

116TH CONGRESS
2D SESSION

S. 5072

To improve Vet Centers of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2020

Mr. REED (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To improve Vet Centers 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 “Vet Center Improve-
5 ment Act of 2020”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) VET CENTER.—The term “Vet Center” has
9 the meaning given that term in section 1712A(h) of
10 title 38, United States Code.

1 (2) VETERANS SERVICE ORGANIZATION.—The
2 term “veterans service organization” means any or-
3 ganization recognized by the Secretary of Veterans
4 Affairs for the representation of veterans under sec-
5 tion 5902 of title 38, United States Code.

6 **SEC. 3. PRODUCTIVITY EXPECTATIONS FOR READJUST-**
7 **MENT COUNSELORS OF VET CENTERS.**

8 (a) EVALUATION OF PRODUCTIVITY EXPECTA-
9 TIONS.—Not later than one year after the date of the en-
10 actment of this Act, the Secretary of Veterans Affairs
11 shall evaluate productivity expectations for readjustment
12 counselors of Vet Centers, including by obtaining system-
13 atic feedback from counselors on such expectations, in-
14 cluding with respect to following:

15 (1) Any potential effects of productivity expecta-
16 tions, whether positive or negative, on client care.

17 (2) Distances readjustment counselors may
18 travel to appointments, especially with respect to
19 serving rural veterans.

20 (3) The possibility that some veterans may not
21 want to use nor benefit from telehealth or group
22 counseling.

23 (4) Availability and access of veteran popu-
24 lations to broadband and telehealth.

1 (5) Any effect on readjustment counselors, in-
2 cluding with respect to recruitment, retention, and
3 welfare.

4 (6) Whether productivity expectations provide
5 incentives or pressure to inaccurately report client
6 visits.

7 (7) Whether directors and readjustment coun-
8 selors of Vet Centers need additional training or
9 guidance on how productivity expectations are cal-
10 culated.

11 (8) Such other criteria as the Secretary con-
12 siders appropriate.

13 (b) SYSTEMATIC FEEDBACK.—

14 (1) IN GENERAL.—The Secretary shall—

15 (A) make every effort to ensure that all re-
16 adjustment counselors of Vet Centers are given
17 the opportunity to provide feedback on the
18 items under subsection (a);

19 (B) collect and safely store the feedback
20 obtained under subsection (a)—

21 (i) in an anonymized manner, in order
22 to protect the privacy of each respondent;
23 and

24 (ii) in a manner that allows for eval-
25 uation by third parties of the feedback,

1 such as audit of the feedback by the Gov-
2 ernment Accountability Office; and

3 (C) provide the feedback obtained under
4 subsection (a) in an anonymized manner to the
5 working group established under section 5.

6 (2) GOVERNMENT ACCOUNTABILITY OFFICE
7 AUDIT.—Not less frequently than once each year
8 during the five-year period beginning on the date of
9 the enactment of this Act, the Comptroller General
10 of the United States shall audit the feedback ob-
11 tained from readjustment counselors of Vet Centers
12 under subsection (a).

13 (c) IMPLEMENTATION OF CHANGES.—Not later than
14 90 days after the date of the completion of the evaluation
15 required by subsection (a), the Secretary shall implement
16 any needed changes to the productivity expectations de-
17 scribed in such subsection in order to ensure—

18 (1) quality of care and access to care for vet-
19 erans; and

20 (2) the welfare of readjustment counselors.

21 (d) REPORT TO CONGRESS.—Not later than 180 days
22 after the date of the completion of the evaluation required
23 by subsection (a), the Secretary shall submit to Congress
24 a report on—

25 (1) the findings of the evaluation; and

1 (2) any planned or implemented changes de-
2 scribed in subsection (c).

3 (e) PLAN FOR REASSESSMENT AND IMPLEMENTA-
4 TION.—

5 (1) PLAN.—Not later than one year after the
6 date of the enactment of this Act, the Secretary
7 shall develop and implement a plan for—

8 (A) reassessing productivity expectations
9 for readjustment counselors of Vet Centers, in
10 consultation with such counselors; and

11 (B) implementing any needed changes to
12 such expectations, as the Secretary determines
13 appropriate.

