

103^D CONGRESS
1ST SESSION

H. R. 3193

To expand services provided by the Department of Veterans Affairs for veterans suffering from post-traumatic stress disorder (PTSD).

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 1993

Mr. EVANS (for himself, Mr. KENNEDY, Mr. GUTIERREZ, and Mr. STRICKLAND) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To expand services provided by the Department of Veterans Affairs for veterans suffering from post-traumatic stress disorder (PTSD).

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 “Veterans PTSD Treat-
5 ment and Psychological Readjustment Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds—

8 (1) that a study carried out pursuant to Public
9 Law 98–160 on the readjustment of Vietnam-era

1 veterans estimated that approximately 479,000 Viet-
2 nam-theater veterans currently suffer from full-
3 blown post-traumatic stress disorder (PTSD);

4 (2) that such study found that during the final
5 year in which such study was conducted only 10 per-
6 cent of the Vietnam-era veterans suffering from
7 post-traumatic stress disorder were provided services
8 by the Department of Veterans Affairs for post-trau-
9 matic stress disorder;

10 (3) that the conflict in the Persian Gulf re-
11 sulted in an increased demand for services provided
12 by the Department of Veterans Affairs for post-trau-
13 matic stress disorder;

14 (4) that expansion of the current programs of
15 the Department of Veterans Affairs to provide serv-
16 ices to veterans suffering from post-traumatic stress
17 disorder (including specialized inpatient PTSD
18 units, PTSD clinical teams, readjustment centers,
19 and other services) would be an effective means of
20 reaching those veterans who have not previously
21 been provided such services; and

22 (5) that implementing the recommendations of
23 the Under Secretary for Health's Special Committee
24 on Post-Traumatic Stress Disorder would be an ef-
25 fective means of reaching veterans suffering from

1 post-traumatic stress disorder who have not been
2 provided services.

3 **SEC. 3. EXPANSION OF THE SPECIALIZED INPATIENT POST-**
4 **TRAUMATIC STRESS DISORDER UNIT PRO-**
5 **GRAM.**

6 (a) POLICY.—(1) It shall be the policy of the Sec-
7 retary of Veterans Affairs to implement the recommenda-
8 tions of the Special Committee on Post-Traumatic Stress
9 Disorder with respect to the program of the Department
10 of Veterans Affairs to establish and operate specialized in-
11 patient post-traumatic stress disorder units (SIPUs) at
12 Department medical centers. In operating such units, the
13 Secretary shall ensure that the facilities and services of
14 such units are available to all eligible veterans, including
15 veterans of the Persian Gulf conflict.

16 (2) The special committee referred to in paragraph
17 (1) is the Special Committee on Post-Traumatic Stress
18 Disorder established by the Under Secretary for Health
19 pursuant to section 110 of Public Law 98–528 (38 U.S.C.
20 612A note).

21 (b) INCREASE IN NUMBER OF SIPUs.—The Sec-
22 retary shall increase the number of specialized inpatient
23 post-traumatic stress disorder units existing on the date
24 of the enactment of this Act by not less than 30. Of such
25 number—

1 (1) not less than five such units shall be estab-
2 lished by December 31, 1994;

3 (2) not less than a total of 15 such units shall
4 be established by December 31, 1995;

5 (3) not less than a total of 25 such units shall
6 be established by December 31, 1996; and

7 (4) not less than a total of 30 such units shall
8 be established by December 31, 1997.

9 **SEC. 4. EXPANSION OF THE VET CENTER PROGRAM AND**
10 **OUTREACH EFFORTS FOR VETERANS WITH**
11 **READJUSTMENT COUNSELING NEEDS.**

12 (a) SPECIAL COMMITTEE RECOMMENDATION.—(1)
13 The Secretary of Veterans Affairs, acting through the
14 Under Secretary for Health of the Department of Veter-
15 ans Affairs, shall direct the Special Committee on Post-
16 Traumatic Stress Disorder to identify areas of the country
17 in which there are significant needs for expanding the Vet
18 Center program, especially areas in which there are rel-
19 atively high numbers of veterans who are members of mi-
20 nority groups and areas that are currently not well-served
21 by Vet Centers.

22 (2) The Special Committee, based on its findings
23 under paragraph (1), shall present a list of not less than
24 40 areas as candidates for new Vet Centers to the Read-

1 justment Counseling Service of the Department of Veter-
2 ans Affairs not later than September 30, 1994.

