

**Suspend the Rules And Pass the Bill, H.R. 5953, with Amendments**

**(The amendments strike all after the enacting clause and insert a new text and a new title)**

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5953

To direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights.

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IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mr. FILNER introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights.

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. DISPLAY OF WOMEN VETERANS BILL OF**  
4 **RIGHTS.**

5 (a) DISPLAY.—The Secretary of Veterans Affairs  
6 shall ensure that the Women Veterans Bill of Rights de-  
7 scribed in subsection (b) is printed on signs in accessible

1 formats and displayed prominently and conspicuously in  
2 each facility of the Department of Veterans Affairs and  
3 distributed widely to women veterans.

4 (b) WOMEN VETERANS BILL OF RIGHTS.—The  
5 Women Veterans Bill of Rights described in this sub-  
6 section is a sign stating that women veterans should have  
7 the following rights:

8 (1) The right to a coordinated, comprehensive,  
9 primary women’s health care, at every Department  
10 of Veterans Affairs medical facility, including the  
11 recognized models of best practices, systems, and  
12 structures for care delivery that ensure that every  
13 woman veteran has access to a Department of Vet-  
14 erans Affairs primary care provider who can meet all  
15 her primary care needs, including gender-specific,  
16 acute and chronic illness, preventive, and mental  
17 health care.

18 (2) The right to be treated with dignity and re-  
19 spect at all Department of Veterans Affairs facili-  
20 ties.

21 (3) The right to innovation in care delivery pro-  
22 moted and incentivized by the Veterans Health Ad-  
23 ministration to support local best practices fitted to  
24 the particular configuration and women veteran pop-  
25 ulation.

1           (4) The right to request and get treatment by  
2           clinicians with specific training and experience in  
3           women's health issues.

4           (5) The right to enhanced capabilities of med-  
5           ical providers, clinical support, non-clinical, and ad-  
6           ministrative, to meet the comprehensive health care  
7           needs of women veterans.

8           (6) The right to request and expect gender eq-  
9           uity in provision of clinical health care services.

10          (7) The right to equal access to health care  
11          services as that of their male counterparts.

12          (8) The right to parity to their male veteran  
13          counterpart regarding the outcome of performance  
14          measures of health care services.

15          (9) The right to be informed, through outreach  
16          campaigns, of benefits under laws administered by  
17          the Secretary of Veterans Affairs and to be included  
18          in Department outreach materials for any benefits  
19          and service to which they are entitled.

20          (10) The right to be featured proportionately,  
21          including by age and ethnicity, in Department out-  
22          reach materials, including electronic and print media  
23          that clearly depict them as being the recipient of the  
24          benefits and services provided by the Department.

1           (11) The right to be recognized as an important  
2           separate population in new strategic plans for serv-  
3           ice delivery within the health care system of the De-  
4           partment of Veterans Affairs.

5           (12) The right to equal consideration in hiring  
6           and employment for any job to which they apply.

7           (13) The right to equal consideration in secur-  
8           ing Federal contracts.

9           (14) The right to equal access and accommoda-  
10          tions in homeless programs that will meet their  
11          unique family needs.

12          (15) The right to have their claims adjudicated  
13          equally, fairly, and accurately without bias or dis-  
14          parate treatment.

15          (16) The right to have their military sexual  
16          trauma and other injuries compensated in a way  
17          that reflects the level of trauma sustained.

18          (17) The right to expect that all veteran service  
19          officers, especially those who are trained by the De-  
20          partment of Veterans Affairs Training Responsibility  
21          Involvement Preparation program for claims proc-  
22          essing, are required to receive training to be aware  
23          of and sensitive to the signs of military sexual trau-  
24          ma, domestic violence, and personal assault.

1           (18) The right to the availability of female per-  
2           sonnel to assist them in the disability claims applica-  
3           tion and appellate processes of the Department.

4           (19) The right to the availability of female com-  
5           pensation and pension examiners.

6           (20) The right to expect specialized training be  
7           provided to disability rating personnel regarding  
8           military sexual trauma and gender-specific illnesses  
9           so that these claims can be adjudicated more accu-  
10          rately.

11          (21) The right to expect the collection of gen-  
12          der-specific data on disability ratings, for the per-  
13          formance of longitudinal and trend analyses, and for  
14          other applicable purposes.

15          (22) The right to a method to identify and  
16          track outcomes for all claims involving personal as-  
17          sault trauma, regardless of the resulting disability.

18          (23) The right for women veterans' programs  
19          and women veteran coordinators to be measured and  
20          evaluated for performance, consistency, and account-  
21          ability.

22          (24) The right to burial benefits under the laws  
23          administered by the Secretary of Veterans Affairs.

