

Union Calendar No. 484

113TH CONGRESS
2^D SESSION

H. R. 4971

[Report No. 113-645]

To direct the Secretary of Veterans Affairs to conduct annual surveys of veterans on experiences obtaining hospital care and medical services from medical facilities of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2014

Mr. O'ROURKE (for himself, Mr. FLORES, Ms. GABBARD, Mr. HORSFORD, Mr. ISRAEL, Mr. JOLLY, Mr. MICHAUD, Mr. PALLONE, Mr. SWALWELL of California, Ms. HANABUSA, Ms. HAHN, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs

DECEMBER 3, 2014

Additional sponsors: Mr. HURT, Mrs. NEGRETE MCLEOD, Ms. BROWNLEY of California, Ms. TITUS, Mr. BARBER, Mrs. KIRKPATRICK, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GARCIA, Mr. SCOTT of Virginia, Mr. COOK, Mr. YOHO, Mr. RUIZ, Mrs. WALORSKI, Mr. WALZ, Mr. PEARCE, Mr. LEWIS, Mr. JONES, Ms. SINEMA, Mr. HUFFMAN, and Ms. KUSTER

DECEMBER 3, 2014

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on June 25, 2014]

A BILL

To direct the Secretary of Veterans Affairs to conduct annual surveys of veterans on experiences obtaining hospital care and medical services from medical facilities of the Department of Veterans Affairs, 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 “Ask Veterans Act”.*

5 **SEC. 2. SURVEY OF VETERAN EXPERIENCES WITH DEPART-**
6 **MENT OF VETERANS AFFAIRS MEDICAL CARE.**

7 *(a) IN GENERAL.—The Secretary of Veterans Affairs*
8 *shall seek to enter into a contract with a non-government*
9 *entity with significant experience conducting scientifically*
10 *verifiable surveys and research to conduct an annual survey*
11 *of a statistically significant sample of veterans who reside*
12 *in the geographic area served by each of the medical facili-*
13 *ties of the Department of Veterans Affairs to determine the*
14 *nature of the experiences of such veterans in obtaining hos-*
15 *pital care and medical services furnished by the Secretary*
16 *at each such medical facility. Each such survey shall be con-*
17 *ducted using scientific and verifiable methods. Such con-*
18 *tract shall provide that the non-government entity shall*
19 *conduct such annual surveys during the five-year period be-*
20 *ginning on the date on which the Secretary enters into the*
21 *contract with the non-government entity.*

22 *(b) CONTENTS.—The contract entered into under sub-*
23 *section (a) shall provide that each survey conducted pursu-*
24 *ant to the contract shall be specific to a medical facility*
25 *of the Department and shall include questions relating to*

1 *the experiences of veterans in requesting and receiving ap-*
 2 *pointments for hospital care and medical services furnished*
 3 *by the Secretary at that medical facility, including ques-*
 4 *tions relating to each of the following:*

5 (1) *The veteran's ability to obtain hospital care*
 6 *and medical services at the facility in a timely man-*
 7 *ner.*

8 (2) *The period of time between the date on which*
 9 *the veteran requests an appointment at the facility*
 10 *and the date on which the appointment is scheduled.*

11 (3) *The frequency with which scheduled appoint-*
 12 *ments are cancelled by the facility.*

13 (4) *The quality of hospital care or medical serv-*
 14 *ices the veteran has received at the facility.*

15 (c) *CONSULTATION.*—*The contract entered into under*
 16 *subsection (a) shall provide that in designing and con-*
 17 *ducting the surveys for each medical facility of the Depart-*
 18 *ment pursuant to such contract, the non-government entity*
 19 *shall consult with veterans service organizations.*

20 (d) *CERTIFICATION.*—*The contract entered into under*
 21 *subsection (a) shall provide that—*

22 (1) *before conducting a survey pursuant to the*
 23 *contract, the non-government entity shall submit the*
 24 *proposed survey to the Comptroller General who shall*
 25 *assess whether the survey is scientifically valid and*

1 *whether the proposed sample size of veterans to be*
 2 *surveyed is statistically significant; and*

3 *(2) the non-government entity may not conduct*
 4 *such a survey until the Comptroller General provides*
 5 *such a certification for the survey.*

6 *(e) SUBMITTAL OF RESULTS AND PUBLIC AVAIL-*
 7 *ABILITY OF INFORMATION.—Not later than 30 days after*
 8 *the completion of the surveys conducted pursuant to a con-*
 9 *tract entered into under subsection (a) for a year, the Sec-*
 10 *retary shall make the results of the surveys publicly avail-*
 11 *able on the Internet website of the Department.*