3 (b) VET CENTER PROGRAM EXPANSION.—Based on
4 the requirements identified pursuant to subsection (a), the
5 Readjustment Counseling Service shall increase the num-
6 ber of Vet Centers existing on the date of the enactment
7 of this Act by not less than 40. Of such number—

8 (1) not less than five such centers shall be es-
9 tablished by December 31, 1994;

10 (2) not less than a total of 20 such centers
11 shall be established by December 31, 1995;

12 (3) not less than a total of 30 such centers
13 shall be established by December 31, 1996; and

14 (4) not less than a total of 40 such centers
15 shall be established by December 31, 1997.

16 (c) OUTREACH RECOMMENDATIONS.—The Advisory
17 Committee on Veteran Readjustment Counseling estab-
18 lished under section 1720C of title 38, United States Code
19 (as added by section 6(a)), shall prepare a report on rec-
20 ommendations to increase outreach efforts to veterans of
21 the Vietnam-era and periods after the Vietnam-era who
22 have readjustment counseling needs. The Advisory Com-
23 mittee shall submit such report to the Secretary not later
24 than July 29, 1994. Not later than 60 days after receiving
25 such report, the Secretary shall transmit a copy of the

1 report, together with the Secretary's comments and rec-
2 ommendations, to Congress.

3 **SEC. 5. EXPANSION OF ELIGIBILITY FOR READJUSTMENT**
4 **COUNSELING AND CERTAIN RELATED COUN-**
5 **SELING SERVICES.**

6 (a) READJUSTMENT COUNSELING.—(1) Subsection
7 (a) of section 1712A of title 38, United States Code, is
8 amended to read as follows:

9 “(a)(1) Upon the request of any veteran who while
10 in the active military, naval, or air service served in a com-
11 bat theater of operations (as defined by the Secretary of
12 Defense), the Secretary shall furnish counseling to such
13 veteran to assist such veteran in readjusting to civilian
14 life. Upon the request of any veteran other than a veteran
15 described in the preceding sentence, the Secretary shall,
16 within the limits of Department facilities, furnish counsel-
17 ing to such veteran to assist such veteran in readjusting
18 to civilian life.

19 “(2) Such counseling shall include a general mental
20 and psychological assessment to ascertain whether such
21 veteran has mental or psychological problems associated
22 with readjustment to civilian life.”.

23 (2) Subsection (c) of such section is repealed.

1 (b) OTHER COUNSELING.—Such section is further
2 amended by inserting after subsection (b) the following
3 new subsection (c):

4 “(c)(1) The Secretary may provide the counseling
5 services described in section 1701(6)(B)(ii) of this title to
6 the surviving parents, spouse, and children of any member
7 of the Armed Forces who dies while serving on active duty
8 or from a condition (as determined by the Secretary) in-
9 curred in or aggravated by such service.

10 “(2) The Secretary may make the facilities and serv-
11 ices of Vet Centers available to provide appropriate coun-
12 seling and other services to family members of any mem-
13 ber of the Armed Forces who is receiving combat pay.”.

14 (c) AUTHORITY TO CONTRACT FOR COUNSELING
15 SERVICES.—Subsection (e) of such section is amended by
16 striking out “subsections (a) and (b)” each place it ap-
17 pears and inserting in lieu thereof “subsections (a), (b),
18 and (c)”.

19 **SEC. 6. ADVISORY COMMITTEE ON THE READJUSTMENT OF**
20 **VETERANS.**

21 (a) IN GENERAL.—(1) Subchapter II of chapter 17
22 of title 38, United States Code, is amended by inserting
23 after section 1712B the following:

1 **“§ 1712C. Advisory Committee on Veterans Readjust-**
2 **ment Counseling**

3 “(a)(1) There is in the Department the Advisory
4 Committee on Veteran Readjustment Counseling (herein-
5 after in this section referred to as the ‘Committee’).

6 “(2) The Committee shall consist of 18 members.
7 The members of the Committee shall be appointed by the
8 Secretary and shall include individuals who are recognized
9 authorities in fields pertinent to the social, psychological,
10 economic, or educational readjustment of veterans. An of-
11 ficer or employee of the United States may not be ap-
12 pointed as a member of the Committee. At least 12 of
13 the Committee shall be veterans of the Vietnam era or
14 other period of war. Appointments of members of the
15 Committee shall be made from among individuals who
16 have experience with the provision of veterans benefits and
17 services by the Department or who are otherwise familiar
18 with programs of the Department.

