

113TH CONGRESS
2D SESSION

H. R. 4977

To establish a commission to examine the evidence-based therapy treatment model used by the Secretary of Veterans Affairs for treating mental illnesses of veterans and the potential benefits of incorporating complementary alternative treatments available in non-Department of Veterans Affairs medical facilities within the community.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2014

Mr. BILIRAKIS (for himself and Mr. RUIZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To establish a commission to examine the evidence-based therapy treatment model used by the Secretary of Veterans Affairs for treating mental illnesses of veterans and the potential benefits of incorporating complementary alternative treatments available in non-Department of Veterans Affairs medical facilities within the community.

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 “Creating Options for
5 Veterans Expedited Recovery Act” or the “COVER Act”.

1 **SEC. 2. ESTABLISHMENT AND DUTIES.**

2 (a) ESTABLISHMENT.—There is established the Vet-
3 erans Expedited Recovery Commission (in this Act re-
4 ferred to as the “Commission”).

5 (b) DUTIES.—The Commission shall perform the fol-
6 lowing duties:

7 (1) Examine the efficacy of the evidence-based
8 therapy model used by the Secretary of Veterans Af-
9 fairs for treating mental health illnesses of veterans
10 and identify areas to improve wellness-based out-
11 comes.

12 (2) Conduct a patient-centered survey within
13 each of the Veterans Integrated Service Networks to
14 examine—

15 (A) the experience of veterans with the De-
16 partment of Veterans Affairs when seeking
17 medical assistance for mental health issues
18 through the health care system of the Depart-
19 ment;

20 (B) the experience of veterans with non-
21 Department medical facilities and health profes-
22 sionals for treating mental health issues;

23 (C) the preferences of veterans regarding
24 available treatments for mental health issues
25 and which methods the veterans believe to be
26 most effective;

1 (D) the experience, if any, of veterans with
2 respect to the complementary alternative treat-
3 ment therapies described in subparagraphs (A)
4 through (I) in paragraph (3);

5 (E) the prevalence of prescribing prescrip-
6 tion medication among veterans seeking treat-
7 ment through the health care system of the De-
8 partment as remedies for addressing mental
9 health issues; and

10 (F) the outreach efforts of the Secretary
11 regarding the availability of benefits and treat-
12 ments for veterans for addressing mental health
13 issues, including by identifying ways to reduce
14 barriers to and gaps in such benefits and treat-
15 ments.

16 (3) Examine available research on complemen-
17 tary alternative treatment therapies for mental
18 health issues and identify what benefits could be
19 made with the inclusion of such treatments for vet-
20 erans, including with respect to—

21 (A) music therapy;

22 (B) equine therapy;

23 (C) training and caring for service dogs;

24 (D) yoga therapy;

25 (E) acupuncture therapy;

- 1 (F) meditation therapy;
- 2 (G) outdoor sports therapy;
- 3 (H) hyperbaric oxygen therapy;
- 4 (I) accelerated resolution therapy; and
- 5 (J) other therapies the Commission deter-
- 6 mines appropriate.

7 (4) Study the potential increase in the approval
8 by the Secretary of claims for compensation relating
9 to mental health issues for veterans who served Op-
10 eration Enduring Freedom, Operation Iraqi Free-
11 dom, and Operation New Dawn.

12 **SEC. 3. MEMBERSHIP.**

13 (a) NUMBER AND APPOINTMENT.—

14 (1) IN GENERAL.—The Commission shall be
15 composed of 10 members, appointed as follows:

16 (A) Two members appointed by the Speak-
17 er of the House of Representatives, at least one
18 of whom shall be a veteran.

19 (B) Two members appointed by the Minor-
20 ity Leader of the House of Representatives, at
21 least one of whom shall be a veteran.

22 (C) Two members appointed by the Major-
23 ity Leader of the Senate, at least one of whom
24 shall be a veteran.

1 (D) Two members appointed by the Minor-
2 ity Leader of the Senate, at least one of whom
3 shall be a veteran.

4 (E) Two members appointed by the Presi-
5 dent, at least one of whom shall be a veteran.

