

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3863**

OFFERED BY Ms. [Brownley](#)

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “VA Mental Health
3 Outreach and Engagement Act”.

**4 SEC. 2. MENTAL HEALTH CONSULTATIONS AND OUTREACH
5 TO A VETERAN RECEIVING COMPENSATION
6 FOR A SERVICE-CONNECTED DISABILITY RE-
7 LATING TO A MENTAL HEALTH DIAGNOSIS.**

8 (a) ANNUAL CONSULTATION; OUTREACH.—The sec-
9 tion 1167 of title 38, United States Code, relating to men-
10 tal health consultations is amended—

11 (1) in subsection (a), in the subsection heading,
12 by striking “IN GENERAL” and inserting “INITIAL
13 CONSULTATION”;

14 (2) by redesignating subsections (b) and (c) as
15 subsections (c) and (d), respectively;

16 (3) by inserting after subsection (a) the fol-
17 lowing new subsection (b):

1 “(b) ANNUAL CONSULTATION; OUTREACH.—Not less
2 frequently than once each year, the Secretary shall, with
3 regards to a veteran who is receiving compensation under
4 this chapter for a service-connected disability relating to
5 a mental health diagnosis—

6 “(1) offer a mental health consultation to as-
7 sess the mental health needs of, and discuss other
8 mental health care options for, the veteran; and

9 “(2) conduct outreach (unless a veteran elects
10 not to receive such outreach)—

11 “(A) regarding the availability of consulta-
12 tions under paragraph (1) and other mental
13 health services furnished by the Secretary; and

14 “(B) using methods described in sub-
15 section (c).

16 “(c) OUTREACH METHODS.—Outreach methods de-
17 scribed in this subsection consist of—

18 “(1) successfully contacting the veteran by tele-
19 phone call or text message;

20 “(2) if the Secretary does not make such con-
21 tact, not fewer than two telephone calls or text mes-
22 sages; or

23 “(3) if the Secretary does not have a telephone
24 number for the veteran—

25 “(A) at least one email; or

1 “(B) if the Secretary does not have an
2 email address for the veteran, at least one let-
3 ter.”;

4 (4) in subsection (c), as redesignated by para-
5 graph (2), by inserting “or (b)” after “under sub-
6 section (a)” both places it appears; and

7 (5) in subsection (d), as redesignated by para-
8 graph (2), by inserting “, or to require the reevalua-
9 tion of any entitlement of the veteran to compensa-
10 tion under this chapter” before the period at the
11 end.

12 (b) TECHNICAL CORRECTIONS.—

13 (1) REDESIGNATION.—Such section, as amend-
14 ed, is redesignated as section 1169 of such title.

15 (2) CLERICAL AMENDMENTS.—The table of sec-
16 tions at the beginning of chapter 11 of such title is
17 amended—

18 (A) by striking the item relating to the sec-
19 tion 1167 that relates to mental health con-
20 sultations; and

21 (B) by inserting after the item relating to
22 section 1168 the following new item:

“1169. Mental health consultations.”.

23 (c) ANNUAL REPORT.—Not later than one year after
24 the date of the enactment of this section and annually
25 thereafter for three additional years, the Secretary of Vet-

1 erans Affairs shall submit to the Committees on Veterans'
2 Affairs of the Senate and House of Representatives a re-
3 port regarding the outreach methods under subsection (c)
4 of section 1169 of such title. Elements of such report shall
5 include the following:

6 (1) The respective rates of success, in attempt-
7 ing to contact veterans, for such methods.

8 (2) With regards to each such method, the
9 number of times and percentage of attempts that
10 the Secretary determined such attempt was unsuc-
11 cessful.

12 (3) With regards to unsuccessful attempts de-
13 scribed in paragraph (2), a breakdown of which
14 other methods of outreach the Secretary used to at-
15 tempt to contact veterans.

16 (4) With regards to each such method, the
17 number of times and percentage of attempts that led
18 to a veteran engaging with mental health services
19 furnished by the Secretary.

20 (5) The number and percentage of veterans who
21 elected not to receive such outreach.

22 (d) GAO REVIEW.—Not later than two years after
23 the date of the enactment of this section, the Comptroller
24 General of the United States shall submit to the Commit-
25 tees on Veterans' Affairs of the Senate and House of Rep-

1 representatives a report on the effect of the amendments
2 made by this section. Elements of such report shall in-
3 clude—

4 (1) the number of veterans who received—

5 (A) mental health consultations under
6 paragraph (1) of subsection (b) of section 1169
7 of such title;

8 (B) outreach under paragraph (2) of such
9 subsection; and

10 (C) which outreach method under sub-
11 section (c) of such section was the most effec-
12 tive method to reach a veteran;

13 (2) whether veterans reported barriers to seek-
14 ing such consultations; and

15 (3) such barriers, if any.

