

S 2162

Veterans' Mental Health and Other Care Improvements Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Oct 15, 2007

Current Status: Became Public Law No: 110-387.

Latest Action: Became Public Law No: 110-387. (Oct 10, 2008)

Law: 110-387 (Enacted Oct 10, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/2162>

Sponsor

Name: Sen. Akaka, Daniel K. [D-HI]

Party: Democratic • State: HI • Chamber: Senate

Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Burr, Richard [R-NC]	R · NC		Oct 23, 2007
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Oct 25, 2007
Sen. Ensign, John [R-NV]	R · NV		Dec 3, 2007
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Mar 11, 2008
Sen. Bingaman, Jeff [D-NM]	D · NM		May 6, 2008
Sen. Dole, Elizabeth [R-NC]	R · NC		May 6, 2008
Sen. Smith, Gordon H. [R-OR]	R · OR		May 6, 2008
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		May 7, 2008
Sen. Collins, Susan M. [R-ME]	R · ME		May 7, 2008
Sen. Sessions, Jeff [R-AL]	R · AL		May 22, 2008
Sen. Stevens, Ted [R-AK]	R · AK		Jun 3, 2008
Sen. Inhofe, James M. [R-OK]	R · OK		Sep 26, 2008

Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	Senate	Reported By	Apr 8, 2008
Veterans' Affairs Committee	House	Referred To	Jun 4, 2008

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
110 HR 4053	Identical bill	Nov 2, 2007: Referred to the Subcommittee on Health.

Veterans' Mental Health and Other Care Improvements Act of 2008 - **Title I: Substance Use Disorders and Mental Health Care** - (Sec. 101) Enacts this title in tribute to Justin Bailey, who, after returning to the United States from service in Operation Iraqi Freedom, died in a Department of Veterans Affairs (VA) domiciliary facility while receiving care for post-traumatic stress disorder (PTSD) and a substance use disorder.

(Sec. 103) Directs the Secretary of Veterans Affairs to ensure the provision of the following services and treatment to each veteran enrolled in the VA health care system and in need of services and treatment for a substance use disorder: (1) screening for substance use disorder in all settings, including primary care; (2) short-term motivational counseling; (3) marital and family counseling; (4) intensive outpatient or residential care; (5) relapse prevention; (6) ongoing aftercare and outpatient counseling; (7) opiate substitution therapy; (8) pharmacological treatments to reduce cravings for drugs and alcohol; (9) detoxification and stabilization; (10) coordination with groups providing peer-to-peer counseling; and (11) such other services as considered appropriate by the Secretary. Requires the Secretary to ensure that amounts available for such care are allocated to ensure a full continuum of such care, treatment, or services to all veterans without regard to the location of their residences.

(Sec. 104) Requires the Secretary to ensure that treatment for a substance use disorder and a comorbid mental health disorder is provided concurrently through a health professional with training and expertise in the treatment of both disorders, by separate services for each disorder, or by a team of experienced clinicians.

(Sec. 105) Directs the Secretary to conduct a two-year pilot program on the feasibility and advisability of providing veterans who seek treatment for substance use disorders access to a computer-based self-assessment, education, and treatment program through a secure Internet website operated by the Secretary. Makes eligible for such program volunteer veterans who have served in Operations Enduring Freedom or Iraqi Freedom. Requires a program report from the Secretary to Congress. Authorizes appropriations.

(Sec. 106) Requires the Secretary to conduct a: (1) review of all Veterans Health Administration (VHA) residential mental health care facilities; and (2) follow-up review, within two years after the first review, to evaluate any improvements made or problems remaining with respect to such facilities. Requires a report from the Secretary to the veterans' committees after the initial review.

(Sec. 107) Directs the Secretary to conduct a three-year pilot program on the provision of the following services to veterans of Operations Iraqi Freedom and Enduring Freedom, particularly to those who served as a member of the National Guard or Reserve: (1) peer outreach; (2) peer support provided by licensed providers or veterans with personal experience with mental illness; (3) readjustment counseling; and (4) other mental health services. Requires: (1) the Secretary to conduct training programs for veterans and clinicians providing such services; (2) annual reports to the Secretary from entities participating in the program; and (3) the Secretary to design and implement a strategy for evaluating the program. Authorizes appropriations.

**Title II: Mental Health Research** - (Sec. 201) Directs the Secretary to carry out a program of research into comorbid PTSD and substance use disorder through the National Center for Posttraumatic Stress Disorder. Authorizes appropriations.

(Sec. 202) Amends the Veterans' Health Care Act of 1984 to extend through 2012 (currently, 2008) the reporting requirement for the Special Committee on Post-Traumatic Stress Disorder.

**Title III: Assistance For Families of Veterans** - (Sec. 301) Includes marriage and family counseling within authorized VA care for veterans.

(Sec. 302) Directs the Secretary to carry out, through a non-VA entity, a three-year pilot program (with authorized one-year extensions) to assess the feasibility and advisability of providing readjustment and transition assistance to veterans and their families in cooperation with ten VA Vet Centers. Requires a report from the Secretary to the veterans' committees at the conclusion of the pilot program. Authorizes appropriations.

