

111TH CONGRESS
1ST SESSION

H. R. 1211

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2009

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Women Veterans Health Care Improvement Act”.

4 (b) **TABLE OF CONTENTS.**—The table of contents of
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—STUDIES AND ASSESSMENTS OF DEPARTMENT OF
VETERANS AFFAIRS HEALTH SERVICES FOR WOMEN VETERANS**

Sec. 101. Study of barriers for women veterans to health care from the Department of Veterans Affairs.

Sec. 102. Comprehensive assessment of women’s health care programs of the Department of Veterans Affairs.

**TITLE II—IMPROVEMENT AND EXPANSION OF HEALTH CARE
PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR
WOMEN VETERANS**

Sec. 201. Medical care for newborn children of women veterans receiving maternity care.

Sec. 202. Training and certification for mental health care providers of the Department of Veterans Affairs on care for veterans suffering from sexual trauma and post-traumatic stress disorder.

Sec. 203. Pilot program for provision of child care assistance to certain veterans receiving certain types of health care services at Department facilities.

Sec. 204. Addition of recently separated women and minority veterans to serve on advisory committees.

6 **TITLE I—STUDIES AND ASSESS-**
7 **MENTS OF DEPARTMENT OF**
8 **VETERANS AFFAIRS HEALTH**
9 **SERVICES FOR WOMEN VET-**
10 **ERANS**

11 **SEC. 101. STUDY OF BARRIERS FOR WOMEN VETERANS TO**
12 **HEALTH CARE FROM THE DEPARTMENT OF**
13 **VETERANS AFFAIRS.**

14 (a) **STUDY REQUIRED.**—The Secretary of Veterans
15 Affairs shall conduct a comprehensive study of the bar-

1 riers to the provision of comprehensive health care by the
2 Department of Veterans Affairs encountered by women
3 who are veterans. In conducting the study, the Secretary
4 shall—

5 (1) survey women veterans who seek or receive
6 hospital care or medical services provided by the De-
7 partment of Veterans Affairs as well as women vet-
8 erans who do not seek or receive such care or serv-
9 ices;

10 (2) build on the work of the study of the De-
11 partment of Veterans Affairs entitled “National Sur-
12 vey of Women Veterans in Fiscal Year 2007–2008”;

13 (3) administer the survey to a representative
14 sample of women veterans from each Veterans Inte-
15 grated Service Network; and

16 (4) ensure that the sample of women veterans
17 surveyed is of sufficient size for the study results to
18 be statistically significant and is a larger sample
19 than that of the study of the Department of Vet-
20 erans Affairs entitled “National Survey of Women
21 Veterans in Fiscal Year 2007–2008”.

22 (b) ELEMENTS OF STUDY.—In conducting the study
23 required by subsection (a), the Secretary of Veterans Af-
24 fairs shall conduct research on the effects of the following
25 on the women veterans surveyed in the study:

1 (1) The perceived stigma associated with seek-
2 ing mental health care services.

3 (2) The effect of driving distance or availability
4 of other forms of transportation to the nearest med-
5 ical facility on access to care.

6 (3) The availability of child care.

7 (4) The acceptability of integrated primary
8 care, women's health clinics, or both.

9 (5) The comprehension of eligibility require-
10 ments for, and the scope of services available under,
11 hospital care and medical services.

12 (6) The perception of the personal safety and
13 comfort of women veterans in inpatient, outpatient,
14 and behavioral health facilities of the Department.

15 (7) The gender sensitivity of health care pro-
16 viders and staff to issues that particularly affect
17 women.

18 (8) The effectiveness of outreach for health care
19 services available to women veterans.

20 (9) The location and operating hours of health
21 care facilities that provide services to women vet-
22 erans.

23 (10) Such other significant barriers as the Sec-
24 retary of Veterans Affairs may identify.

1 (c) AUTHORITY TO ENTER INTO CONTRACTS.—The
2 Secretary of Veterans Affairs shall enter into a contract
3 with a qualified independent entity or organization to
4 carry out the studies and research required under this sec-
5 tion.

