

S 1606

Dignified Treatment of Wounded Warriors Act

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Jun 13, 2007

Current Status: Sponsor introductory remarks on measure. (CR S9858)

Latest Action: Sponsor introductory remarks on measure. (CR S9858) (Jul 25, 2007)

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Sponsor

Name: Sen. Levin, Carl [D-MI]

Party: Democratic • **State:** MI • **Chamber:** Senate

Cosponsors (46 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jun 13, 2007
Sen. Bayh, Evan [D-IN]	D · IN		Jun 13, 2007
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Sen. Byrd, Robert C. [D-WV]	D · WV		Jun 13, 2007
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Sen. Dole, Elizabeth [R-NC]	R · NC		Jun 13, 2007
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Sen. Kennedy, Edward M. [D-MA]	D · MA		Jun 13, 2007
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Jun 13, 2007
Sen. Martinez, Mel [R-FL]	R · FL		Jun 13, 2007
Sen. McCain, John [R-AZ]	R · AZ		Jun 13, 2007
Sen. McCaskill, Claire [D-MO]	D · MO		Jun 13, 2007
Sen. Murray, Patty [D-WA]	D · WA		Jun 13, 2007
Sen. Nelson, Ben [D-NE]	D · NE		Jun 13, 2007
Sen. Nelson, Bill [D-FL]	D · FL		Jun 13, 2007
Sen. Obama, Barack [D-IL]	D · IL		Jun 13, 2007
Sen. Pryor, Mark L. [D-AR]	D · AR		Jun 13, 2007
Sen. Reed, Jack [D-RI]	D · RI		Jun 13, 2007
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jun 13, 2007
Sen. Sanders, Bernard [I-VT]	I · VT		Jun 13, 2007
Sen. Sessions, Jeff [R-AL]	R · AL		Jun 13, 2007
Sen. Stabenow, Debbie [D-MI]	D · MI		Jun 13, 2007
Sen. Tester, Jon [D-MT]	D · MT		Jun 13, 2007
Sen. Thune, John [R-SD]	R · SD		Jun 13, 2007
Sen. Warner, John [R-VA]	R · VA		Jun 13, 2007
Sen. Webb, Jim [D-VA]	D · VA		Jun 13, 2007
Sen. Bingaman, Jeff [D-NM]	D · NM		Jun 19, 2007
Sen. Bond, Christopher S. [R-MO]	R · MO		Jun 19, 2007
Sen. Harkin, Tom [D-IA]	D · IA		Jun 19, 2007
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jun 19, 2007
Sen. Isakson, Johnny [R-GA]	R · GA		Jun 21, 2007
Sen. Klobuchar, Amy [D-MN]	D · MN		Jun 25, 2007
Sen. Salazar, Ken [D-CO]	D · CO		Jun 25, 2007
Sen. Lott, Trent [R-MS]	R · MS		Jun 26, 2007
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 26, 2007
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jul 11, 2007
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Jul 11, 2007

Cosponsor	Party / State	Role	Date Joined
Sen. Specter, Arlen [R-PA]	R · PA		Jul 12, 2007
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jul 13, 2007
Sen. Hagel, Chuck [R-NE]	R · NE		Jul 13, 2007
Sen. Schumer, Charles E. [D-NY]	D · NY		Jul 13, 2007
Sen. Landrieu, Mary L. [D-LA]	D · LA		Jul 19, 2007

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported By	Jun 18, 2007

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
110 HR 1538	Related bill	Sep 5, 2007: Senate ordered measure printed as passed.

Dignified Treatment of Wounded Warriors Act - Title I: Policy on Care, Management, and Transition of Servicemembers With Serious Injuries or Illnesses - (Sec. 101) Directs the Secretaries of Defense and Veterans Affairs (Secretaries) to: (1) jointly develop and implement a comprehensive policy on the care and management of members of the Armed Forces (members) who are undergoing medical treatment, recuperation, or therapy, are in medical hold or holdover status, or are otherwise on the temporary disability retired list for a serious injury or illness (recovering members); (2) jointly update the policy on a periodic basis (at least annually); and (3) jointly and separately review all policies and procedures of the Department of Defense (DOD) and Department of Veterans Affairs (VA) that apply to, or are covered by, the comprehensive policy. Requires such review to be completed within 90 days after the enactment of this Act. Directs the Secretaries, in developing the policy, to take into account specified findings, recommendations, and practices, including those of the Independent Review Group on Rehabilitative Care and Administrative Processes at Walter Reed Army Medical Center and National Naval Medical Center.