12 *(f) PAPERWORK REDUCTION.—Subchapter I of chapter*
 13 *35 of title 44, United States Code shall not apply to this*
 14 *section.*

15 *(g) DEADLINE FOR IMPLEMENTATION.—The Secretary*
 16 *shall enter into a contract under subsection (a) for each*
 17 *medical facility of the Department by not later than 180*
 18 *days after the date of the enactment of this Act.*

19 **SEC. 3. MENTAL HEALTH TREATMENT FOR VETERANS WHO**
 20 **SERVED IN CLASSIFIED MISSIONS.**

21 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 22 *that veterans who experience combat-related mental health*
 23 *wounds should have immediate, appropriate, and consistent*
 24 *access to comprehensive mental health care.*

1 (b) *IN GENERAL.*—Subchapter II of chapter 17 of title
 2 38, United States Code, is amended by adding at the end
 3 the following section:

4 **“§1720H. Mental health treatment for veterans who**
 5 **served in classified missions**

6 “(a) *ESTABLISHMENT OF STANDARDS.*—(1) The Sec-
 7 retary shall establish standards and procedures to ensure
 8 that each covered veteran may access mental health care
 9 provided by the Secretary in a manner that fully accommo-
 10 dates the obligation of the veteran to not improperly disclose
 11 classified information.

12 “(2) The Secretary shall disseminate guidance to em-
 13 ployees of the Veterans Health Administration, including
 14 mental health professionals, on the standards and proce-
 15 dures established under paragraph (1) and how to best en-
 16 gage covered veterans during the course of mental health
 17 treatment with respect to classified information.

18 “(b) *IDENTIFICATION.*—In carrying out this section,
 19 the Secretary shall ensure that a veteran may elect to iden-
 20 tify as a covered veteran on an appropriate form.

21 “(c) *DEFINITIONS.*—In this section:

22 “(1) The term ‘classified information’ means any
 23 information or material that has been determined by
 24 an official of the United States pursuant to law, an
 25 Executive order, or regulation to require protection

1 *against unauthorized disclosure for reasons of na-*
 2 *tional security.*

3 “(2) The term ‘covered veteran’ means a veteran
 4 *who—*

5 “(A) is enrolled in the health care system
 6 *established under section 1705(a) of this title;*

7 “(B) is seeking mental health treatment;
 8 *and*

9 “(C) in the course of serving in the Armed
 10 *Forces, participated in a sensitive mission or*
 11 *served in a sensitive unit.*

12 “(3) The term ‘sensitive mission’ means a mis-
 13 *sion of the Armed Forces that, at the time at which*
 14 *a covered veteran seeks treatment, is classified.*

15 “(4) The term ‘sensitive unit’ has the meaning
 16 *given that term in section 130b(c)(4) of title 10.”.*

17 (c) *CLERICAL AMENDMENT.—The table of sections at*
 18 *the beginning of such chapter is amended by adding after*
 19 *the item relating to section 1720G the following new item:*

“1720H. Mental health treatment for veterans who served in classified missions.”.

20 **SEC. 4. BOARD OF VETERANS’ APPEALS VIDEO HEARINGS.**

21 Section 7107 of title 38, United States Code, is amend-
 22 *ed—*

23 (1) in subsection (d), by amending paragraph
 24 (1) to read as follows:

1 “(1)(A) Upon request for a hearing, the Board shall
2 determine, for purposes of scheduling the hearing for the
3 earliest possible date, whether a hearing before the Board
4 will be held at its principal location or at a facility of the
5 Department or other appropriate Federal facility located
6 within the area served by a regional office of the Depart-
7 ment. The Board shall also determine whether to provide
8 a hearing through the use of the facilities and equipment
9 described in subsection (e)(1) or by the appellant personally
10 appearing before a Board member or panel.

11 “(B) The Board shall notify the appellant of the deter-
12 minations of the location and type of hearing made under
13 subparagraph (A). Upon notification, the appellant may re-
14 quest a different location or type of hearing as described
15 in such subparagraph. If so requested, the Board shall grant
16 such request and ensure that the hearing is scheduled at
17 the earliest possible date without any undue delay or other
18 prejudice to the appellant.”; and

19 (2) in subsection (e), by amending paragraph (2)
20 to read as follows:

21 “(2) Any hearing provided through the use of the fa-
22 cilities and equipment described in paragraph (1) shall be
23 conducted in the same manner as, and shall be considered
24 the equivalent of, a personal hearing.”.

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