**Title IV: Health Care Matters** - (Sec. 401) Repeals a requirement that the Secretary adjust the amounts deducted from payments or allowances made by the VA for beneficiary travel expenses in connection with health care whenever the payment or allowance is adjusted. Requires the Secretary, in determining the amount of travel reimbursement, to use the mileage reimbursement rate for the use of privately owned vehicles by government employees on official business. Authorizes the Secretary to use a rate in excess of such rate, subject to the availability of appropriations. Requires a report from the Secretary to the veterans' committees on additional costs incurred by the VA due to implementation of this section.

(Sec. 402) Requires (under current law, authorizes) the Secretary to reimburse a veteran for the costs of emergency treatment received in a non-VA facility prior to transfer to a VA facility.

(Sec. 403) Directs the Secretary to carry out a three-year pilot program to provide, through qualifying non-VA health care providers, VA-authorized hospital care or medical, rehabilitative, or preventive health services to veterans who reside in highly rural areas. Requires annual reports during the program period from the Secretary to the veterans' committees assessing the program.

(Sec. 404) Directs the Secretary to designate at least four and up to six VA health-care facilities as locations for epilepsy centers of excellence. Requires the: (1) VA's Under Secretary for Health to establish a peer review panel to assess the scientific and clinical merit of proposals submitted for designation as such a center; and (2) Secretary to follow the panel's determinations in making designations. Directs the Secretary to designate an individual in the VHA as a national coordinator for VHA epilepsy programs. Authorizes appropriations.

(Sec. 405) Establishes as qualifications for appointment as a peer specialist within the VHA that the person: (1) be a veteran who has recovered or is recovering from a mental health condition; and (2) is certified as having met the criteria for such position. Authorizes the Secretary to enter into contracts with nonprofit entities to provide peer specialist training and certification for veterans.

(Sec. 406) Directs the Secretary to establish up to seven patient accounting centers for conducting industry-modeled regionalized VA billing and collection activities.

(Sec. 407) Amends the Veterans' Benefits and Services Act of 1988 to repeal a limitation on VA authority to conduct HIV testing in connection with the care of certain patients.

(Sec. 408) Requires the Secretary to provide comprehensive health care coverage through the VA for a child of a Vietnam veteran who is suffering from spina bifida. (Current law requires the Secretary to provide such child such health care as the Secretary determines is needed by the child for the spina bifida or any disability associated with such condition.)

(Sec. 409) Prohibits the Secretary from collecting a copayment from a veteran being furnished inpatient or outpatient

hospice care by the VA.

**Title V: Pain Care** - (Sec. 501) Directs the Secretary to: (1) develop and implement a comprehensive policy on the management of pain experienced by veterans enrolled for VA health care services; (2) periodically update the policy; and (3) report annually through FY2018 to the veterans' committees on such policy.

**Title VI: Homeless Veterans Matters** - (Sec. 601) Increases from \$130 million to \$150 million the annual authorization of appropriations for VA comprehensive service programs for homeless veterans.

(Sec. 602) Revises provisions establishing a demonstration program of referral and counseling services for at-risk veterans transitioning from institutional living to: (1) remove the "demonstration" designation; (2) require the program to be carried out in at least 12 (currently, six) locations; and (3) extend the program through FY2012.

(Sec. 603) Requires the Secretary to ensure that VA domiciliary care programs are adequate, with respect to capacity and safety, to meet the needs of women veterans.

(Sec. 604) Directs the Secretary to provide financial assistance to eligible entities (private nonprofit organizations or consumer cooperatives) to provide and coordinate the provision of supportive services for very low-income veteran families occupying permanent housing. Requires: (1) an assistance preference with respect to families transitioning from homelessness to permanent housing; (2) equitable geographic distribution of such assistance; and (3) the Secretary to provide training and technical assistance to participating entities regarding the planning, development, and provision of such services. Includes within authorized services outreach, case management, and assistance in obtaining VA and other federal, state, or local benefits. Provides funding.

Directs the Secretary to: (1) conduct a two-year study of the effectiveness of the assistance program in meeting the needs of very low-income veteran families; and (2) report study results to the veterans' committees.

**Title VII: Authorization of Medical Facility Projects and Major Medical Facility Leases** - (Sec. 701) Authorizes the Secretary to carry out major medical facility projects (projects) in FY2009 in: (1) Palo Alto, California; (2) San Antonio, Texas; and (3) San Juan, Puerto Rico.

(Sec. 702) Amends the Veterans Benefits, Health Care, and Information Technology Act of 2006 to: (1) increase amounts authorized for projects at VA medical centers in New Orleans, Louisiana, and Denver, Colorado; and (2) repeal the authority for a project at the VA medical center in Gulfport, Mississippi.

Increases amounts authorized for projects at the following locations in connection with the Capital Asset Realignment Initiative: (1) Gainesville, Florida; (2) Las Vegas, Nevada; (3) Lee County, Florida; (4) Orlando, Florida; and (5) Pittsburgh, Pennsylvania.

