

104TH CONGRESS  
2D SESSION

# H. R. 3972

To amend title 38, United States Code, to improve health care services provided by the Department of Veterans Affairs to women veterans.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 1996

Ms. WATERS (for herself and Ms. BROWN of Florida) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to improve health care services provided by the Department of Veterans Affairs to 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. SHORT TITLE.**

4       This Act may be cited as the “Women Veterans’  
5       Health Act of 1996”.

6       **SEC. 2. WOMEN’S HEALTH SERVICES.**

7       (a) WOMEN’S HEALTH SERVICES.—Section 1701 of  
8       title 38, United States Code, is amended—

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1           (1) in paragraph (6)(A)(i), by inserting “wom-  
2       en’s health services,” after “preventive health serv-  
3       ices,”; and

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

5       “(10) The term ‘women’s health services’ means  
6       health care services provided to women. Such term in-  
7       cludes counseling and services relating to the following:

8           “(A) Papanicolaou tests (pap smear).

9           “(B) Breast examinations and mammography.

10          “(C) The management and prevention of sexu-  
11       ally transmitted diseases.

12          “(D) Menopause, osteoporosis, and other condi-  
13       tions relating to aging.

14          “(E) Cardiac care.

15          “(F) Physical and psychological conditions aris-  
16       ing out of acts of sexual violence.

17          “(G) Physical and psychological conditions that  
18       result from homelessness.”.

19       (b) CONTRACTS FOR WOMEN’S HEALTH SERVICES.—  
20       Section 1703(a) of such title is amended by adding at the  
21       end the following:

22          “(9) Women’s health services for veterans on  
23       an ambulatory or outpatient basis.”.

1 (c) REPEAL OF SUPERSEDED AUTHORITY.—Section  
2 106 of the Veterans Health Care Act of 1992 (Public Law  
3 102–585; 38 U.S.C. 1710 note) is amended—

4 (1) by striking out subsection (a); and

5 (2) by striking out “(b) RESPONSIBILITIES OF  
6 DIRECTORS OF FACILITIES.—” before “The Sec-  
7 retary”.

8 **SEC. 3. COUNSELING AND TREATMENT FOR SEXUAL TRAU-**  
9 **MA.**

10 (a) COUNSELING.—Subsection (a)(1) of section  
11 1720D of title 38, United States Code, is amended by  
12 striking out “During the period through December 31,  
13 1998, the Secretary” and inserting in lieu thereof “The  
14 Secretary”.

15 (b) TREATMENT.—Subsection (a)(2) of such section  
16 is amended by striking out “During the period referred  
17 to in paragraph (1), the Secretary” and inserting in lieu  
18 thereof “The Secretary”.

19 (c) CONTRACT COUNSELING.—Subsection (a)(3) of  
20 such section is amended by striking out “, during the pe-  
21 riod through December 31, 1998,”.

22 **SEC. 4. REPORT ON WOMEN’S HEALTH CARE AND RE-**  
23 **SEARCH.**

24 (a) IN GENERAL.—Not later than January 1, 1999,  
25 the Secretary of Veterans Affairs shall submit to the Com-

1 mittees on Veterans' Affairs of the Senate and House of  
2 Representatives a report on the provision of health care  
3 services and the conduct of research carried out by, or  
4 under the jurisdiction of, the Secretary relating to women  
5 veterans. The report shall be prepared through the Center  
6 for Women Veterans established under section 318 of title  
7 38, United States Code, which shall prepare the report  
8 in consultation with the Advisory Committee on Women  
9 Veterans established under section 542 of that title.

10 (b) CONTENTS.—The report under subsection (a)  
11 shall include the following information:

12 (1) The number of women veterans who have  
13 received women's health services (as such term is de-  
14 fined in section 1701(10) of title 38, United States  
15 Code) in facilities under the jurisdiction of the Sec-  
16 retary (or the Secretary of Defense), shown by ref-  
17 erence to the Department facility which provided  
18 (or, in the case of Department of Defense facilities,  
19 arranged for) those services.

