

115TH CONGRESS
1ST SESSION

S. 1566

To amend title 38, United States Code, to expand eligibility for mental health services from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2017

Mr. TESTER (for himself, Ms. KLOBUCHAR, Mr. MANCHIN, Ms. HASSAN, Ms. BALDWIN, Mr. FRANKEN, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to expand eligibility for mental health services from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, 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 “Care And Readiness
5 Enhancement for Reservists Act of 2017” or the “CARE
6 for Reservists Act of 2017”.

1 **SEC. 2. EXPANSION OF ELIGIBILITY FOR READJUSTMENT**
2 **COUNSELING AND RELATED OUTPATIENT**
3 **SERVICES FROM DEPARTMENT OF VETERANS**
4 **AFFAIRS TO INCLUDE MEMBERS OF THE RE-**
5 **SERVE COMPONENTS OF THE ARMED**
6 **FORCES.**

7 (a) READJUSTMENT COUNSELING.—Subsection
8 (a)(1) of section 1712A of title 38, United States Code,
9 is amended by adding at the end the following new sub-
10 paragraph:

11 “(D)(i) The Secretary, in consultation with the Sec-
12 retary of Defense, may furnish to any member of the re-
13 serve components of the Armed Forces who has a behav-
14 ioral health condition or psychological trauma, counseling
15 under subparagraph (A)(i), which may include a com-
16 prehensive individual assessment under subparagraph
17 (B)(i).

18 “(ii) A member of the reserve components of the
19 Armed Forces described in clause (i) shall not be required
20 to obtain a referral before being furnished counseling or
21 an assessment under this subparagraph.”.

22 (b) OUTPATIENT SERVICES.—Subsection (b) of such
23 section is amended—

24 (1) in paragraph (1)—

1 (A) by inserting “to an individual” after
 2 “If, on the basis of the assessment furnished”;
 3 and

4 (B) by striking veteran each place it ap-
 5 pears and inserting “individual”; and

6 (2) in paragraph (2), by striking “veteran” and
 7 inserting “individual”.

8 (c) STAFFING AND RESOURCES OF THE DEPART-
 9 MENT OF VETERANS AFFAIRS.—

10 (1) VET CENTERS.—

11 (A) IN GENERAL.—In order to properly
 12 plan for any expansion of services provided as
 13 a result of the amendments made by sub-
 14 sections (a) and (b), the Secretary of Veterans
 15 Affairs shall evaluate current and future work-
 16 load under section 1712A of title 38, United
 17 States Code, as amended by subsections (a) and
 18 (b), to determine whether more Vet Centers, in-
 19 cluding mobile Vet Centers, are needed to han-
 20 dle such expansion.

21 (B) DISCUSSIONS REGARDING MEMORANDA
 22 OF UNDERSTANDING.—If, at a Vet Center,
 23 workload treating members of the Armed
 24 Forces exceeds workload treating veterans, the
 25 Secretary of Veterans Affairs shall enter into

1 discussions with the Secretary of Defense to de-
2 termine whether a reimbursable memorandum
3 of understanding between the Department of
4 Veterans Affairs and the Department of De-
5 fense is warranted with respect to services pro-
6 vided at that Vet Center.

7 (C) REPORT.—Not later than one year
8 after the date of the enactment of this Act, the
9 Secretary of Veterans Affairs shall submit to
10 the Committee on Veterans' Affairs, the Com-
11 mittee on Armed Services, and the Committee
12 on Appropriations of the Senate and the Com-
13 mittee on Veterans' Affairs, the Committee on
14 Armed Services, and the Committee on Appro-
15 priations of the House of Representatives a re-
16 port on—

17 (i) the evaluation conducted under
18 subparagraph (A); and

19 (ii) any discussions between the Sec-
20 retary of Veterans Affairs and the Sec-
21 retary of Defense under subparagraph (B).

22 (2) READJUSTMENT COUNSELING SERVICE.—

23 The Secretary of Veterans Affairs shall ensure that
24 the Chief Officer of the Readjustment Counseling
25 Service of the Veterans Health Administration has

1 such staff, resources, and access to information as
 2 may be necessary to carry out the expansion of serv-
 3 ices resulting from the amendments made by sub-
 4 sections (a) and (b).