6 (2) QUALIFICATIONS.—Members of the Com-
7 mission shall be—

8 (A) individuals who are of recognized
9 standing and distinction within the medical
10 community with a background in treating men-
11 tal health; and

12 (B) individuals with experience working
13 with the military and veteran population.

14 (b) CHAIRMAN.—The President shall designate a
15 member of the Commission to be the chairman.

16 (c) PERIOD OF APPOINTMENT.—Members of the
17 Commission shall be appointed for the life of the Commis-
18 sion.

19 (d) VACANCY.—A vacancy in the Commission shall
20 be filled in the manner in which the original appointment
21 was made.

22 (e) APPOINTMENT DEADLINE.—The appointment of
23 members of the Commission in this section shall be made
24 not later than 90 days after the date of the enactment
25 of this Act.

1 **SEC. 4. POWERS OF COMMISSION.**

2 (a) MEETING.—

3 (1) INITIAL MEETING.—The Commission shall
4 hold its first meeting not later than 30 days after
5 a majority of members are appointed to the Commis-
6 sion.

7 (2) MEETING.—The Commission shall regularly
8 meet at the call of the Chairman. Such meetings
9 may be carried out through the use of telephonic or
10 other appropriate telecommunication technology if
11 the Commission determines that such technology will
12 allow the members to communicate simultaneously.

13 (b) HEARING.—The Commission may hold such hear-
14 ings, sit and act at such times and places, take such testi-
15 mony, and receive evidence as the Commission considers
16 advisable to carry out the responsibilities of the Commis-
17 sion.

18 (c) INFORMATION FROM FEDERAL AGENCIES.—The
19 Commission may secure directly from any department or
20 agency of the Federal Government such information as the
21 Commission considers necessary to carry out the duties
22 of the Commission.

23 (d) INFORMATION FROM NONGOVERNMENTAL ORGA-
24 NIZATIONS.—In carrying out section 2(b), the Commission
25 may seek guidance through consultation with foundations,
26 veterans service organizations, nonprofit groups, faith-

1 based organizations, private and public institutions of
2 higher education, and other organizations as the Commis-
3 sion determines appropriate.

4 (e) COMMISSION RECORDS.—The Commission shall
5 keep an accurate and complete record of the actions and
6 meetings of the Commission. Such record shall be made
7 available for public inspection and the Comptroller Gen-
8 eral of the United States may audit and examine such
9 record.

10 (f) PERSONNEL MATTERS.—Upon request of the
11 chairman of the Commission, the head of any department
12 or agency of the Federal Government may detail, on a re-
13 imbursable basis, any personnel of that department or
14 agency to assist the Commission in carrying out the duties
15 of the Commission.

16 (g) COMPENSATION OF MEMBERS; TRAVEL EX-
17 PENSES.—Each member shall serve without pay, except
18 that each member shall receive travel expenses to perform
19 the duties of the Commission under section 2(b) of this
20 Act, including per diem in lieu of subsistence, at rates au-
21 thorized under subchapter I of chapter 57 of title 5,
22 United States Code.

23 (h) STAFF.—The Chairman, in accordance with rules
24 agreed upon by the Commission, may appoint and fix the
25 compensation of a staff director and such other personnel

1 as may be necessary to enable the Commission to carry
2 out its functions, without regard to the provisions of title
3 5, United States Code, governing appointments in the
4 competitive service, without regard to the provision of
5 chapter 51 and subchapter III of chapter 53 of such title
6 relating to classification and General Schedule pay rates,
7 except that no rate of pay fixed under this subsection may
8 exceed the equivalent of that payable for a position at a
9 level IV of the Executive Schedule under section 5316 of
10 title 5, United States Code.

11 (i) PERSONNEL AS FEDERAL EMPLOYEES.—

12 (1) IN GENERAL.—The executive director and
13 any personnel of the Commission are employees
14 under section 2105 of title 5, United States Code,
15 for purpose of chapters 63, 81, 83, 84, 85, 87, 89,
16 and 90 of such title.

17 (2) MEMBERS OF THE COMMISSION.—Para-
18 graph (1) shall not be construed to apply to mem-
19 bers of the Commission.