Requires the policy developed to include: (1) mechanisms to ensure responsibility for recovering members in medical hold or holdover status or on the temporary disability retired list; (2) processes, procedures, and standards for medical evaluations and physical disability evaluations of recovering members; (3) standards for determinations of the return of recovering members to active duty; (4) standards for the transition of recovering members from care and treatment by DOD to care and treatment by the VA before, during, and after separation from service; (5) VA access to military health records of recovering members; and (6) surveys and other mechanisms to measure patient and family satisfaction with the DOD and VA provision of care and services.

Requires a report from: (1) the Secretaries to the defense and veterans committees on the policy developed, as well as on policy updates; and (2) the Comptroller General (CG) annually to the defense and veterans committees assessing DOD and VA progress in developing and implementing the policy.

(Sec. 102) Requires the Secretaries, in developing and implementing the policy, to: (1) take into account and fully address any unique needs of women members and women veterans; and (2) include a description of such needs, and the manner in which they are addressed, in any reports required under the previous section.

Title II: Health Care - Subtitle A: Enhanced Availability of Care for Servicemembers - (Sec. 201) Entitles any recovering member and any former member with a severe injury or illness to medical and dental care in any military medical facility or through any civilian health care provider authorized by the Secretary of Defense (Secretary) to provide health and mental health services, including services for traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD). Authorizes such medical and dental care for three years beginning on the date: (1) of enactment of this Act, for those whose injury or illness was incurred on or after October 7, 2001, and before the enactment of this Act; and (2) on which the injury or illness is incurred, for those whose injury or illness occurs on or after the enactment of this Act. Authorizes the Secretary to waive any limitation on the provision of such care if considered appropriate to assure the maximum feasible recovery and rehabilitation of the member or former member. Prohibits the Secretary from providing such medical and dental care after December 31, 2012, if the Secretary has not provided such care to such member or former member before that date.

Entitles members with a severe injury or illness to rehabilitation and vocational benefits from the Secretary of Veterans Affairs. Authorizes the Secretary of the military department concerned to reimburse recovering members and former members with a severe injury or illness for certain expenses incurred in connection with the receipt of required medical care.

(Sec. 202) Requires the Secretary to provide reimbursement for reasonable travel expenses for follow-on specialty care and related services of a former member who incurred a disability while on active duty in a combat zone or in combat-related operations, is entitled to retired or retainer pay, and requires follow-up care, services, or supplies at a specific military treatment facility located more than 100 miles away from the member's residence.

Subtitle B: Care and Services for Dependents - (Sec. 211) Makes a family member of a recovering member eligible for medical care at a military treatment facility if the family member is: (1) on invitational orders while caring for the member; (2) a non-medical attendee caring for the member; or (3) receiving per-diem payments from DOD while caring for the member. Makes a family member who is eligible for medical care under (1), above, for more than 45 days during a one-year period also eligible for job placement services offered by DOD. Requires a report on the need for additional employment services and job protection for family members who are placed on leave or displaced from employment while caring for a recovering member.

Subtitle C: Traumatic Brain Injury and Post-Traumatic Stress Disorder - (Sec. 221) Directs the Secretary to report to Congress one or more comprehensive plans for DOD programs and activities to prevent, diagnose, mitigate, treat, and otherwise respond to TBI and PTSD in members.

(Sec. 222) Directs the Secretary to: (1) establish a protocol for the predeployment assessment and documentation of the cognitive functioning of a member who is deployed outside the United States, in order to facilitate the assessment of the postdeployment cognitive functioning of such member; (2) conduct up to three pilot projects to evaluate various mechanisms for use in the protocol; (3) report to the defense and veterans committees on the pilot projects; and (4) after completion of the pilot projects, establish the appropriate mechanism for use in the protocol. Authorizes appropriations.

(Sec. 223) Requires the Secretary to establish in DOD a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of TBI and PTSD. Requires reports on the establishment and operation of each center. Authorizes appropriations.