19 “(3) The Secretary shall seek to ensure that members
20 appointed to the Committee include persons from a wide
21 variety of geographic areas and ethnic backgrounds, per-
22 sons from veterans service organizations, minorities, and
23 women.

24 “(4) The Secretary shall determine the terms of serv-
25 ice and pay and allowances of the members of the Commit-
26 tee, except that a term of service may not exceed two

1 years. The Secretary may reappoint any member for addi-
2 tional terms of service.

3 “(b)(1) The Secretary shall, on a regular basis, con-
4 sult with and seek the advice of the Committee with re-
5 spect to the provision by the Department of benefits and
6 services to veterans in order to assist veterans in the re-
7 adjustment to civilian life.

8 “(2)(A) In providing advice to the Secretary under
9 this subsection, the Committee shall—

10 “(i) assemble and review information relating to
11 the needs of veterans in readjusting to civilian life;

12 “(ii) provide information relating to the nature
13 and character of psychological problems arising from
14 military service;

15 “(iii) provide an on-going assessment of the ef-
16 fectiveness of the policies, organizational structures,
17 and services of the Department in assisting veterans
18 in readjusting to civilian life; and

19 “(iv) provide on-going advice on the most ap-
20 propriate means of responding to the readjustment
21 needs of future veterans.

22 “(B) In carrying out its duties under subparagraph
23 (A), the Committee shall take into special account veter-
24 ans of the Vietnam era, and the readjustment needs of
25 such veterans.

1 “(c)(1) Not later than March 31 of each year, the
2 Committee shall submit to the Secretary a report on the
3 programs and activities of the Department that relate to
4 the readjustment of veterans to civilian life. Each such
5 report shall include—

6 “(A) an assessment of the needs of veterans
7 with respect to readjustment to civilian life;

8 “(B) a review of the programs and activities of
9 the Department designed to meet such needs; and

10 “(C) such recommendations (including rec-
11 ommendations for administrative and legislative ac-
12 tion) as the Committee considers appropriate.

13 “(2) Not later than 90 days after the receipt of each
14 report under paragraph (1), the Secretary shall transmit
15 to the Committees on Veterans’ Affairs of the Senate and
16 House of Representatives a copy of the report, together
17 with any comments and recommendations concerning the
18 report that the Secretary considers appropriate.

19 “(3) The Committee may also submit to the Sec-
20 retary such other reports and recommendations as the
21 Committee considers appropriate.

22 “(4) The Secretary shall submit with each annual re-
23 port submitted to the Congress pursuant to section 529
24 of this title a summary of all reports and recommendations
25 of the Committee submitted to the Secretary since the pre-

1 vious annual report of the Secretary submitted pursuant
2 to that section.

3 “(d)(1) Except as provided in paragraph (2), the pro-
4 visions of the Federal Advisory Committee Act (5 U.S.C.
5 App.) shall apply to the activities of the Committee under
6 this section.

7 “(2) Section 14 of such Act shall not apply to the
8 Committee.”.

9 (2) The table of sections at the beginning of chapter
10 17 of such title is amended by inserting after the item
11 relating to section 1712B the following:

“1712C. Advisory Committee on Veteran Readjustment Counseling.”.

12 (b) ORIGINAL MEMBERS.—(1) Notwithstanding sub-
13 section (a)(2) of section 1712C of title 38, United States
14 Code (as added by subsection (a)), the members of the
15 Advisory Committee on the Readjustment of Vietnam and
16 Other War Veterans on the date of the enactment of this
17 Act shall be the original members of the advisory commit-
18 tee established under that section.

19 (2) The original members shall so serve until the Sec-
20 retary of Veterans Affairs carries out appointments under
21 such subsection (a)(2). The Secretary shall carry out such
22 appointments as soon as is practicable. The Secretary may
23 make such appointments from among such original mem-
24 bers.