14 (2) REASSESSMENTS.—Under the plan required
15 by paragraph (1), the Secretary shall conduct a re-
16 assessment described in such paragraph not less fre-
17 quently than once each year.

18 **SEC. 4. STAFFING MODELS FOR VET CENTERS.**

19 (a) IN GENERAL.—Not later than one year after the
20 date of the enactment of this Act, the Secretary of Vet-
21 erans Affairs shall develop and implement a staffing model
22 for Vet Centers that incorporates key practices in the de-
23 sign of staffing models.

24 (b) ELEMENTS.—In developing the staffing model
25 under subsection (a), the Secretary shall—

1 (1) involve key stakeholders, including readjust-
2 ment counselors, outreach specialists, and directors
3 of Vet Centers;

4 (2) incorporate key work activities and the fre-
5 quency and time required to conduct such activities;

6 (3) ensure the quality of data used in the model
7 to provide assurance that staffing estimates are reli-
8 able; and

9 (4) incorporate—

10 (A) risk factors, including case complexity,
11 geography, and availability, advisability, and
12 willingness of veterans to use telehealth or
13 group counseling; and

14 (B) such other factors as the Secretary
15 considers appropriate.

16 (c) PLAN FOR ASSESSMENTS AND UPDATES.—Not
17 later than one year after the date of the enactment of this
18 Act, the Secretary shall develop a plan for—

19 (1) assessing and updating the staffing model
20 developed and implemented under subsection (a) not
21 less frequently than once every four years; and

22 (2) implementing any needed changes to such
23 model, as the Secretary determines appropriate.

1 **SEC. 5. WORKING GROUP OF READJUSTMENT COUN-**
2 **SELORS, OUTREACH SPECIALISTS, AND DI-**
3 **RECTORS OF VET CENTERS.**

4 (a) IN GENERAL.—In conducting the evaluation of
5 productivity expectations described in section 3 and devel-
6 oping the staffing model described in section 4, the Sec-
7 retary of Veterans Affairs shall establish a working group
8 to assess—

9 (1) the efficacy, impact, and composition of per-
10 formance metrics for such expectations with respect
11 to—

12 (A) quality of care and access to care for
13 veterans; and

14 (B) the welfare of readjustment counselors
15 and other employees of Vet Centers; and

16 (2) key considerations for the development of a
17 staffing model for Vet Centers, including—

18 (A) quality of care and access to care for
19 veterans and other individuals eligible for care
20 through Vet Centers; and

21 (B) recruitment, retention, and welfare of
22 employees of Vet Centers.

23 (b) MEMBERSHIP.—The working group established
24 under subsection (a) shall be composed of readjustment
25 counselors, outreach specialists, and directors of Vet Cen-
26 ters.

1 (c) **FEEDBACK; RECOMMENDATIONS.**—The working
2 group established under subsection (a) shall provide to the
3 Secretary—

4 (1) feedback from readjustment counselors, out-
5 reach specialists, and directors of Vet Centers; and

6 (2) recommendations on how to improve—

7 (A) quality of care and access to care for
8 veterans; and

9 (B) the welfare of readjustment counselors
10 and other employees of Vet Centers.

11 **SEC. 6. IMPROVEMENTS OF HIRING PRACTICES AT VET**
12 **CENTERS.**

13 (a) **STANDARDIZATION OF POSITION DESCRIP-**
14 **TIONS.**—

15 (1) **IN GENERAL.**—Not later than one year
16 after the date of the enactment of this Act, the Sec-
17 retary of Veterans Affairs shall standardize descrip-
18 tions of position responsibilities at Vet Centers.

