

115TH CONGRESS  
1ST SESSION

# H. R. 918

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental health care to certain former members of the Armed Forces who are not otherwise eligible to receive such care, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2017

Mr. COFFMAN (for himself, Mr. KILMER, Miss RICE of New York, Mr. MEEHAN, Mr. JONES, Mr. BISHOP of Georgia, Mr. COSTELLO of Pennsylvania, Ms. JENKINS of Kansas, Mr. KING of New York, Mr. SWALWELL of California, Mr. HIMES, Mr. BERGMAN, Ms. KUSTER of New Hampshire, and Mrs. RADEWAGEN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental health care to certain former members of the Armed Forces who are not otherwise eligible to receive such 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 “Veteran Urgent Access  
5 to Mental Healthcare Act”.

1 **SEC. 2. EXPANSION OF INITIAL AND URGENT MENTAL**  
2 **HEALTH CARE FOR CERTAIN FORMER MEM-**  
3 **BERS OF THE ARMED FORCES.**

4 (a) IN GENERAL.—Chapter 17 of title 38, United  
5 States Code, is amended by inserting after section 1720H  
6 the following new section:

7 **“§ 1720I. Provision of initial and urgent mental**  
8 **health care for certain former members**  
9 **not otherwise eligible for care**

10 “(a) IN GENERAL.—The Secretary shall furnish to  
11 former members of the Armed Forces described in sub-  
12 section (b)—

13 “(1) an initial mental health assessment; and

14 “(2) the mental health care services authorized  
15 under this chapter that the Secretary determines are  
16 required to treat the urgent mental health care  
17 needs of the former member, including risk of sui-  
18 cide or harming others.

19 “(b) FORMER MEMBERS OF THE ARMED FORCES  
20 DESCRIBED.—A former member of the Armed Forces de-  
21 scribed in this subsection is an individual who meets the  
22 following criteria:

23 “(1) The individual is a former member of the  
24 Armed Forces, including the reserve components,  
25 who—

1           “(A) served in the active military, naval, or  
2           air service, and was discharged or released  
3           therefrom under a condition that is not honor-  
4           able except—

5                     “(i) dishonorable; or

6                     “(ii) bad conduct discharge;

7           “(B) has applied for a character of service  
8           determination and such determination has not  
9           been made; and

10           “(C) is not otherwise eligible to enroll in  
11           the health care system established by section  
12           1705 of this title by reason of such discharge  
13           or release not meeting the requirements of sec-  
14           tion 101(2) of this title.

15           “(2) While serving in the Armed Forces—

16                     “(A) the former member was deployed in a  
17           theater of combat operations or an area at a  
18           time during which hostilities occurred in that  
19           area;

20                     “(B) participated in or experienced such  
21           combat operations or hostilities, including by  
22           controlling an unmanned aerial vehicle from a  
23           location other than such theater or area; or

24                     “(C) was the victim of a physical assault  
25           of a sexual nature, battery of a sexual nature,

1 or sexual harassment (as defined in section  
2 1720D(f) of this title).

3 “(c) NON-DEPARTMENT CARE.—(1) In furnishing  
4 mental health care services to an individual under this sec-  
5 tion, the Secretary may provide such mental health care  
6 services at a non-Department facility if—

7 “(A) in the judgment of a mental health profes-  
8 sional employed by the Department, the receipt of  
9 mental health care services by that individual in fa-  
10 cilities of the Department would be clinically inadvis-  
11 able; or

12 “(B) facilities of the Department are not capa-  
13 ble of furnishing such mental health care services to  
14 that individual economically because of geographical  
15 inaccessibility.

16 “(2) The Secretary shall carry out paragraph (1) pur-  
17 suant to section 1703 of this title or any other provision  
18 of law authorizing the Secretary to enter into contracts  
19 or agreements to furnish hospital care and medical serv-  
20 ices to veterans at non-Department facilities.

21 “(d) SETTING AND REFERRALS.—In furnishing men-  
22 tal health care services to an individual under this section,  
23 the Secretary shall—

24 “(1) seek to ensure that such mental health  
25 care services are furnished in a setting that is thera-

1       peutically appropriate, taking into account the cir-  
2       cumstances that resulted in the need for such men-  
3       tal health care services; and

4               “(2) provide referral services to assist former  
5       members who are not eligible for services under this  
6       chapter to obtain services from sources outside the  
7       Department.

8       “(e) INFORMATION.—The Secretary shall provide in-  
9       formation on the mental health care services available  
10      under this section. Efforts by the Secretary to provide  
11      such information—

12              “(1) shall include availability of a toll-free tele-  
13      phone number (commonly referred to as an 800  
14      number);

15              “(2) shall ensure that information about the  
16      mental health care services available under this sec-  
17      tion—

18                  “(A) is revised and updated as appro-  
19      priate;

20                  “(B) is made available and visibly posted  
21      at appropriate facilities of the Department; and

22                  “(C) is made available through appropriate  
23      public information services; and

24              “(3) shall include coordination with the Sec-  
25      retary of Defense seeking to ensure that members of

1 the Armed Forces and individuals who are being  
2 separated from active military, naval, or air service  
3 are provided appropriate information about pro-  
4 grams, requirements, and procedures for applying  
5 for mental health care services under this section.

6 “(f) ANNUAL REPORTS.—Each year, the Secretary  
7 shall submit to Congress an annual report on the mental  
8 health care services provided pursuant to this section.  
9 Each report shall include data for the year covered by the  
10 report with respect to each of the following:

11 “(1) The number of individuals who received  
12 mental health care services under subsection (a),  
13 disaggregated by the number of men who received  
14 such services and the number of women who re-  
15 ceived such services.

16 “(2) Such other information as the Secretary  
17 considers appropriate.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 at the beginning of chapter 17 of title 38, United States  
20 Code, is amended by inserting after the item relating to  
21 section 1720H the following new item:

“1720I. Provision of initial and urgent mental health care not otherwise eligible  
for care.”.

22 (c) STUDY ON EFFECT OF COMBAT SERVICE ON SUI-  
23 CIDE RATES.—

1           (1) STUDY.—The Secretary of Veterans Affairs,  
2           in consultation with the Secretary of Defense, shall  
3           seek to enter into a contract with an independent  
4           nongovernmental entity to carry out a study on the  
5           effect combat service has had on suicide rates and  
6           serious mental health issues among veterans. To the  
7           extent practicable, such study shall—

8                   (A) compare the rate and method of sui-  
9                   cides among veterans who have received mental  
10                  health care services from the Veterans Health  
11                  Administration and veterans who have not re-  
12                  ceived such services from the Veterans Health  
13                  Administration; and

14                  (B) compare the rate and method of sui-  
15                  cides and the incidence of serious mental health  
16                  issues among veterans who have served in com-  
17                  bat and veterans who have not served in com-  
18                  bat.

19           (2) REPORT.—Not later than one year after the  
20           date of the enactment of this Act, the Secretary of  
21           Veterans Affairs shall submit to Congress a report  
22           containing the study conducted under paragraph (1).

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