6 (d) MANDATORY REVIEW OF DATA BY CERTAIN DI-
7 VISIONS WITHIN THE DEPARTMENT.—

8 (1) IN GENERAL.—The Secretary of Veterans
9 Affairs shall ensure that the head of each division of
10 the Department of Veterans Affairs specified in
11 paragraph (2) reviews the results of the study con-
12 ducted under this section. The head of each such di-
13 vision shall submit findings with respect to the study
14 to the Under Secretary for Health and to other per-
15 tinent program offices within the Department of
16 Veterans Affairs with duties relating to health care
17 services for women veterans.

18 (2) SPECIFIED DIVISIONS OF THE DEPART-
19 MENT.—The divisions of the Department of Vet-
20 erans Affairs specified in this paragraph are—

21 (A) the Center for Women Veterans, estab-
22 lished under section 318 of title 38, United
23 States Code; and

1 (B) the Advisory Committee on Women
2 Veterans, established under section 542 of title
3 38, United States Code.

4 (e) REPORTS.—

5 (1) REPORT ON IMPLEMENTATION.—Not later
6 than 6 months after the date on which the Depart-
7 ment of Veterans Affairs publishes a final report on
8 the study entitled “National Survey of Women Vet-
9 erans in Fiscal Year 2007–2008”, the Secretary of
10 Veterans Affairs shall submit to Congress a report
11 on the status of the implementation of the section.

12 (2) REPORT ON STUDY.—Not later than 30
13 months after the date on which the Department
14 publishes such final report, the Secretary of Vet-
15 erans Affairs shall submit to Congress a report on
16 the study required under this section. The report
17 shall include recommendations for such administra-
18 tive and legislative action as the Secretary of Vet-
19 erans Affairs determines to be appropriate. The re-
20 port shall also include the findings of the head of
21 each specified division of the Department and of the
22 Under Secretary for Health.

23 (f) DEFINITION OF FACILITY OF THE DEPART-
24 MENT.—In this section the term “facility of the Depart-

1 ment” has the meaning given that term in section 1701(3)
2 of title 38, United States Code.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to the Secretary of Veterans
5 Affairs \$4,000,000 to carry out this section.

6 **SEC. 102. COMPREHENSIVE ASSESSMENT OF WOMEN’S**
7 **HEALTH CARE PROGRAMS OF THE DEPART-**
8 **MENT OF VETERANS AFFAIRS.**

9 (a) IN GENERAL.—The Secretary of Veterans Affairs
10 shall conduct a comprehensive assessment of all health
11 care services and programs provided by the Department
12 of Veterans Affairs for the health care needs of women
13 veterans. Such comprehensive assessment shall include as-
14 sessments of specialized programs for women with post-
15 traumatic stress disorder, for women who are homeless,
16 for women who require care for substance abuse or mental
17 illnesses, and for women who require obstetric and
18 gynecologic care.

19 (b) SPECIFIC MATTERS STUDIED.—

20 (1) IDENTIFICATION OF PROGRAMS.—For each
21 medical facility of the Department of Veterans Af-
22 fairs, the Secretary of Veterans Affairs shall identify
23 each of the following types of programs for women
24 veterans provided by the Department and determine
25 whether effective health care services, including evi-

1 denced-based health care services, are readily avail-
2 able to and easily accessed by women veterans:

3 (A) Health promotion programs, including
4 reproductive health promotion programs.

5 (B) Disease prevention programs.

6 (C) Health care programs.

7 (2) IDENTIFICATION OF RELEVANT ISSUES.—In
8 making such determination, the Secretary of Vet-
9 erans Affairs shall identify, for each medical facility
10 of the Department of Veterans Affairs—

11 (A) the frequency with which such services
12 are available and provided,

13 (B) the demographics of the women vet-
14 erans population,

15 (C) the sites where such services are avail-
16 able and provided, and

17 (D) whether, and to what extent, waiting
18 lists, geographic distance, and other factors ob-
19 struct the receipt of any of such services at any
20 such site.

21 (c) AUTHORITY TO ENTER INTO A CONTRACT.—The
22 Secretary of Veterans Affairs shall enter into a contract
23 with a qualified independent entity or organization to
24 carry out the studies and research required under this sec-
25 tion.

1 (d) DEVELOPMENT OF PLAN TO IMPROVE SERV-
2 ICES.—

3 (1) PLAN REQUIRED.—After conducting the
4 comprehensive assessment required by subsection
5 (a), the Secretary of Veterans Affairs shall develop
6 a plan to improve the provision of health care serv-
7 ices to women veterans and to project the future
8 health care needs, including the mental health care
9 needs of women serving in the combat theaters of
10 Operation Enduring Freedom and Operation Iraqi
11 Freedom.