19 (2) **REPORTING REQUIREMENT.**—In each of the
20 first two annual reports submitted under section
21 7309(e) of title 38, United States Code, after the
22 date of the enactment of this Act, the Secretary
23 shall include a description of the actions taken by
24 the Secretary to carry out paragraph (1).

1 (b) EXPANSION OF REPORTING REQUIREMENTS ON
 2 READJUSTMENT COUNSELING TO INCLUDE ACTIONS TO
 3 REDUCE STAFFING VACANCIES AND TIME TO HIRE.—

4 Section 7309(e) of title 38, United States Code, is amend-
 5 ed by adding at the end the following new subparagraph:

6 “(D) A description of actions taken by the Sec-
 7 retary to reduce—

8 “(i) vacancies in counselor positions in the
 9 Readjustment Counseling Service; and

10 “(ii) the time it takes to hire such coun-
 11 selors.”.

12 **SEC. 7. REPORT BY GOVERNMENT ACCOUNTABILITY OF-**
 13 **FICE ON VET CENTER INFRASTRUCTURE AND**
 14 **FUTURE INVESTMENTS.**

15 (a) IN GENERAL.—Not later than one year after the
 16 date of the enactment of this Act, the Comptroller General
 17 of the United States shall submit to Congress a report
 18 on physical infrastructure and future investments with re-
 19 spect to Vet Centers.

20 (b) ELEMENTS.—The report required by subsection
 21 (a) shall include the following:

22 (1) An assessment of—

23 (A) the condition of the physical infra-
 24 structure of all assets of Vet Centers, whether

1 owned or leased by the Department of Veterans
2 Affairs; and

3 (B) the short-, medium-, and long-term
4 plans of the Department to maintain and up-
5 grade the physical infrastructure of Vet Centers
6 to address the operational needs of Vet Centers
7 as of the date of the date of the submittal of
8 the report and future needs.

9 (2) An assessment of management and stra-
10 tegic planning for the physical infrastructure of Vet
11 Centers, including whether the Department should
12 buy or lease existing or additional locations in areas
13 with stable or growing populations of veterans.

14 (3) An assessment of whether, as of the date of
15 the submittal of the report, Vet Center buildings,
16 mobile Vet Centers, community access points, and
17 similar infrastructure are sufficient to care for vet-
18 erans or if such infrastructure is negatively affecting
19 care due to limited space for veterans and Vet Cen-
20 ter personnel or other factors.

21 (4) An assessment of the areas with the great-
22 est need for investments in—

23 (A) improved physical infrastructure, in-
24 cluding upgraded Vet Centers; or

1 (B) additional physical infrastructure for
2 Vet Centers, including new Vet Centers owned
3 or leased by the Department.

4 (5) A description of the authorities and re-
5 sources that may be required for the Secretary to
6 make such investments.

7 (6) A review of all annual reports submitted
8 under 7309(e) of title 38, United States Code before
9 the date of the submittal of the report under sub-
10 section (a).

11 **SEC. 8. PILOT PROGRAM TO COMBAT FOOD INSECURITY**
12 **AMONG VETERANS AND FAMILY MEMBERS**
13 **OF VETERANS.**

14 (a) IN GENERAL.—Not later than one year after the
15 date of the enactment of this Act, the Secretary of Vet-
16 erans Affairs shall establish a pilot program to award
17 grants to eligible entities to support partnerships that ad-
18 dress food insecurity among veterans and family members
19 of veterans who receive services through Vet Centers or
20 other facilities of the Department of Veterans Affairs as
21 determined by the Secretary.

22 (b) ELIGIBLE ENTITIES.—For purposes of the pilot
23 program, an eligible entity is—

- 24 (1) a nonprofit organization;
25 (2) a veterans service organization;

- 1 (3) a public agency;
- 2 (4) a community-based organization; or
- 3 (5) an institution of higher education.

4 (c) LOCATIONS.—In carrying out the pilot program,
5 the Secretary shall award at least one grant to at least
6 one eligible entity in each State, if the Secretary deter-
7 mines that there is such an entity in a State that has ap-
8 plied for, and meets requirements for the award of, such
9 a grant.

