

103D CONGRESS
1ST SESSION

H. R. 2285

To amend chapter 17 of title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1993

Mrs. SCHROEDER (for herself, Ms. PELOSI, Mr. EVANS, Ms. LONG, Ms. NORTON, Mrs. LLOYD, Mr. OBERSTAR, Mr. WAXMAN, Mr. GUTIERREZ, and Mr. KENNEDY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend chapter 17 of title 38, United States Code, to improve the Department of Veterans Affairs program of sexual trauma counseling for veterans and to improve certain Department of Veterans Affairs programs for women veterans.

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. DEPARTMENT OF VETERANS AFFAIRS SEXUAL**
4 **TRAUMA COUNSELING PROGRAM.**

5 (a) EXTENSION OF PERIOD OF AUTHORITY TO PRO-
6 VIDE SEXUAL TRAUMA COUNSELING.—Subsection (a) of

1 section 1720D of title 38, United States Code, is amend-
2 ed—

3 (1) by striking out “December 31, 1995,” in
4 paragraph (1) and inserting in lieu thereof “Decem-
5 ber 31, 1998,”; and

6 (2) by striking out “December 31, 1994,” in
7 paragraph (3) and inserting in lieu thereof “Decem-
8 ber 31, 1998,”.

9 (b) PERIOD OF ELIGIBILITY TO SEEK COUNSEL-
10 ING.—(1) Such subsection is further amended—

11 (A) by striking out paragraph (2); and

12 (B) by redesignating paragraph (3) (as amend-
13 ed by subsection (a)(2)) as paragraph (2).

14 (2) Section 102(b) of the Veterans Health Care Act
15 of 1992 (Public Law 102–585; 106 Stat. 4946; 38 U.S.C.
16 1720D note) is repealed.

17 (c) REPEAL OF LIMITATION ON PERIOD OF RECEIPT
18 OF COUNSELING.—Section 1720D of title 38, United
19 States Code, is further amended—

20 (1) by striking out subsection (b); and

21 (2) by redesignating subsections (c), (d), and
22 (e) as subsections (b), (c), and (d), respectively.

23 (d) INCREASED PRIORITY OF CARE.—Section 1712(i)
24 of title 38, United States Code, is amended—

25 (1) in paragraph (1)—

1 (A) by inserting “(A)” after “To a vet-
2 eran”; and

3 (B) by inserting “, or (B) who is eligible
4 for counseling under section 1720D of this title,
5 for the purposes of such counseling” before the
6 period at the end; and

7 (2) in paragraph (2)—

8 (A) by striking out “, (B)” and inserting
9 in lieu thereof “or (B)”; and

10 (B) by striking out “, or (C)” and all that
11 follows through “such counseling”.

12 (e) PROGRAM REVISION.—(1) Section 1720D of title
13 38, United States Code, is further amended—

14 (A) by striking out “woman” in subsection
15 (a)(1);

16 (B) by striking out “women” in subsection
17 (b)(2)(C) and in the first sentence of subsection (c),
18 as redesignated by subsection (c); and

19 (C) by striking out “women” in subsection
20 (c)(2), as so redesignated, and inserting in lieu
21 thereof “individuals”.

22 (2)(A) The heading of such section is amended to
23 read as follows:

1 **“§ 1720D. Counseling for sexual trauma”.**

2 (B) The item relating to such section in the table of
3 sections at the beginning of chapter 17 of such title is
4 amended to read as follows:

“1720D. Counseling for sexual trauma.”.

5 (f) INFORMATION ON COUNSELING BY TELE-
6 PHONE.—(1) Paragraph (1) of section 1720D(c) of title
7 38, United States Code, as redesignated by subsection (c)
8 of this section, is amended by striking out “may” and in-
9 serting in lieu thereof “shall”.

10 (2) In providing information on counseling available
11 to veterans through the information system required
12 under section 1720D(c)(1) of title 38, United States Code
13 (as amended by this section), the Secretary of Veterans
14 Affairs shall ensure—

15 (A) that the telephone system described in such
16 section is operated by Department of Veterans Af-
17 fairs personnel who are trained in the provision to
18 persons who have experienced sexual trauma of in-
19 formation about the care and services relating to
20 sexual trauma that are available to veterans in the
21 communities in which such veterans reside, including
22 care and services available under programs of the
23 Department (including the care and services avail-
24 able under section 1720D of such title) and from
25 non-Department agencies or organizations;

1 (B) that such personnel are provided with infor-
2 mation on the care and services relating to sexual
3 trauma that are available to veterans and the loca-
4 tions in which such care and services are available;

5 (C) that such personnel refer veterans seeking
6 such care and services to appropriate providers of
7 such care and services (including care and services
8 that are available in the communities in which such
9 veterans reside);

10 (D) that the telephone system is operated in a
11 manner that protects the confidentiality of persons
12 who place telephone calls to the system; and

13 (E) that the telephone system operates at all
14 times.