20 (j) CONTRACTING.—The Commission may, to such
21 extent and in such amounts as are provided in appropria-
22 tions Acts, enter into contracts to enable the Commission
23 to discharge the duties of the Commission under this Act.

24 (k) EXPERT AND CONSULTANT SERVICE.—The Com-
25 mission may procure the services of experts and consult-

1 ants in accordance with section 3109 of title 5, United
2 States Code, at rates not to exceed the daily rate paid
3 to a person occupying a position at level IV of the Execu-
4 tive Schedule under section 5315 of title 5, United States
5 Code.

6 (l) POSTAL SERVICE.—The Commission may use the
7 United States mails in the same manner and under the
8 same conditions as departments and agencies of the
9 United States.

10 (m) PHYSICAL FACILITIES AND EQUIPMENT.—Upon
11 the request of the Commission, the Administrator of Gen-
12 eral Services shall provide to the Commission, on a reim-
13 bursable basis, the administrative support services nec-
14 essary for the Commission to carry out its responsibilities
15 under this Act. These administrative services may include
16 human resource management, budget, leasing, accounting,
17 and payroll services.

18 **SEC. 5. REPORT.**

19 (a) INTERIM REPORTS.—

20 (1) IN GENERAL.—Not later than 60 days after
21 the date on which the Commission first meets, and
22 each 30-day period thereafter ending on the date on
23 which the Commission submits the final report
24 under subsection (b), the Commission shall submit
25 to the Committees on Veterans' Affairs of the House

1 of Representatives and the Senate and the President
2 a report detailing the level of cooperation the Sec-
3 retary of Veterans Affairs (and the heads of other
4 departments or agencies of the Federal Government)
5 has provided to the Commission.

6 (2) OTHER REPORTS.—In carrying out the du-
7 ties pursuant to section 2(b), at times that the Com-
8 mission determines appropriate, the Commission
9 shall submit to the Committees on Veterans' Affairs
10 of the House of Representatives and the Senate and
11 any other appropriate entities an interim report with
12 respect to the findings identified by the Commission.

13 (b) FINAL REPORT.—Not later than 18 months after
14 the first meeting of the Commission, the Commission shall
15 submit to the Committees on Veterans' Affairs of the
16 House of Representatives and the Senate, the President,
17 and the Secretary of Veterans Affairs a final report on
18 the findings of the Commission. Such report shall include
19 the following:

20 (1) Recommendations to implement in a fea-
21 sible, timely, and cost-effective manner the solutions
22 and remedies identified within the findings of the
23 Commission pursuant to section 2(b).

24 (2) An analysis of the evidence-based therapy
25 model used by the Secretary of Veterans Affairs for

1 treating veterans with mental health care issues, and
2 an examination of the prevalence and efficacy of pre-
3 scription drugs as a means for treatment.

4 (3) The findings of the patient-centered survey
5 conducted within each of the Veterans Integrated
6 Service Networks pursuant to section 2(b)(2).

7 (4) An examination of complementary alter-
8 native treatments described in section 2(b)(3) and
9 the potential benefits of incorporating such treat-
10 ments in the therapy model used by the Secretary
11 for treating veterans with mental health issues.

12 (c) PLAN.—Not later than 90 days after the date on
13 which the Commission submits the final report under sub-
14 section (b), the Secretary of Veterans Affairs shall submit
15 to the Committees on Veterans’ Affairs of the House of
16 Representatives and the Senate a report on the following:

17 (1) An action plan for implementing the rec-
18 ommendations established by the Commission on
19 such solutions and remedies for improving wellness-
20 based outcomes for veterans with mental health care
21 issues.

22 (2) A feasible timeframe on when complemen-
23 tary alternative treatments described in section
24 2(b)(3) can be implemented Department-wide.

1 (3) If the Secretary determines that imple-
2 menting the recommendations established by the
3 Commission, including with respect to such com-
4 plementary alternative treatments, is not appropriate
5 or feasible, a justification for such determination
6 and an alternative solution to improve the efficacy of
7 the therapy model used by the Secretary for treating
8 veterans with mental health issues.

9 **SEC. 6. TERMINATION OF COMMISSION.**

10 The Commission shall terminate 30 days after the
11 Commission submits the final report under section 5(b).

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