12 (2) LIST OF SERVICES.—In developing the plan
13 under this subsection, the Secretary of Veterans Af-
14 fairs shall list the types of services available for
15 women veterans at each medical center of the De-
16 partment.

17 (e) REPORT.—Not later than one year after the date
18 of the enactment of this Act, the Secretary of Veterans
19 Affairs shall submit to Congress a report on the assess-
20 ment conducted pursuant to subsection (a) and the plan
21 required under subsection (d). The report shall include
22 recommendations for such administrative and legislative
23 action as the Secretary of Veterans Affairs determines to
24 be appropriate.

1 (f) GAO REPORT.—Not later than 6 months after
2 the date on which the Secretary of Veterans Affairs sub-
3 mits the report required under subsection (e), the Comp-
4 troller General shall submit to Congress a report con-
5 taining the findings of the Comptroller General with re-
6 spect to the report of the Secretary, which may include
7 such recommendations for administrative or legislative ac-
8 tions as the Comptroller General determines to be appro-
9 priate.

10 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Secretary of Veterans
12 Affairs \$5,000,000 to carry out this section.

13 **TITLE II—IMPROVEMENT AND**
14 **EXPANSION OF HEALTH CARE**
15 **PROGRAMS OF THE DEPART-**
16 **MENT OF VETERANS AFFAIRS**
17 **FOR WOMEN VETERANS**

18 **SEC. 201. MEDICAL CARE FOR NEWBORN CHILDREN OF**
19 **WOMEN VETERANS RECEIVING MATERNITY**
20 **CARE.**

21 (a) NEWBORN CARE.—Subchapter VIII of chapter
22 17 of title 38, United States Code, is amended by adding
23 at the end the following new section:

1 **“§ 1786. Hospital care and medical services for new-**
2 **born children of women veterans receiv-**
3 **ing maternity care**

4 “In the case of a child of a woman veteran who is
5 receiving hospital care or medical services at a Depart-
6 ment facility (or in another facility pursuant to a contract
7 entered into by the Secretary) relating to the birth of that
8 child, the Secretary may furnish hospital care and medical
9 services to that child at that facility during the seven-day
10 period beginning on the date of the birth of the child.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 17 of such title is amended
13 by inserting after the item relating to section 1785 the
14 following new item:

“1786. Hospital care and medical services for newborn children of women vet-
erans receiving maternity care.”.

15 **SEC. 202. TRAINING AND CERTIFICATION FOR MENTAL**
16 **HEALTH CARE PROVIDERS OF THE DEPART-**
17 **MENT OF VETERANS AFFAIRS ON CARE FOR**
18 **VETERANS SUFFERING FROM SEXUAL TRAU-**
19 **MA AND POST-TRAUMATIC STRESS DIS-**
20 **ORDER.**

21 Section 1720D of title 38, United States Code, is
22 amended—

23 (1) by redesignating subsection (d) as sub-
24 section (f); and

1 (2) by inserting after subsection (c) the fol-
2 lowing new subsections:

3 “(d) The Secretary shall carry out a program to pro-
4 vide graduate medical education, training, certification,
5 and continuing medical education for mental health pro-
6 fessionals who provide counseling, care, and services under
7 subsection (a). In carrying out such program, the Sec-
8 retary shall ensure that all such mental health profes-
9 sionals have been trained in a consistent manner and that
10 such training includes principles of evidence-based treat-
11 ment and care for sexual trauma and post-traumatic
12 stress disorder.

13 “(e) The Secretary shall submit to Congress an an-
14 nual report on the counseling, care, and services provided
15 to veterans pursuant to this section. Each report shall in-
16 clude data for the year covered by the report with respect
17 to each of the following:

18 “(1) The number of mental health profes-
19 sionals, graduate medical education trainees, and
20 primary care providers who have been certified
21 under the program required by subsection (d) and
22 the amount and nature of continuing medical edu-
23 cation provided under such program to such profes-
24 sionals, trainees, and providers who are so certified.

1 “(2) The number of women veterans who re-
2 ceived counseling and care and services under sub-
3 section (a) from professionals and providers who re-
4 ceived training under subsection (d).