15 (3) The Secretary shall ensure that information about
16 the availability of the telephone system is visibly posted
17 in Department medical facilities and is advertised through
18 public service announcements, pamphlets, and other
19 means.

20 (4) Not later than 18 months after the date of the
21 enactment of this Act, the Secretary shall submit to Con-
22 gress a report on the operation of the telephone system
23 required under section 1720D(c)(1) of title 38, United
24 States Code (as so amended). The report shall set forth
25 the following:

1 (A) The number of telephone calls placed to the
2 system during the period covered by the report, with
3 a separate display of (i) the number of calls placed
4 to the system from each State (as such term is de-
5 fined in section 101(20) of title 38, United States
6 Code) during that period, and (ii) the number of
7 persons who placed more than one call to the system
8 during that period.

9 (B) The types of sexual trauma described to
10 personnel operating the system by persons placing
11 calls to the system.

12 (C) A description of the difficulties, if any, ex-
13 perienced by persons placing calls to the system in
14 obtaining care and services for sexual trauma in the
15 communities in which such persons live, including
16 care and services available from the Department and
17 from non-Department agencies and organizations.

18 (D) A description of the training provided to
19 the personnel operating the system.

20 (E) The recommendations and plans of the Sec-
21 retary for the improvement of the system.

22 (5) The Secretary shall commence operation of the
23 telephone system required under section 1720D(c)(1) of
24 title 38, United States Code (as so amended), not later
25 than 180 days after the date of the enactment of this Act.

1 **SEC. 2. REPORT RELATING TO DETERMINATIONS OF SERV-**
2 **ICE CONNECTION FOR SEXUAL TRAUMA.**

3 (a) REPORT.—The Secretary of Veterans Affairs
4 shall submit to the Committees on Veterans' Affairs of
5 the Senate and House of Representatives a report contain-
6 ing the Secretary's assessment of—

7 (1) the difficulties that veterans encounter in
8 obtaining from the Department of Veterans Affairs
9 determinations that disabilities relating to sexual
10 trauma resulting from events that occurred during
11 active duty are service-connected disabilities; and

12 (2) the extent to which Department personnel
13 fail to make determinations that such disabilities are
14 service-connected disabilities.

15 (b) RECOMMENDATIONS.—The Secretary shall in-
16 clude in the report the Secretary's recommendations for
17 actions to be taken to respond in a fair manner to the
18 difficulties described in the report and to eliminate failures
19 to make determinations that such disabilities are service-
20 connected disabilities.

21 (c) DEFINITION.—In this section, the term “sexual
22 trauma” means the immediate and long-term physical or
23 psychological trauma resulting from rape, sexual assault,
24 aggravated sexual abuse (as such term is described in sec-
25 tion 2241 of title 18, United States Code), sexual harass-
26 ment, or other act of sexual violence.

1 (d) DEADLINE FOR REPORT.—The report required
2 by this section shall be submitted not later than June 30,
3 1994.

4 **SEC. 3. COORDINATORS OF WOMEN'S SERVICES.**

5 (a) REQUIREMENT OF FULL-TIME SERVICE.—Sec-
6 tion 108 of the Veterans Health Care Act of 1992 (Public
7 Law 102–585; 106 Stat. 4948; 38 U.S.C. 1710 note) is
8 amended—

9 (1) by inserting “(a)” before “The Secretary”;
10 and

11 (2) by adding at the end the following:

12 “(b) Each official who serves in the position of coordi-
13 nator of women’s services under subsection (a) shall so
14 serve on a full-time basis.”.

15 (b) ADDITIONAL RESPONSIBILITIES.—Subsection (a)
16 of such section (as designated by subsection (a) of this
17 section) is further amended—

18 (1) by redesignating paragraph (5) as para-
19 graph (6); and

20 (2) by inserting after paragraph (4) the follow-
21 ing new paragraph (5):

22 “(5) Facilitating communication between
23 women veterans coordinators under the jurisdiction
24 of such regional coordinator and the Under Sec-
25 retary for Health and the Secretary.”.

1 (c) SUPPORT FOR WOMEN'S SERVICES COORDINA-
2 TORS.—The Secretary of Veterans Affairs shall take ap-
3 propriate actions to ensure that—

4 (1) sufficient funding is provided to each De-
5 partment of Veterans Affairs facility in order to per-
6 mit the coordinator of women's services to carry out
7 the responsibilities of the coordinator at the facility;

8 (2) sufficient clerical and communications sup-
9 port is provided to each such coordinator for that
10 purpose; and

11 (3) each such coordinator has direct access to
12 the Director or Chief of Staff of the facility to which
13 the coordinator is assigned.

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