1 **SEC. 7. PILOT PROGRAM FOR TREATMENT OF POST-TRAU-**
2 **MATIC STRESS DISORDER.**

3 (a) ESTABLISHMENT OF PROGRAM.—(1) Subchapter
4 II of chapter 17 of title 38, United States Code, is amend-
5 ed by adding at the end the following new section:

6 **“§ 1720E. Treatment and rehabilitation for post-trau-**
7 **matic stress disorder; pilot program**

8 “(a)(1) The Secretary, in furnishing hospital, nursing
9 home, and domiciliary care and medical and rehabilitative
10 services under this chapter, shall conduct a pilot program
11 under which the Secretary may contract for care and
12 treatment and rehabilitative services in halfway houses,
13 therapeutic communities, psychiatric residential treatment
14 centers, and other community based treatment facilities
15 for eligible veterans suffering from post-traumatic stress
16 disorder. Such pilot program shall be planned, designed,
17 and conducted by the Under Secretary for Health, with
18 the approval of the Secretary, so as to demonstrate any
19 medical advantages and cost effectiveness that may result
20 from furnishing such care and services to veterans with
21 post-traumatic stress disorder in contract facilities as au-
22 thorized by this section, rather than in facilities over which
23 the Secretary has direct jurisdiction.

24 “(2) Before furnishing such care and services to a
25 veteran through a contract facility as authorized by para-
26 graph (1), the Secretary shall approve (in accordance with

1 criteria which the Secretary shall prescribe by regulation)
2 the quality and effectiveness of the program operated by
3 such facility for the purpose for which such veteran is to
4 be furnished such care and services.

5 “(b) The Secretary, in consultation with the Sec-
6 retary of Labor and the Director of the Office of Person-
7 nel Management, shall take appropriate steps to—

8 “(1) urge all Federal agencies and appropriate
9 private and public firms, organizations, agencies,
10 and persons to provide appropriate employment and
11 training opportunities for veterans who have been
12 provided treatment and rehabilitative services under
13 this title for post-traumatic stress disorder and have
14 been determined by competent medical authority to
15 be sufficiently rehabilitated to be employable; and

16 “(2) provide all possible assistance to the Sec-
17 retary of Labor in placing such veterans in such op-
18 portunities.

19 “(c) Upon receipt of an application for treatment and
20 rehabilitative services under this title for post-traumatic
21 stress disorder from any individual who has been dis-
22 charged or released from active military, naval, or air serv-
23 ices but who is not eligible for such treatment and serv-
24 ices, the Secretary shall—

1 “(1) provide referral services to assist such in-
2 dividual, to the maximum extent practicable, in ob-
3 taining treatment and rehabilitative services from
4 sources outside the Department; and

5 “(2) if pertinent, advise such individual of such
6 individual’s rights to apply to the appropriate mili-
7 tary, naval, or air service and the Department for
8 review of such individual’s discharge or release from
9 such service.

10 “(d) The capacity of the pilot program under sub-
11 section (a) shall be maintained at 500 eligible individuals.

12 “(e) The Secretary may not furnish care and treat-
13 ment and rehabilitative services under subsection (a) after
14 the last day of the fifth fiscal year following the fiscal year
15 during which the pilot program authorized by that sub-
16 section is begun.

17 “(f) Not later than March 31, 1998, the Secretary
18 shall submit to the Committee on Veterans’ Affairs of the
19 Senate and House of Representatives a report on the find-
20 ings and recommendations of the Secretary pertaining to
21 the operation through September 30, 1997, of the pilot
22 program authorized by subsection (a).

23 “(g) The authority of the Secretary to enter into con-
24 tracts under this section shall be effective for any fiscal

1 year only to such extent or in such amounts as are provided in appropriation Acts.”.

3 (2) The table of sections at the beginning of chapter
4 17 of such title is amended by inserting after the item
5 relating to section 1720D the following:

“1720E. Treatment and rehabilitation for post-traumatic stress disorder; pilot program.”.

6 (b) EFFECTIVE DATE.—The Secretary of Veterans
7 Affairs may not furnish care and treatment and rehabilita-
8 tion services under subsection (a) of section 1720E of title
9 38, United States Code, as added by subsection (a), before
10 October 1, 1993.

11 **SEC. 8. REPORT ON POST-TRAUMATIC STRESS DISORDER**

12 **CONTRACT CARE.**

13 (a) EXAMINATION OF EFFECTIVENESS.—The Special
14 Committee on Post-Traumatic Stress Disorder of the
15 Under Secretary for Health, in consultation with the Advi-
16 sory Committee on Veteran Readjustment Counseling,
17 shall examine the effectiveness of contracts for the treat-
18 ment of post-traumatic stress disorder with private facili-
19 ties and therapists under section 1712A(e) of title 38,
20 United States Code.