(Sec. 224) Directs the Secretaries to jointly: (1) conduct a comprehensive review of the need for mental health treatment and services, and the adequacy of existing treatment and services, for female members and veterans; (2) report on the review; and (3) develop a comprehensive policy to address the treatment and care of female members and veterans who experience mental health problems and conditions, including PTSD.

(Sec. 225) Authorizes appropriations to DOD for FY2008 for activities related to the improved diagnosis, treatment, and rehabilitation of members with: (1) TBI; or (2) PTSD.

(Sec. 226) Requires a report from the Secretary on progress in implementing requirements under the John Warner National Defense Authorization Act for Fiscal Year 2007 relating to: (1) a study on TBI incurred by members participating in Operations Iraqi Freedom and Enduring Freedom; (2) enhanced mental health screening and services for members; and (3) early diagnosis and treatment of PTSD and other mental health conditions of members. Requires an annual report to such committees, during 2008 through 2013, on amounts expended by DOD for the diagnosis, treatment, and rehabilitation of members with TBI or PTSD.

Subtitle D: Other Matters - (Sec. 231) Directs the Secretaries to: (1) develop and implement a joint electronic health record (joint record) for use by DOD and VA; and (2) accelerate the exchange of health care information between the two departments. Establishes the Department of Defense-Department of Veterans Affairs Interagency Program Office for a Joint Electronic Health Record, with a Director and Deputy Director. Requires the Office to develop and prepare for deployment by September 30, 2010, a joint record which complies with applicable federal interoperability standards.

Authorizes the Secretaries to carry out pilot projects of various technological approaches to the achievement of the joint record. Requires: (1) annual reports from the Office Director to the Secretaries and the defense and veterans committees on Office activities (to be made available to the public); and (2) semiannual reports, until joint record implementation, from the CG on DOD-VA progress in developing and implementing the joint record. Provides funding.

(Sec. 232) Allows the Secretary to exercise any DOD authority for the appointment and pay of health care personnel in order to provide or enhance DOD capacity to provide care and treatment for members who are wounded or injured on active duty, and to support ongoing DOD patient care and medical readiness, education, and training requirements. Directs the military department Secretaries to: (1) develop a strategy of best practices for the recruitment of such medical and health professionals within their department; and (2) report on such strategy to the defense committees.

(Sec. 233) Requires the Secretary to: (1) recommend to the defense committees legislative or administrative actions to address shortages in health care professionals within DOD; and (2) implement programs to recruit qualified individuals to serve as health care and mental health care personnel.

Title III: Disability Matters - Subtitle A: Disability Evaluations - (Sec. 301) Authorizes the retirement or separation for disability of members on active duty for more than 30 days if the member has six months or more of active service and the disability was not noted at the time of the member's entrance into active duty, unless compelling medical evidence or judgment warrants a finding that the disability existed before the member's entrance into active duty.

(Sec. 302) Requires the Secretary concerned, in making disability determinations, to utilize (without deviating from) the schedule for rating disabilities in use by the VA. Authorizes the Secretary concerned to utilize criteria other than the VA schedule if the criteria will result in a determination of a greater percentage of disability than in the use of the schedule.

(Sec. 303) Directs the Secretary to establish within DOD the Physical Disability Board of Review to review disability determinations made by DOD physical evaluation boards of members who, during the period beginning on September 11, 2001, and ending on December 31, 2009, are: (1) separated from the Armed Forces as unfit for duty due to a medical condition with a disability rating of 20% disabled or less; and (2) found to be ineligible for retirement. Authorizes the Secretary concerned to correct the military records of such individuals in light of any Board of Review findings.

(Sec. 304) Directs the Secretary to carry out pilot programs on the revision and improvement of the disability evaluation system for members. Requires under one of the pilot programs that: (1) the Secretary of Veterans Affairs assign a member a VA-schedule rating of disability, upon which the Secretary concerned shall make a disability determination of the member; (2) disability determinations are made utilizing joint DOD/VA-assigned disability ratings; and (3) the Secretary establishes and operates a single Internet website for the DOD disability evaluation system that enables participating members to utilize such system through the website. Outlines related pilot program purposes. Requires the Secretaries to jointly incorporate any findings and recommendations arising under the pilot programs when updating the comprehensive policy on the care and management of recovering members as required under section 101. Requires: (1) each pilot program to be completed within one year after its commencement; and (2) an interim and final report on the pilot programs from the Secretary to the defense and veterans committees.