5 (3) VET CENTER DEFINED.—In this subsection,
 6 the term “Vet Center” has the meaning given that
 7 term in section 1712A(h) of title 38, United States
 8 Code.

9 (d) EFFECTIVE DATE.—The amendments made by
 10 subsections (a) and (b) shall take effect on the date that
 11 is 90 days after the date of the enactment of this Act.

12 **SEC. 3. PROVISION OF MENTAL HEALTH SERVICES FROM**
 13 **DEPARTMENT OF VETERANS AFFAIRS TO**
 14 **MEMBERS OF THE RESERVE COMPONENTS**
 15 **OF THE ARMED FORCES.**

16 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
 17 title 38, United States Code, is amended by adding at the
 18 end the following new section:

19 **“§ 1788. Mental health services for members of the re-**
 20 **serve components of the Armed Forces**

21 “The Secretary, in consultation with the Secretary of
 22 Defense, may furnish mental health services to members
 23 of the reserve components of the Armed Forces.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
 25 at the beginning of chapter 17 of such title is amended

1 by inserting after the item relating to section 1787 the
 2 following new item:

“1788. Mental health services for members of the reserve components of the
 Armed Forces.”.

3 **SEC. 4. INCLUSION OF MEMBERS OF RESERVE COMPO-**
 4 **NENTS IN MENTAL HEALTH PROGRAMS OF**
 5 **DEPARTMENT OF VETERANS AFFAIRS.**

6 (a) SUICIDE PREVENTION PROGRAM.—

7 (1) IN GENERAL.—Section 1720F of title 38,
 8 United States Code, is amended by adding at the
 9 end the following new subsection:

10 “(1)(1) COVERED INDIVIDUAL DEFINED.—In this
 11 section, the term ‘covered individual’ means a veteran or
 12 a member of the reserve components of the Armed Forces.

13 “(2) In determining coverage of members of the re-
 14 serve components of the Armed Forces under the com-
 15 prehensive program, the Secretary shall consult with the
 16 Secretary of Defense.”.

17 (2) CONFORMING AMENDMENTS.—Such section
 18 is further amended—

19 (A) in subsection (a), by striking “vet-
 20 erans” and inserting “covered individuals”;

21 (B) in subsection (b), by striking “vet-
 22 erans” each place it appears and inserting “cov-
 23 ered individuals”;

24 (C) in subsection (c)—

1 (i) in the subsection heading, by strik-
 2 ing “OF VETERANS”;

3 (ii) by striking “veterans” each place
 4 it appears and inserting “covered individ-
 5 uals”; and

6 (iii) by striking “veteran” and insert-
 7 ing “individual”;

8 (D) in subsection (d), by striking “to vet-
 9 erans” each place it appears and inserting “to
 10 covered individuals”;

11 (E) in subsection (e), in the matter pre-
 12 ceding paragraph (1), by striking “veterans”
 13 and inserting “covered individuals”;

14 (F) in subsection (f)—

15 (i) in the first sentence, by striking
 16 “veterans” and inserting “covered individ-
 17 uals”; and

18 (ii) in the second sentence, by insert-
 19 ing “or members” after “veterans”;

20 (G) in subsection (g), by striking “vet-
 21 erans” and inserting “covered individuals”;

22 (H) in subsection (h), by striking “vet-
 23 erans” and inserting “covered individuals”;

24 (I) in subsection (i)—

(i) in the subsection heading, by striking “FOR VETERANS AND FAMILIES”;

(ii) in the matter preceding paragraph (1), by striking “veterans and the families of veterans” and inserting “covered individuals and the families of covered individuals”;

(iii) in paragraph (2), by striking “veterans” and inserting “covered individuals”; and

(iv) in paragraph (4), by striking “veterans” each place it appears and inserting “covered individuals”;

(J) in subsection (j)(1), by striking “veterans” each place it appears and inserting “covered individuals”; and

(K) in subsection (k), by striking “veterans” and inserting “covered individuals”.

(3) CLERICAL AMENDMENTS.—

(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting “**AND MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES**” after “**VETERANS**”.