1 **SEC. 2. DISPLAY OF INJURED AND AMPUTEE VETERANS**  
2 **BILL OF RIGHTS.**

3 (a) DISPLAY.—The Secretary of Veterans Affairs  
4 shall ensure that the Injured and Amputee Veterans Bill  
5 of Rights described in subsection (b) is printed on signs  
6 in accessible formats and displayed prominently and con-  
7 spicuously in each prosthetics and orthotics clinic of the  
8 Department of Veterans Affairs.

9 (b) INJURED AND AMPUTEE VETERANS BILL OF  
10 RIGHTS.—The Injured and Amputee Veterans Bill of  
11 Rights described in this subsection is a statement that in-  
12 jured and amputee veterans should have the following  
13 rights:

14 (1) The right to access the highest quality pros-  
15 thetic and orthotic care, including the right to the  
16 most appropriate technology and best qualified prac-  
17 titioners.

18 (2) The right to continuity of care in the transi-  
19 tion from the Department of Defense health pro-  
20 gram to the Department of Veterans Affairs health  
21 care system, including comparable benefits relating  
22 to prosthetic and orthotic services.

23 (3) The right to select the practitioner that best  
24 meets their orthotic and prosthetic needs, whether or  
25 not that practitioner is an employee of the Depart-  
26 ment of Veterans Affairs, a private practitioner who

1 has entered into a contract with the Secretary of  
2 Veterans Affairs to provide prosthetic and orthotic  
3 services, or a private practitioner with specialized ex-  
4 pertise.

5 (4) The right to consistent and portable health  
6 care, including the right to obtain comparable serv-  
7 ices and technology at any medical facility of the  
8 Department of Veterans Affairs across the country.

9 (5) The right to timely and efficient prosthetic  
10 and orthotic care, including a speedy authorization  
11 process with expedited authorization available for  
12 veterans visiting from another area of the country.

13 (6) The right to play a meaningful role in reha-  
14 bilitation decisions, including the right to receive a  
15 second opinion regarding prosthetic and orthotic  
16 treatment options.

17 (7) The right to receive appropriate treatment,  
18 including the right to receive both a primary pros-  
19 thesis or orthosis and a functional spare.

20 (8) The right to be treated with respect and  
21 dignity and have an optimal quality of life both dur-  
22 ing and after rehabilitation.

23 (9) The right to transition and readjust to civil-  
24 ian life in an honorable manner, including by having

1 ample access to vocational rehabilitation, employ-  
2 ment programs, and housing assistance.

3 (c) MONITORING AND RESOLUTION OF COM-  
4 PLAINTS.—

5 (1) IN GENERAL.—The Secretary of Veterans  
6 Affairs, acting through the veteran liaison at each  
7 medical center of the Department of Veterans Af-  
8 fairs, shall collect information relating to the alleged  
9 mistreatment of injured and amputee veterans.

10 (2) QUARTERLY REPORTS.—For each fiscal  
11 quarter, the veteran liaison at each medical center of  
12 the Department shall submit to the Chief Consultant  
13 of Prosthetics and Sensory Aids of the Department  
14 a report on any information collected under para-  
15 graph (1) during that quarter.

16 (3) INVESTIGATION AND ADDRESSING OF COM-  
17 PLAINTS.—The Chief Consultant, in cooperation  
18 with appropriate employees of a medical center of  
19 the Department, shall investigate and address any  
20 information collected under paragraph (1) at that  
21 medical center.

22 **SEC. 3. EDUCATION AND OUTREACH.**

23 (a) EDUCATION OF DEPARTMENT EMPLOYEES.—The  
24 Secretary of Veterans Affairs shall ensure that—



1           (1) all employees of the Department of Vet-  
2           erans Affairs receive training on the Women Vet-  
3           erans Bill of Rights described in section 1; and

4           (2) employees of the Department who work at  
5           prosthetics and orthotics clinics and who work as pa-  
6           tient advocates with veterans who receive care at  
7           such clinics, including Federal recovery coordinators  
8           and case managers, receive training on the Injured  
9           and Amputee Veterans Bill of Rights described in  
10          section 2.

11          (b) **OUTREACH TO VETERANS.**—The Secretary of  
12          Veterans Affairs shall conduct outreach to inform veterans  
13          about the Women Veterans Bill of Rights described in sec-  
14          tion 1 and the Injured and Amputee Veterans Bill of  
15          Rights described in section 2 by—

16               (1) ensuring that such Bills of Rights are avail-  
17               able on the Internet website of the Department of  
18               Veterans Affairs; and

19               (2) conducting other types of outreach targeted  
20               at specific groups of veterans, which may include  
21               outreach conducted on other Internet websites or  
22               through veterans service organizations.

1 **SEC. 4. EXCLUSION OF CERTAIN SERVICES.**

2       Nothing in this Act shall be construed to establish  
3 a right to any service excluded under 38 C.F.R. 17.38,  
4 as in effect on the date of the enactment of this Act.

      Amend the title so as to read: “A bill to direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights and to display in each prosthetics and orthotics clinic of the Department an Injured and Amputee Veterans Bill of Rights, and for other purposes.”.