DISPLAY.—The Secretary of Veterans Affairs
10 shall ensure that the Injured and Amputee Veterans Bill
11 of Rights described in subsection (b) is printed on signs
12 in accessible formats and displayed prominently and con-
13 spicuously in each prosthetics and orthotics clinic of the
14 Department of Veterans Affairs.

15 (b) INJURED AND AMPUTEE VETERANS BILL OF
16 RIGHTS.—The Injured and Amputee Veterans Bill of
17 Rights described in this subsection is a statement that in-
18 jured and amputee veterans should have the following
19 rights:

20 (1) The right to access the highest quality pros-
21 thetic and orthotic care, including the right to the
22 most appropriate technology and best qualified prac-
23 titioners.

24 (2) The right to continuity of care in the transi-
25 tion from the Department of Defense health pro-

1 gram to the Department of Veterans Affairs health
2 care system, including comparable benefits relating
3 to prosthetic and orthotic services.

4 (3) The right to select the practitioner that best
5 meets their orthotic and prosthetic needs, whether or
6 not that practitioner is an employee of the Depart-
7 ment of Veterans Affairs, a private practitioner who
8 has entered into a contract with the Secretary of
9 Veterans Affairs to provide prosthetic and orthotic
10 services, or a private practitioner with specialized ex-
11 pertise.

12 (4) The right to consistent and portable health
13 care, including the right to obtain comparable serv-
14 ices and technology at any medical facility of the
15 Department of Veterans Affairs across the country.

16 (5) The right to timely and efficient prosthetic
17 and orthotic care, including a speedy authorization
18 process with expedited authorization available for
19 veterans visiting from another area of the country.

20 (6) The right to play a meaningful role in reha-
21 bilitation decisions, including the right to receive a
22 second opinion regarding prosthetic and orthotic
23 treatment options.

1 (7) The right to receive appropriate treatment,
2 including the right to receive both a primary pros-
3 thesis or orthosis and a functional spare.

4 (8) The right to be treated with respect and
5 dignity and have an optimal quality of life both dur-
6 ing and after rehabilitation.

7 (9) The right to transition and readjust to civil-
8 ian life in an honorable manner, including by having
9 ample access to vocational rehabilitation, employ-
10 ment programs, and housing assistance.

11 (c) MONITORING AND RESOLUTION OF COM-
12 PLAINTS.—

13 (1) IN GENERAL.—The Secretary of Veterans
14 Affairs, acting through the veteran liaison at each
15 medical center of the Department of Veterans Af-
16 fairs, shall collect information relating to the alleged
17 mistreatment of injured and amputee veterans.

18 (2) QUARTERLY REPORTS.—For each fiscal
19 quarter, the veteran liaison at each medical center of
20 the Department shall submit to the Chief Consultant
21 of Prosthetics and Sensory Aids of the Department
22 a report on any information collected under para-
23 graph (1) during that quarter.

24 (3) INVESTIGATION AND ADDRESSING OF COM-
25 PLAINTS.—The Chief Consultant, in cooperation

1 with appropriate employees of a medical center of
2 the Department, shall investigate and address any
3 information collected under paragraph (1) at that
4 medical center.

5 **SEC. 3. EDUCATION AND OUTREACH.**

6 (a) EDUCATION OF DEPARTMENT EMPLOYEES.—The
7 Secretary of Veterans Affairs shall ensure that—

8 (1) all employees of the Department of Vet-
9 erans Affairs receive training on the Women Vet-
10 erans Bill of Rights described in section 1; and

11 (2) employees of the Department who work at
12 prosthetics and orthotics clinics and who work as pa-
13 tient advocates with veterans who receive care at
14 such clinics, including Federal recovery coordinators
15 and case managers, receive training on the Injured
16 and Amputee Veterans Bill of Rights described in
17 section 2.

18 (b) OUTREACH TO VETERANS.—The Secretary of
19 Veterans Affairs shall conduct outreach to inform veterans
20 about the Women Veterans Bill of Rights described in sec-
21 tion 1 and the Injured and Amputee Veterans Bill of
22 Rights described in section 2 by—

23 (1) ensuring that such Bills of Rights are avail-
24 able on the Internet website of the Department of
25 Veterans Affairs; and

Nothing in this Act shall be construed to establish a right to any service excluded under 38 CFR 17.38, as in effect on the date of the enactment of this Act.

Attest: **LORRAINE C. MILLER,**
Clerk.