(Sec. 305) Requires quarterly reports from the Secretary, until March 1, 2009, on the implementation of DOD corrective measures with respect to the physical disability evaluation system in response to the report of: (1) the Inspector General of the Army on that system; (2) the Independent Review Group on Rehabilitation Care and Administrative Processes at Walter Reed Army Medical Center and National Naval Medical Center; and (3) the Department of Veterans Affairs Task Force on Returning Global War on Terror Heroes.

Subtitle B: Other Disability Matters - (Sec. 311) Increases from 12 to 19 the maximum number of years of service authorized to be used as a multiplier to determine military disability severance pay. Provides minimum years of service for purposes of such determination. Prohibits any deduction from disability severance pay due to payments received as veterans' disability compensation in the case of disability severance pay received by a member for a disability incurred in the line of duty in a combat zone or in combat-related operations as designated by the Secretary.

(Sec. 312) Directs the Secretaries to jointly develop and implement a mechanism to provide for the electronic transfer from DOD to VA of any DOD documents necessary to establish or support the eligibility of a member for benefits under laws administered by the VA at the time of the member's retirement, separation, or release from service.

(Sec. 313) Requires the Secretary and the CG to report an assessment of the continuing utility of the temporary disability retired list in satisfying the purposes for which it was established.

Title IV: Improvement of Facilities Housing Patients - (Sec. 401) Directs the Secretary to establish standards for the accreditation of medical facilities with respect to DOD military medical treatment facilities, specialty medical care facilities, and military quarters or leased housing for patients. Requires that such standards be uniform and consistent across such facilities and across DOD and the military departments. Directs the Secretary to specify a deadline for standards compliance for each facility and report on actions taken to carry out this section.

(Sec. 402) Requires quarterly reports, until March 1, 2009, on implementation of the action plan of the Army to correct deficiencies identified in the condition of facilities, and in the administration of outpatients in medical hold or holdover status, at Walter Reed Army Medical Center and other applicable Army installations.

(Sec. 403) Directs the Secretary to: (1) assess the feasibility of accelerating the construction and completion of new facilities required to facilitate the closure of Walter Reed Army Medical Center, as directed under the 2005 round of defense base closures and realignments under the Defense Base Closure and Realignment Act of 1990; (2) develop and carry out a plan for the construction and completion of the replacement facilities; (3) submit such plan to the defense and appropriations committees; and (4) make certain certifications to such committees with respect to the plan submitted.

Title V: Outreach and Related Information on Benefits - (Sec. 501) Requires the Secretary to develop, maintain, and update at least annually in handbook and electronic form a description of the compensation and other benefits available to a member (and his or her family members) upon the member's separation or retirement as a result of a serious injury or illness. Directs the Secretary concerned to furnish the handbook to a member (or, if incapacitated, their next of kin) as soon as practicable following such an injury or illness.

Title VI: Other Matters - (Sec. 601) Directs the Secretary to enter into an agreement with the National Academy of Sciences (NAS) for a study on the physical and mental health and other readjustment needs of members and former members who deployed in Operations Iraqi Freedom or Enduring Freedom (and their families) as a result of such deployment. Requires the: (1) NAS to report to the Secretaries upon the completion of each of the two phases of such study; (2) the Secretaries to develop a preliminary and final DOD-VA plan to address the NAS report findings and recommendations; (3) Secretaries to report each plan to Congress; and (4) CG to submit to Congress an assessment of each plan. Authorizes appropriations.

Actions Timeline

- **Jul 25, 2007:** Sponsor introductory remarks on measure. (CR S9858)
- **Jun 18, 2007:** Committee on Armed Services. Reported by Senator Levin with an amendment in the nature of a substitute. Without written report.
- **Jun 18, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 203.
- **Jun 14, 2007:** Committee on Armed Services. Ordered to be reported with amendments favorably.
- **Jun 13, 2007:** Introduced in Senate
- **Jun 13, 2007:** Sponsor introductory remarks on measure. (CR S7643-7644)
- **Jun 13, 2007:** Read twice and referred to the Committee on Armed Services.