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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To improve the provision of services from the Department of Veterans Affairs to incarcerated veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CONAWAY introduced the following bill; which was referred to the Committee on _____

A BILL

To improve the provision of services from the Department of Veterans Affairs to incarcerated veterans, 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 “Get Justice-Involved
5 Veterans Behavioral Assistance and Care for Key Health
6 Outcomes to Maintain Empowerment Act” or the “Get
7 Justice-Involved Veterans BACK HOME Act”.

1 **SEC. 2. PILOT PROGRAM TO PROVIDE MENTAL HEALTH**
2 **CARE TO INCARCERATED VETERANS.**

3 (a) IN GENERAL.—The Secretary of Veterans Affairs
4 shall carry out a pilot program to furnish mental health
5 care to incarcerated veterans (in this section referred to
6 as the “pilot program”), with a priority given to veterans
7 with a service-connected disability relating to—

8 (1) post-traumatic stress disorder;

9 (2) traumatic brain injury; or

10 (3) military sexual trauma.

11 (b) LOCATIONS.—The Secretary shall carry out the
12 pilot program at not fewer than five facilities, which
13 shall—

14 (1) represent large and small facilities and
15 urban and rural settings; and

16 (2) have separate housing units for veterans
17 that have already been established by the facility.

18 (c) COORDINATION.—The Secretary shall develop the
19 pilot program in coordination with relevant State or Fed-
20 eral agencies responsible for the incarceration of veterans.

21 (d) SERVICES TO BE PROVIDED.—

22 (1) IN GENERAL.—In carrying out the pilot
23 program, the Secretary shall provide to incarcerated
24 veterans telemental health services, if the facility at
25 which the veteran is incarcerated has necessary in-
26 frastructure for the provision of such services.

1 (2) OTHER SERVICES.—If the provision of tele-
2 mental health services under paragraph (1) is not
3 feasible, the Secretary shall provide to incarcerated
4 veterans under the pilot program—

5 (A) mental health services through the use
6 of mobile mental health units close to the facil-
7 ity at which the veteran is incarcerated through
8 the Department of Veterans Affairs or a Vet
9 Center; or

10 (B) mental health services through other
11 means, as determined appropriate by the Sec-
12 retary.

13 (3) COPAYMENT.—The Secretary shall not
14 charge a copayment for the receipt of services under
15 the pilot program.

16 (e) HEALTH CARE PROVIDERS.—

17 (1) DIRECT CARE.—The Secretary shall furnish
18 mental health care under the pilot program through
19 the use of health care providers of the Department
20 and may not use non-Department health care pro-
21 viders.

22 (2) TREATMENT AND ASSESSMENT.—A health
23 care provider providing mental health care under the
24 pilot program shall provide treatment and assess-
25 ment of medical conditions and is not to provide as-

1 assessment or evaluation of current or future disability
2 claims.

3 (3) HUB.—In carrying out the pilot program,
4 the Secretary shall create a hub of health care pro-
5 viders that—

6 (A) only provide care to incarcerated vet-
7 erans; and

8 (B) operate separate from any medical fa-
9 cility or Veterans Integrated Service Network of
10 the Department.

11 (f) FURNISHING OF CARE.—The Secretary shall
12 carry out the pilot program notwithstanding section
13 1710(h) of title 38, United States Code.

14 (g) DEFINITIONS.—In this section:

15 (1) INCARCERATED VETERAN.—The term “in-
16 carcerated veteran” means a veteran who is incar-
17 cerated in a Federal, State, local, or other penal in-
18 stitution or correctional facility.

19 (2) MILITARY SEXUAL TRAUMA.—The term
20 “military sexual trauma” means sexual assault or
21 sexual harassment experienced by an individual dur-
22 ing service in the Armed Forces.

23 (3) SERVICE-CONNECTED; VETERAN.—The
24 terms “service-connected” and “veteran” have the

1 meanings given those terms in section 101 of title
2 38, United States Code.

3 (4) VET CENTER.—The term “Vet Center” has
4 the meaning given that term in section 1712A(h) of
5 such title.

6 **SEC. 3. SEPARATE HOUSING UNITS FOR INCARCERATED**
7 **VETERANS.**

8 (a) IN GENERAL.—Chapter 301 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 **“§ 4015. Housing for incarcerated veterans**

12 “(a) IN GENERAL.—The Director of the Bureau of
13 Prisons shall, wherever feasible, establish dedicated wards
14 or housing units for incarcerated veterans in Federal cor-
15 rectional institutions, which shall provide an environment
16 conducive to the discipline, structure, and order familiar
17 to veterans in order to facilitate more effective mental
18 health treatment, peer support, and rehabilitation efforts.

19 “(b) TRAINING AND RESOURCES.—The head of each
20 Federal correctional institution with a veteran housing
21 unit described in subsection (a) shall collaborate with local
22 facilities of the Department of Veterans Affairs to ensure
23 that, with respect to that housing unit, correctional staff
24 are trained regarding, resources are allocated for, and re-

1 habilitation programming is tailored to the needs of vet-
2 erans.

3 “(c) PROGRAMS.—In the case of a Federal correc-
4 tional institution lacking the capacity or resources for a
5 housing unit described in subsection (a), the Director of
6 the Bureau of Prisons shall, at a minimum, create struc-
7 tured veteran-focused programs aimed at providing similar
8 benefits, with oversight and support coordinated through
9 the Department of Veterans Affairs.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 for chapter 301 of title 18, United States Code, is amend-
12 ed by inserting after the item relating to section 4014 the
13 following:

“4015. Housing for incarcerated veterans.”.

14 **SEC. 4. AUTOMATIC RESUMPTION OF PAYMENT OF COM-**
15 **PENSATION AND DEPENDENCY AND INDEM-**
16 **NITY COMPENSATION TO PERSONS INCAR-**
17 **CERATED FOR CONVICTION OF A FELONY**
18 **AFTER PERIOD OF INCARCERATION ENDS.**

19 (a) IN GENERAL.—Section 5313(a) of title 38,
20 United States Code, is amended by adding at the end the
21 following:

22 “(3) The Secretary shall ensure that, for any indi-
23 vidual whose receipt of compensation or dependency and
24 indemnity compensation is interrupted pursuant to para-
25 graph (1) for a period of incarceration, resumption of such

1 payments resume automatically on the date on which the
2 individual is released from incarceration.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall take effect on the date that is 180
5 days after the date of the enactment of this Act.

6 **SEC. 5. SURVEY ON INCARCERATED VETERANS.**

7 Section 302 of part C of title I of the Omnibus Crime
8 Control and Safe Streets Act of 1968 (34 U.S.C. 10132)
9 is amended—

10 (1) in subsection (c)—

11 (A) by redesignating paragraphs (15)
12 through (23) as paragraphs (16) through (24),
13 respectively; and

14 (B) by inserting after paragraph (14) the
15 following:

16 “(15) collect and analyze comprehensive infor-
17 mation concerning the incarceration of veterans (as
18 defined in section 101 of title 38, United States
19 Code);” and

20 (2) in subsection (g)—

21 (A) by striking “Not later than” and in-
22 sserting the following:

23 “(1) **CRIMES IN INDIAN COUNTRY.**—Not later
24 than”; and

25 (B) by adding at the end the following:

1 “(2) INCARCERATED VETERANS.—Not later
2 than 180 days after the date of enactment of this
3 paragraph, and annually thereafter, the Director
4 shall submit to Congress a report describing the
5 data collected and analyzed under this section relat-
6 ing to veterans (as defined in section 101 of title 38,
7 United States Code) who are incarcerated in State
8 and Federal prisons.”.