1 (B) TABLE OF SECTIONS.—The table of
 2 sections at the beginning of chapter 17 of such
 3 title is amended by striking the item relating to
 4 section 1720F and inserting the following new
 5 item:

“1720F. Comprehensive program for suicide prevention among veterans and
 members of the reserve components of the Armed Forces.”.

6 (b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS
 7 WHO SERVED IN CLASSIFIED MISSIONS.—

8 (1) IN GENERAL.—Section 1720H of such title
 9 is amended—

10 (A) in subsection (a)—

11 (i) in paragraph (1)—

12 (I) by striking “eligible veteran”
 13 and inserting “eligible individual”;
 14 and

15 (II) by striking “the veteran”
 16 and inserting “the individual”;

17 (ii) in paragraph (3), by striking “eli-
 18 gible veterans” and inserting “eligible indi-
 19 viduals”;

20 (B) in subsection (b)—

21 (i) by striking “a veteran” and insert-
 22 ing “an individual”; and

23 (ii) by striking “eligible veteran” and
 24 inserting “eligible individual”; and

1 (C) in subsection (c)—

2 (i) in paragraph (2), in the matter
 3 preceding subparagraph (A), by striking
 4 “The term ‘eligible veteran’ means a vet-
 5 eran” and inserting “The term ‘eligible in-
 6 dividual’ means a veteran or a member of
 7 the reserve components of the Armed
 8 Forces”; and

9 (ii) in paragraph (3), by striking “eli-
 10 gible veteran” and inserting “eligible indi-
 11 vidual”.

12 (2) CLERICAL AMENDMENTS.—

13 (A) IN GENERAL.—Such section is further
 14 amended, in the section heading, by inserting
 15 “**AND MEMBERS OF THE RESERVE COMPO-**
 16 **NENTS OF THE ARMED FORCES**” after
 17 “**VETERANS**”.

18 (B) TABLE OF SECTIONS.—The table of
 19 sections at the beginning of chapter 17 of such
 20 title is amended by striking the item relating to
 21 section 1720H and inserting the following new
 22 item:

“1720H. Mental health treatment for veterans and members of the reserve com-
 ponents of the Armed Forces who served in classified mis-
 sions.”.

1 **SEC. 5. REPORT ON MENTAL HEALTH AND RELATED SERV-**
2 **ICES PROVIDED BY THE DEPARTMENT OF**
3 **VETERANS AFFAIRS TO MEMBERS OF THE**
4 **ARMED FORCES.**

5 (a) IN GENERAL.—Not later than one year after the
6 date of the enactment of this Act, the Secretary of Vet-
7 erans Affairs shall submit to the Committee on Veterans’
8 Affairs and the Committee on Appropriations of the Sen-
9 ate and the Committee on Veterans’ Affairs and the Com-
10 mittee on Appropriations of the House of Representatives
11 a report that includes an assessment of the following:

12 (1) The increase, as compared to the day before
13 the date of the enactment of this Act, of the number
14 of members of the Armed Forces that use readjust-
15 ment counseling or outpatient mental health care
16 from the Department of Veterans Affairs,
17 disaggregated by State, Vet Center location, and
18 clinical care site of the Department, as appropriate.

19 (2) The number of members of the reserve com-
20 ponent of the Armed Forces receiving telemental
21 health care from the Department.

22 (3) The increase, as compared to the day before
23 the date of the enactment of this Act, of the annual
24 cost associated with readjustment counseling and
25 outpatient mental health care provided by the De-

1 partment to members of the reserve components of
2 the Armed Forces.

3 (4) The changes, as compared to the day before
4 the date of the enactment of this Act, in staffing,
5 training, organization, and resources required for
6 the Department to offer readjustment counseling
7 and outpatient mental health care to members of the
8 reserve components of the Armed Forces.

9 (5) Any challenges the Department has encoun-
10 tered in providing readjustment counseling and out-
11 patient mental health care to members of the reserve
12 components of the Armed Forces.

13 (b) VET CENTER DEFINED.—In this section, the
14 term “Vet Center” has the meaning given that term in
15 section 1712A(h) of title 38, United States Code.

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