

115TH CONGRESS
2D SESSION

H. R. 7017

To direct the Secretary of Veterans Affairs to carry out a demonstration program to expand the availability of telemedicine services for veterans living in rural areas with certain mental health disorders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2018

Ms. KUSTER of New Hampshire (for herself, Mr. POLIQUIN, Mr. MOONEY of West Virginia, Mr. GIANFORTE, Mr. WESTERMAN, Ms. SHEA-PORTER, and Mr. WELCH) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to carry out a demonstration program to expand the availability of telemedicine services for veterans living in rural areas with certain mental health disorders, 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 “Enhancing Veterans’
5 Experience with Telehealth Services Act” or the “eVETS
6 Act”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS DEMONSTRATION PROGRAM ON EXPANDED AVAILABILITY**
2 **OF TELEMEDICINE SERVICES FOR CERTAIN**
3 **VETERANS IN RURAL AREAS.**

4
5 (a) DEMONSTRATION PROGRAM.—Beginning not
6 later than 180 days after the date of the enactment of
7 this Act, the Secretary of Veterans Affairs shall carry out
8 a demonstration program to expand telemedicine services
9 for eligible veterans. Under the pilot program, all eligible
10 veterans who opt to participate in the program may choose
11 to receive cognitive therapy or prolonged exposure therapy;
12 which shall be delivered remotely via video calling tech-
13 nology through no less than 12 episodes of care per vet-
14 eran or a greater number of episodes, as determined by
15 the veteran’s provider.

16 (b) INSTRUCTIONS FOR PROVIDERS.—The Secretary
17 shall create and distribute to Network Directors of Vet-
18 erans Integrated Services Networks, Medical Center Di-
19 rectors and Medical Providers who may encounter eligible
20 veterans instructions describing the program and the re-
21 sponsibilities of each Department medical facility in fur-
22 nishing care to eligible veterans under the program. Such
23 instructions shall—

24 (1) clearly define the responsibilities of the sen-
25 ior executives of Department medical facilities par-
26 ticipating in the demonstration program;

1 (2) clearly define responsibilities of each De-
2 partment medical provider at Department medical
3 centers participating in the demonstration program
4 whose duties entail providing mental health care to
5 eligible veterans;

6 (3) provide required training and education on
7 mental health treatments that have substantial evi-
8 dence supporting their use in telemedicine for each
9 provider and veteran participating in the demonstra-
10 tion program;

11 (4) define eligible models of care coordination
12 Department medical facilities and participating pro-
13 viders may use to furnish telemedicine services
14 under the demonstration program, including rec-
15 ommendations for selecting a model of care coordi-
16 nation; and

17 (5) clearly define oversight and accountability
18 requirements for senior executives of the Depart-
19 ment who are responsible for overseeing the pro-
20 gram, including the Veterans Health Administration,
21 the National Center for PTSD, and any other rel-
22 evant office.

23 (c) OUTREACH TO ELIGIBLE VETERANS.—Depart-
24 ment of Veterans Affairs medical providers and medical
25 facilities participating in the demonstration program shall

1 inform eligible veterans of the opportunity to participate
2 in the demonstration program and provide such veterans
3 with information on how to participate in such program.

4 (d) STUDY OF THE PROGRAM.—For the duration of
5 the demonstration program, the Secretary shall collect and
6 record data regarding the health of veterans who receive
7 medical care under the program, including events, treat-
8 ments, satisfaction survey results, dropout rates, and out-
9 comes, and make such data available for analysis by quali-
10 fied independent researchers.

11 (e) DURATION.—Not later than three years and not
12 sooner than two years after the date of enactment of this
13 act, the Secretary shall decide whether to continue, expand
14 or discontinue the demonstration program and report that
15 decision to the Committees on Veterans' Affairs of the
16 Senate and the House of Representatives.

17 (f) ASSESSMENT OF THE PROGRAM.—Not later than
18 two years after the date of the enactment of this Act, the
19 Secretary shall submit to the Committees on Veterans' Af-
20 fairs of the Senate and House of Representatives an as-
21 sessment of the demonstration program, which shall in-
22 clude—

23 (1) an analysis of the program prepared by
24 qualified independent researchers;

1 (2) the number of veterans who participated in
2 the program, broken down by State of residence and
3 primary Department medical center;

4 (3) the average and median number of tele-
5 medicine episodes of care per veteran; and

6 (4) the recommendations of the Secretary re-
7 garding whether the program should be extended or
8 expanded.

9 (g) DEFINITIONS.—In this section:

10 (1) The term “qualifying rural areas” means an
11 area that—

12 (A) is within one of—

13 (i) the six States participating in the
14 Telemedicine Outreach for PTSD pilot
15 program, as of the date of the enactment
16 of this Act, South Carolina, Iowa, Arkan-
17 sas, Denver, Colorado, California, and
18 Washington; and

19 (ii) the 10 States identified as having
20 the highest concentrations of veterans liv-
21 ing in rural areas by the 2017 report of
22 the Census Bureau’s American Community
23 Survey entitled, “Veterans in Rural Amer-
24 ica: 2011–2015”; and

1 (B) qualifies as “rural” under the defini-
2 tion of “rural” provided in the 2016 Census
3 Bureau document entitled “Defining Rural at
4 the U.S. Census Bureau” or qualifies as “high-
5 ly rural” under the meaning in Public Law
6 113–146.