10 (d) MINIMUM PROGRAM REQUIREMENTS.—Any
11 grant awarded under this section shall be used—

12 (1) to carry out a collaboration between one or
13 more public agencies and one or more Vet Centers
14 or other facilities of the Department for five years;

15 (2) to increase participation in nutrition coun-
16 seling programs and provide educational materials
17 and counseling to veterans and family members of
18 veterans to address food insecurity and healthy diets
19 among those individuals;

20 (3) to increase access to and enrollment in Fed-
21 eral assistance programs, including the supplemental
22 nutrition assistance program under the Food and
23 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the
24 special supplemental nutrition program for women,
25 infants, and children established by section 17 of the

1 Child Nutrition Act of 1966 (42 U.S.C. 1786), and
2 the low-income home energy assistance program es-
3 tablished under the Low-Income Home Energy As-
4 sistance Act of 1981 (42 U.S.C. 8621 et seq.), and
5 any other assistance program that the Secretary
6 deems advisable.

7 (e) APPLICATION.—An eligible entity seeking a grant
8 under the pilot program shall submit to the Secretary an
9 application therefor at such time, in such manner, and
10 containing such information as the Secretary may require.

11 (f) SELECTION.—The Secretary shall select eligible
12 entities that submit applications under subsection (e) for
13 the award of grants under the pilot program using a com-
14 petitive process that takes into account the following:

15 (1) Capacity of the applicant entity to serve
16 veterans and family members of veterans.

17 (2) Demonstrated need of the population the
18 applicant entity would serve.

19 (3) Demonstrated need of the applicant entity
20 for assistance from the grants.

21 (4) Such other criteria as the Secretary con-
22 siders appropriate.

23 (g) REPORT.—Not later than 180 days after the date
24 of the enactment of this Act, the Secretary shall submit

1 to the appropriate committees of Congress a report on the
2 status of the implementation of this section.

3 (h) GOVERNMENT ACCOUNTABILITY OFFICE RE-
4 PORT.—

5 (1) IN GENERAL.—Not later than one year
6 after the date on which the pilot program termi-
7 nates, the Comptroller General of the United States
8 shall submit to Congress a report evaluating the ef-
9 fectiveness of the activities carried out under this
10 section in reducing food insecurity among veterans
11 and family members of veterans.

12 (2) ELEMENTS.—The report required by para-
13 graph (1) shall include the following:

14 (A) A summary of the activities conducted
15 under this section.

16 (B) An assessment of the effectiveness of
17 the grants awarded under this section.

18 (C) Best practices regarding the use of
19 partnerships to improve the effectiveness of
20 public benefit programs to address food insecu-
21 rity among veterans and family members of vet-
22 erans.

23 (D) An assessment of the feasibility and
24 advisability of extending the term of the pilot
25 program.

1 (i) DEFINITIONS.—In this section:

2 (1) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term “appropriate committees of Con-
4 gress” means—

5 (A) the Committee on Veterans’ Affairs
6 and the Committee on Appropriations of the
7 Senate; and

8 (B) the Committee on Veterans’ Affairs
9 and the Committee on Appropriations of the
10 House of Representatives.

11 (2) INSTITUTION OF HIGHER EDUCATION.—The
12 term “institution of higher education” has the
13 meaning given that term in section 101 of the High-
14 er Education Act of 1965 (20 U.S.C. 1001).

15 (3) PUBLIC AGENCY.—The term “public agen-
16 cy” means a department, agency, other unit, or in-
17 strumentality of Federal, State, or local government.

18 (4) STATE.—The term “State” means each
19 State and Territory of the United States and the
20 District of Columbia.

21 (5) VETERAN.—The term “veteran” means an
22 individual who served in the Armed Forces, includ-
23 ing an individual who served in a reserve component
24 of the Armed Forces, and who was discharged or re-

- 1 leased therefrom, regardless of the conditions of
- 2 such discharge or release.

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