21 (b) REPORT.—Not later than December 31, 1994,
22 the Special Committee shall submit to the Committees on
23 Veterans’ Affairs of the Senate and House of Representa-

1 tives a report of its findings and recommendations per-
2 taining to—

3 (1) establishing stable funding for post-trau-
4 matic stress disorder contract care, and

5 (2) the availability of post-traumatic stress dis-
6 order contract care for eligible individuals in rural
7 areas and such individuals who are not currently
8 well-served by other Department of Veterans Affairs
9 medical services.

10 **SEC. 9. USE OF SCHOLARSHIP AND TUITION REIMBURSE-**
11 **MENT PROGRAMS FOR MENTAL HEALTH PRO-**
12 **FESSIONALS.**

13 In administering the Health Professionals Edu-
14 cational Assistance Program under chapter 76 of title 38,
15 United States Code, the Secretary of Veterans Affairs
16 shall seek to encourage the participation of individuals in
17 the program who desire to become psychologists, psychia-
18 trists, social workers, psychiatric nurses, and other profes-
19 sionals specializing in the treatment of post-traumatic
20 stress disorder. The Secretary shall designate, pursuant
21 to section 7612(b)(3) of that title, additional fields of edu-
22 cation or training that may be beneficial for the treatment
23 of veterans suffering from post-traumatic stress disorder.

1 **SEC. 10. POST-TRAUMATIC STRESS DISORDER RESEARCH**
2 **PROGRAMS.**

3 (a) INTERMODAL APPROACH.—The Under Secretary
4 for Health of the Department of Veterans Affairs shall
5 conduct a research program to consider the most effective
6 treatment modalities for the treatment of post-traumatic
7 stress disorder. The research program shall be conducted
8 at at least one specialized inpatient post-traumatic stress
9 disorder unit (SIPU), at least one post-traumatic stress
10 disorder clinical team (PCT), and at least one veterans
11 readjustment center, as designated by the Under Sec-
12 retary. The Under Secretary shall report the findings of
13 such program to the Committees on Veterans' Affairs of
14 the Senate and House of Representatives not later than
15 December 31, 1997.

16 (b) INVOLVEMENT OF FAMILY MEMBERS.—The
17 Under Secretary shall conduct a research program con-
18 cerning the effectiveness of involving the family in the
19 treatment of post-traumatic stress disorder. The Under
20 Secretary shall report the findings of such program to the
21 Committees on Veterans' Affairs of the Senate and House
22 of Representatives not later than December 31, 1996.

23 (c) IMPLEMENTATION.—The Under Secretary shall
24 carry out subsections (a) and (b) through the National
25 Center on Post-Traumatic Stress Disorder.

1 (d) ADVICE.—The Under Secretary shall carry out
2 subsections (a) and (b) in consultation with the Special
3 Committee on Post-Traumatic Stress Disorder and the
4 Advisory Committee on Veterans Readjustment Counsel-
5 ing.

6 **SEC. 11. EXPANSION OF THE POST-TRAUMATIC STRESS DIS-**
7 **ORDER CLINICAL TEAM PROGRAM.**

8 (a) POLICY.—It shall be the policy of the Secretary
9 of Veterans Affairs to implement the recommendations of
10 the Special Committee on Post-Traumatic Stress Disorder
11 to establish and operate post-traumatic stress disorder
12 clinical teams (PCTs) at Department medical centers
13 which provide mental health services. In operating such
14 teams, the Secretary shall ensure that the services of such
15 teams are available to all eligible veterans.

16 (b) INCREASE IN NUMBER OF PCTs.—The Secretary
17 shall increase the number of clinical teams existing on the
18 date of the enactment of this Act by not less than 50.
19 Of such number—

20 (1) not less than 15 such units shall be estab-
21 lished by December 31, 1994;

22 (2) not less than a total of 30 such units shall
23 be established by December 31, 1995;

24 (3) not less than a total of 40 such units shall
25 be established by December 31, 1996; and

1 (4) not less than a total of 50 such units shall
2 be established by December 31, 1997.

3 (c) LOCATIONS OF NEW PCTs.—In establishing new
4 post-traumatic stress disorder clinical teams pursuant to
5 subsection (a), the Secretary shall first locate teams at
6 medical centers that do not have a specialized inpatient
7 post-traumatic stress disorder unit (SIPU) and do not
8 have an affiliated Vet Center.

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