7 (2) The term “eligible veteran” means a vet-
8 eran who—

9 (A) has been diagnosed with—

10 (i) post-traumatic stress disorder; or

11 (ii) a mental health disorder des-
12 igned by the Secretary for purposes of
13 the demonstration program under this sec-
14 tion and published in the Federal Register;

15 (B) is enrolled in the patient enrollment
16 system of the Department of Veterans Affairs
17 under section 1705 of title 38, United States
18 Code; and

19 (C) resides within a qualifying rural area.

20 **SEC. 3. IMPROVEMENT OF ACCESS TO BROADBAND INTER-**
21 **NET FOR RURAL VETERANS PARTICIPATING**
22 **IN DEMONSTRATION PROGRAM.**

23 (a) **EXPANSION OF ACCESS TO BROADBAND INTER-**
24 **NET.—**

1 (1) PARTNERSHIP AGREEMENTS.—The Sec-
2 retary may—

3 (A) seek to enter into partnership agree-
4 ments with covered private entities to expand
5 access to broadband internet, including the ex-
6 pansion of white space technology, for eligible
7 veterans who participate in the demonstration
8 program under section 2;

9 (B) enter into partnership agreements,
10 when appropriate, with the Secretary of Agri-
11 culture, the Chairman of the Federal Commu-
12 nications Commission, and the heads of other
13 appropriate Federal entities to assist covered
14 private entities with which the Secretary has
15 entered into a partnership agreement under
16 subparagraph (A) in the delivery of broadband
17 internet to qualifying rural areas, as such term
18 is defined in section 2(h)(1); and

19 (C) provide assistance to private entities in
20 the delivery of broadband internet to such eligi-
21 ble veterans by working with other private enti-
22 ties, including congressionally chartered veteran
23 service organizations, to provide necessary in-
24 frastructure and other services needed in the
25 delivery of white space technology.

1 (2) COST SUBSIDIES.—The Secretary may pay,
2 to an eligible veteran participating in the demonstra-
3 tion program under section 3, an amount equal to
4 the cost of obtaining internet access for the duration
5 of the veteran’s participation, if—

6 (A) the Secretary determines the eligible
7 veteran has financial need, as determined by
8 the Secretary;

9 (B) such veteran meets eligibility require-
10 ments for the demonstration program for the
11 duration of the veteran’s participation in the
12 program; and

13 (C) the veteran has a service-connected
14 disability rated at 50 percent or higher.

15 (3) INFORMATION SHARING.—

16 (A) IN GENERAL.—Subject to subpara-
17 graph (B), the Secretary may share information
18 about the location of eligible veterans partici-
19 pating in the demonstration program under sec-
20 tion 2 with covered private entities with which
21 the Secretary enters into a partnership agree-
22 ment under paragraph (1) to aid in the delivery
23 of broadband internet access to such veterans.

24 (B) PRIVACY.—The Secretary shall ensure
25 that data and information disclosed to covered

1 private entities conceals the identity of indi-
2 vidual veterans. Prior to the disclosure of any
3 data or information to a private entity pursuant
4 to subparagraph (A), the Secretary shall enter
5 into an agreement with the covered private enti-
6 ty that prohibits the entity from disclosing the
7 data or information to any third party or using
8 such data or information for any purpose other
9 than providing broadband access to eligible vet-
10 erans participating in the demonstration pro-
11 gram.

12 (4) COVERED PRIVATE ENTITY.—In this sub-
13 section, the term “covered private entity” means a
14 technology company or internet service provider that
15 is working to expand internet access, including
16 through white space technology.

17 (b) PROVISION OF PRIVATE SPACES.—

18 (1) PARTNERSHIP AGREEMENT AUTHORITY.—
19 The Secretary may seek to enter into a partnership
20 agreement with private entities for the provision of
21 private spaces described in paragraph (3) with
22 broadband internet access for use by eligible vet-
23 erans participating in the demonstration program
24 under section 2.

1 (2) PREFERENCE.—In entering into partner-
2 ship agreements under paragraph (1), the Secretary
3 may give preference to entities with support services
4 on location including, certified community behavioral
5 health clinics, federally qualified health centers, and
6 congressionally chartered veteran service organiza-
7 tions.

8 (3) PRIVATE SPACES.—Private spaces described
9 in this paragraph are private spaces—

10 (A) located in qualifying rural areas as de-
11 fined in section 2(g)(1); and

12 (B) furnished, or suitable to be furnished,
13 with electronic devices needed for the delivery of
14 telemedicine services to veterans under the dem-
15 onstration program.

○