(Sec. 703) Authorizes the Secretary to carry out specified major medical facility leases (leases) in Arizona, California, Colorado, Florida, Georgia, Illinois, Ohio, Oregon, Puerto Rico, South Carolina, and Wisconsin.

(Sec. 704) Authorizes appropriations for projects and leases authorized under this title.

(Sec. 705) Increases from \$600,000 to \$1 million the threshold before a VA major medical facility lease must receive congressional approval.

(Sec. 706) Amends the Consolidated Appropriations Act, 2008 to authorize the city of Aurora, Colorado, to convey by

donation to the United States nonfederal lands consisting of parcel I of the former United States Army Garrison Fitzsimons, Colorado, and the parcel of land described in a related quitclaim deed, for construction of a veterans' medical facility.

(Sec. 707) Requires a report from the Secretary to the veterans' committees on the progress of the VA's Director of Construction and Facilities Management in carrying out required duties.

(Sec. 708) Directs the Secretary to report annually to the veterans committees detailing information on VA community-based outpatient clinics and other outpatient clinics.

(Sec. 709) Designates the James A. Haley Department of Veterans Affairs Medical Center's spinal cord injury center in Tampa, Florida, as the "Michael Bilirakis Department of Veterans Affairs Spinal Cord Injury Center."

**Title VIII: Extension of Certain Authorities** - (Sec. 801) Makes permanent the temporary authority to consider noninstitutional extended care services as covered VA medical services.

(Sec. 802) Extends through FY2013 VA authority to conduct audits of payments made for non-VA care and services furnished to veterans through contracts and fee-based arrangements.

(Sec. 803) Makes permanent (under current law, expires at the end of 2008) the authority to provide hospital care, medical services, and nursing home care to certain veterans who participated in Department of Defense (DOD) chemical and biological testing.

(Sec. 804) Extends through FY2010 VA authority to collect: (1) specified copayments for each day of hospital or nursing home care provided to certain veterans; and (2) from third-party insurers the cost of certain care and services provided by the VA to veterans with non-service-connected disabilities.

(Sec. 805) Extends through 2013 VA authority to provide nursing home care to veterans with service-connected disabilities rated at 70% or higher, and to veterans in need of nursing home care for their service-connected disabilities.

(Sec. 806) Extends permanently (under current law, terminates at the end of 2008) VA authority to establish research corporations.

(Sec. 807) Extends through 2012 the annual report requirement of the Committee on Care of Severely Chronically Mentally Ill Veterans.

(Sec. 808) Makes permanent (under current law, terminates in 2008) a required biannual report from the Advisory Committee on Women Veterans.

(Sec. 809) Amends the Veterans Benefits, Health Care, and Information Technology Act of 2006 to extend through FY2009 a pilot program on VA expansion and improvement of caregiver assistance services.

**Title IX: Other Matters** - (Sec. 901) Makes technical amendments.

## Actions Timeline

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- **Oct 10, 2008:** Signed by President.
- **Oct 10, 2008:** Became Public Law No: 110-387.
- **Sep 30, 2008:** Presented to President.
- **Sep 27, 2008:** Resolving differences -- Senate actions: Senate agreed to the House amendment to the bill by Unanimous Consent.(consideration: CR S10017-10018; text as Senate agreed to House amendment: CR S10017)
- **Sep 27, 2008:** Senate agreed to the House amendment to the bill by Unanimous Consent. (consideration: CR S10017-10018; text as Senate agreed to House amendment: CR S10017)
- **Sep 27, 2008:** Message on Senate action sent to the House.
- **Sep 27, 2008:** Cleared for White House.
- **Sep 25, 2008:** Message on House action received in Senate and at desk: House amendment to Senate bill.
- **Sep 24, 2008:** Mr. Filner moved to suspend the rules and pass the bill, as amended.
- **Sep 24, 2008:** Considered under suspension of the rules. (consideration: CR H9369-9387)
- **Sep 24, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 2162.
- **Sep 24, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H9369-9378)
- **Sep 24, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H9369-9378)
- **Sep 24, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 4, 2008:** Received in the House.
- **Jun 4, 2008:** Message on Senate action sent to the House.
- **Jun 4, 2008:** Referred to the House Committee on Veterans' Affairs.
- **Jun 3, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S4983-4986; text of measure as reported in Senate: CR S4983-4985)
- **Jun 3, 2008:** The committee substitute was withdrawn by Unanimous Consent.
- **Jun 3, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jun 3, 2008:** Passed Senate with an amendment by Unanimous Consent.
- **Apr 8, 2008:** Committee on Veterans' Affairs. Reported by Senator Akaka with an amendment in the nature of a substitute. With written report No. 110-281.
- **Apr 8, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 632.
- **Nov 14, 2007:** Committee on Veterans' Affairs. Ordered to be reported without amendment favorably.
- **Oct 24, 2007:** Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 110-328.
- **Oct 15, 2007:** Introduced in Senate
- **Oct 15, 2007:** Sponsor introductory remarks on measure. (CR S12872)
- **Oct 15, 2007:** Read twice and referred to the Committee on Veterans' Affairs.