20 (2) A description of—

21 (A) the services provided at each such fa-  
22 cility;

23 (B) the type and amount of services pro-  
24 vided by such personnel, including information  
25 on the numbers of inpatient stays and the num-

1           ber of outpatient visits through which such  
2           services were provided; and

3           (C) the extent to which each such facility  
4           relies on contractual arrangements under sec-  
5           tion 1703 or 8153 of title 38, United States  
6           Code, to furnish care to women veterans in fa-  
7           cilities which are not under the jurisdiction of  
8           the Secretary where the provision of such care  
9           is not furnished in a medical emergency.

10          (3) The steps taken by each such facility to ex-  
11          pand the provision of services at such facility (or  
12          under arrangements with the Department of De-  
13          fense facility) to women veterans.

14          (4) A description of the personnel of the De-  
15          partment who provided such services to women vet-  
16          erans, including the number of employees (including  
17          both the number of individual employees and the  
18          number of full-time employee equivalents) and the  
19          professional qualifications or specialty training of  
20          such employees and the Department facilities to  
21          which such personnel were assigned.

22          (5) A description of any actions taken by the  
23          Secretary to ensure the retention of the personnel  
24          described in paragraph (4) and any actions under-

1 taken to recruit such additional personnel or person-  
2 nel to replace such personnel.

3 (6) An assessment by the Secretary of any dif-  
4 ficulties experienced by the Secretary in the furnish-  
5 ing of such services and the actions taken by the  
6 Secretary to resolve such difficulties.

7 (7) A description (as of October 1 of the year  
8 preceding the year in which the report is submitted)  
9 of the status of any research relating to women vet-  
10 erans being carried out by or under the jurisdiction  
11 of the Secretary.

12 (8) A description of the actions taken by the  
13 Secretary to foster and encourage the expansion of  
14 such research.

15 **SEC. 5. EXPANSION OF RESEARCH RELATING TO WOMEN**  
16 **VETERANS.**

17 (a) INCLUSION OF WOMEN AND MINORITIES IN  
18 HEALTH RESEARCH.—Section 7303(c) of title 38, United  
19 States Code, is amended—

20 (1) in paragraph (1), by striking out “that,  
21 whenever possible and appropriate—” and inserting  
22 in lieu thereof “that—”; and

23 (2) by adding at the end the following new  
24 paragraph:

1 “(3) The requirement in paragraph (1) regarding  
2 women and members of minority groups who are veterans  
3 may be waived by the Secretary of Veterans Affairs with  
4 respect to a project of clinical research if the Secretary  
5 determines that the inclusion, as subjects in the project,  
6 of women and members of minority groups, respectively—

7 “(A) is inappropriate with respect to the health  
8 of the subjects;

9 “(B) is inappropriate with respect to the pur-  
10 pose of the research; or

11 “(C) is inappropriate under such other cir-  
12 cumstances as the Secretary may designate.”.

13 (b) HEALTH RESEARCH RELATING TO WOMEN.—  
14 Section 7303(d) of such title is amended by adding at the  
15 end the following new paragraphs:

16 “(3) The Secretary shall foster and encourage re-  
17 search under this section on the following matters as they  
18 relate to women:

19 “(A) Breast cancer.

20 “(B) Gynecological and reproductive health, in-  
21 cluding gynecological cancer, infertility, sexually-  
22 transmitted diseases, and pregnancy.

23 “(C) Human Immunodeficiency Virus and Ac-  
24 quired Immune Deficiency Syndrome.

1           “(D) Mental health, including post-traumatic  
2           stress disorder, depression, combat related stress,  
3           and trauma.

4           “(E) Diseases related to aging, including meno-  
5           pause, osteoporosis, and Alzheimer’s disease.

6           “(F) Substance abuse.

7           “(G) Sexual violence and related trauma.