5 “(3) The number of graduate medical edu-
6 cation, training, certification, and continuing med-
7 ical education courses provided by reason of sub-
8 section (d).

9 “(4) The number of trained full-time equivalent
10 employees required in each facility of the Depart-
11 ment to meet the needs of veterans requiring treat-
12 ment and care for sexual trauma and post-traumatic
13 stress disorder.

14 “(5) Any recommended improvements for treat-
15 ing women veterans with sexual trauma and post-
16 traumatic stress disorder.

17 “(6) Such other information as the Secretary
18 determines to be appropriate.”.

19 **SEC. 203. PILOT PROGRAM FOR PROVISION OF CHILD CARE**
20 **ASSISTANCE TO CERTAIN VETERANS RECEIV-**
21 **ING CERTAIN TYPES OF HEALTH CARE SERV-**
22 **ICES AT DEPARTMENT FACILITIES.**

23 (a) IN GENERAL.—

24 (1) PILOT PROGRAM REQUIRED.—Not later
25 than six months after the date of the enactment of

1 this Act, the Secretary of Veterans Affairs shall
2 carry out a two-year pilot program under which,
3 subject to paragraph (2), the Secretary shall provide
4 child care assistance to a qualified veteran child care
5 needed by the veteran during the period of time de-
6 scribed in paragraph (3).

7 (2) FORM OF CHILD CARE ASSISTANCE.—Child
8 care assistance under this section may include—

9 (A) stipends for the payment of child care
10 offered by licensed child care centers (either di-
11 rectly or through a voucher program);

12 (B) the development of partnerships with
13 private agencies;

14 (C) collaboration with facilities or pro-
15 grams of other Federal departments or agen-
16 cies; and

17 (D) the arrangement of after-school care.

18 (3) PERIOD OF TIME.—Child care assistance
19 under the pilot program may only be provided for
20 the period of time that the qualified veteran—

21 (A) receives a health care service referred
22 to in paragraph (4) at a facility of the Depart-
23 ment; and

1 (B) requires to travel to and return from
2 such facility for the receipt of such health care
3 service.

4 (4) QUALIFIED VETERAN DEFINED.—In this
5 section, the term “qualified veteran” means a vet-
6 eran who is the primary caretaker of a child and
7 who is receiving from the Department of Veterans
8 Affairs one or more of the following health care serv-
9 ices:

10 (A) Regular mental health care services.

11 (B) Intensive mental health care services.

12 (C) Any other intensive health care serv-
13 ices for which the Secretary determines that the
14 provision of child care would improve access by
15 qualified veterans.

16 (5) LOCATION OF PILOT PROGRAM.—The Sec-
17 retary shall carry out the pilot program at no fewer
18 than three Veterans Integrated Service Networks.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to the Secretary of Veterans
21 Affairs \$1,500,000 for each of fiscal years 2010 and 2011
22 to carry out the pilot program under this section.

23 (c) REPORT.—Not later than six months after the
24 completion of the pilot program, the Secretary shall sub-
25 mit to Congress a report on the pilot program and shall

1 include recommendations for the continuation or expansion of the pilot program.

3 **SEC. 204. ADDITION OF RECENTLY SEPARATED WOMEN**
4 **AND MINORITY VETERANS TO SERVE ON AD-**
5 **VISORY COMMITTEES.**

6 (a) ADVISORY COMMITTEE ON WOMEN VETERANS.—
7 Subsection (a)(2)(A) of section 542 of title 38, United
8 States Code, is amended—

9 (1) by striking “and” at the end of clause (ii);

10 (2) by striking the period at the end of clause

11 (iii) and inserting “; and”; and

12 (3) by inserting after clause (iii) the following
13 new clause:

14 “(iv) women who are recently separated veterans.”.

16 (b) ADVISORY COMMITTEE ON MINORITY VET-
17 ERANS.—Subsection (a)(2)(A) of section 544 of title 38,
18 United States Code, is amended—

19 (1) by striking “and” at the end of clause (iii);

20 (2) by striking the period at the end of clause

21 (iv) and inserting “; and”; and

22 (3) by inserting after clause (iv) the following
23 new clause:

24 “(v) recently separated veterans who are minority group members.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall first apply to appointments made on or
3 after the date of the enactment of this Act.

Passed the House of Representatives June 23, 2009.

Attest: LORRAINE C. MILLER,
Clerk.