

114TH CONGRESS  
1ST SESSION

# S. 841

To expand eligibility for health care under the Veterans Access, Choice, and Accountability Act of 2014 to include certain veterans seeking mental health care, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 23, 2015

Mrs. ERNST (for herself, Mr. TILLIS, Mr. GRASSLEY, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To expand eligibility for health care under the Veterans Access, Choice, and Accountability Act of 2014 to include certain veterans seeking mental health care, 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 “Prioritizing Veterans  
5 Access to Mental Health Care Act of 2015”.

1 **SEC. 2. EXPANSION OF ELIGIBILITY OF CERTAIN VETERANS**  
2 **SEEKING MENTAL HEALTH CARE FOR**  
3 **HEALTH CARE FROM NON-DEPARTMENT OF**  
4 **VETERANS AFFAIRS ENTITIES.**

5 (a) IN GENERAL.—Section 101(b)(2) of the Veterans  
6 Access, Choice, and Accountability Act of 2014 (38 U.S.C.  
7 1701 note; Public Law 113–146) is amended—

8 (1) in subparagraph (C)(ii), by striking “; or”  
9 and inserting a semicolon;

10 (2) in subparagraph (D)(ii)(II), by striking the  
11 period at the end and inserting “; or”; and

12 (3) by adding at the end the following new sub-  
13 paragraph:

14 “(E) provides a statement in writing that  
15 the veteran seeks mental health care from the  
16 Department and has not received timely and  
17 adequate mental health care through a facility  
18 or health care provider of the Department.”.

19 (b) SUBMISSION OF STATEMENT IN WRITING.—

20 (1) IN GENERAL.—In providing for a statement  
21 in writing under subparagraph (E) of section  
22 101(b)(2) of the Veterans Access, Choice, and Ac-  
23 countability Act of 2014 (38 U.S.C. 1701 note; Pub-  
24 lic Law 113–146), as added by subsection (a), the  
25 Secretary of Veterans Affairs shall develop proce-

1       dures for the submission by veterans of such state-  
2       ment—

3               (A) electronically, through the primary  
4       Internet website of the Department of Veterans  
5       Affairs that is available to the public; and

6               (B) in person or by fax to the Non-VA  
7       Care Communication Office of each medical fa-  
8       cility of the Department.

9               (2) COMPONENTS OF STATEMENT.—The Sec-  
10      retary shall require that any veteran that submits a  
11      statement in writing described in paragraph (1) in-  
12      clude the following:

13              (A) The earliest date that the Department  
14      provided to the veteran for an appointment for  
15      the receipt of mental health care through a fa-  
16      cility or health care provider of the Depart-  
17      ment, or, if no date was provided, an indication  
18      that no appointment date was provided.

19              (B) The earliest date of an appointment of  
20      the veteran for the receipt of mental health care  
21      that was offered by a non-Department health  
22      care provider, if applicable.

23              (C) A certification by the veteran that the  
24      veteran cannot reasonably wait for an appoint-

1           ment for mental health care through a facility  
2           or health care provider of the Department.

3           (D) Feedback by the veteran with respect  
4           to the timeliness and adequacy of mental health  
5           care furnished by the Department.

6           (3) RECEIPT OF STATEMENT.—Upon the re-  
7           ceipt by the Department of a statement in writing  
8           described in paragraph (1) by a veteran, the Sec-  
9           retary shall provide a confirmation to the veteran  
10          that the Secretary has received the statement in  
11          writing—

12           (A) in the form of an immediate auto-  
13           mated confirmation, if the statement in writing  
14           was submitted electronically; and

15           (B) in the form of an immediate written  
16           confirmation, if the statement in writing was  
17           submitted in person or by fax.

18          (c)           CONFORMING           AMENDMENT.—Section  
19          101(q)(2)(A) of the Veterans Access, Choice, and Ac-  
20          countability Act of 2014 (38 U.S.C. 1701 note; Public  
21          Law 113–146) is amended—

22           (1) in clause (iii), by striking “; and” and in-  
23           serting a semicolon;

24           (2) in clause (iv), by striking the period at the  
25           end and inserting “; and”; and

1           (3) by adding at the end the following new  
2       clause:

3                           “(v) eligible veterans described in sub-  
4                           section (b)(2)(E).”.

5       **SEC. 3. PRIORITIZATION OF HIRING INCENTIVES TO AD-**  
6                           **DRESS NEED FOR HEALTH PROFESSIONALS**  
7                           **AT DEPARTMENT OF VETERANS AFFAIRS.**

8           In carrying out hiring incentives for health profes-  
9       sionals at the Department of Veterans Affairs, including  
10      the Department of Veterans Affairs Health Professionals  
11      Educational Assistance Program under chapter 76 of title  
12      38, United States Code, the Secretary of Veterans Affairs  
13      shall give priority to those health professionals for which  
14      there is the greatest need in the Department, such as psy-  
15      chiatrists, psychologists, and other mental health care pro-  
16      viders.

17      **SEC. 4. SOURCE OF AMOUNTS.**

18           Such sums as may be necessary to carry out this Act  
19      and the amendments made by this Act shall be derived  
20      from amounts appropriated under section 801 of the Vet-  
21      erans Access, Choice, and Accountability Act of 2014 (38  
22      U.S.C. 1701 note; Public Law 113–146).

1 **SEC. 5. EFFECTIVE DATE.**

2       This Act and the amendments made by this Act shall  
3 take effect on the date that is 90 days after the date of  
4 the enactment of this Act.

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