8           “(H) Exposure to toxic chemicals and other en-  
9           vironmental hazards.

10          “(I) Cardiac care.

11          “(4) The Secretary shall, to the maximum extent  
12          practicable, ensure that personnel of the Department of  
13          Veterans Affairs engaged in the research referred to in  
14          paragraph (1) include the following:

15               “(A) Personnel of the geriatric research, edu-  
16               cation, and clinical centers designated pursuant to  
17               section 7314 of this title.

18               “(B) Personnel of the National Center for Post-  
19               Traumatic Stress Disorder established pursuant to  
20               section 110(c) of the Veterans Health Care Act of  
21               1984 (Public Law 98–528; 98 Stat. 2692).

22          “(5) The Secretary shall ensure that personnel of the  
23          Department engaged in research relating to the health of  
24          women veterans are advised and informed of such research  
25          engaged in by other personnel of the Department.”.



1 **SEC. 6. POPULATION STUDY.**

2 (a) STUDY.—The Secretary of Veterans Affairs, sub-  
3 ject to subsection (f), shall conduct a study to determine  
4 the needs of veterans who are women for health-care serv-  
5 ices. The study shall be carried out through the Center  
6 for Women Veterans.

7 (b) CONSULTATION.—Before carrying out the study,  
8 the Secretary shall request the advice of the Advisory  
9 Committee on Women Veterans on the conduct of the  
10 study.

11 (c) PERSONS TO BE INCLUDED IN SAMPLE OF VET-  
12 ERANS STUDIED.—(1) Subject to paragraph (2), the study  
13 shall be based on—

14 (A) an appropriate sample of veterans who are  
15 women; and

16 (B) an examination of the medical and demo-  
17 graphic histories of the women comprising such sam-  
18 ple.

19 (2) The sample referred to in paragraph (1) shall  
20 constitute a representative sampling (as determined by the  
21 Secretary) of the ages, the ethnic, social and economic  
22 backgrounds, the enlisted and officer grades, and the  
23 branches of service of all veterans who are women. The  
24 Secretary shall ensure that homeless Women Veterans are  
25 included in the sample.

1       (3) In carrying out the examination referred to in  
2 paragraph (1)(B), the Secretary shall determine the num-  
3 ber of women of the sample who have used medical facili-  
4 ties of the Department, nursing home facilities of or under  
5 the jurisdiction of the Department, and outpatient care  
6 facilities of or under the jurisdiction of the Department.

7       (d) REPORTS.—The Secretary shall submit to the  
8 Committees on Veterans' Affairs of the Senate and House  
9 of Representatives reports relating to the study as follows:

10           (1) Not later than nine months after the date  
11 of the enactment of this Act, an interim report de-  
12 scribing (A) the information and advice obtained by  
13 the Secretary from the Advisory Committee on  
14 Women Veterans, and (B) the status of the study.

15           (2) Not later than December 31, 1999, a final  
16 report describing the results of the study.

17       (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
18 authorized to be appropriated to the General Operating  
19 Expenses account of the Department of Veterans Affairs  
20 \$2,000,000 to carry out the purposes of this section.  
21 Amounts appropriated pursuant to this authorization of  
22 appropriations shall be available for obligation without fis-  
23 cal year limitation.

1 (f) LIMITATION.—No funds may be used to conduct  
2 the study described in subsection (a) unless expressly pro-  
3 vided for in an appropriation Act.

4 **SEC. 7. OUTREACH SERVICES FOR HOMELESS WOMEN VET-**  
5 **ERANS.**

6 Section 7722(e) of title 38, United States Code, is  
7 amended by adding at the end the following new sentence:  
8 “In carrying out this subsection, the Secretary shall take  
9 such steps as may be necessary to ensure that homeless  
10 women veterans are included in such outreach programs  
11 and outreach services.”.

12 **SEC. 8. SAFE AND EFFECTIVE TREATMENT FOR WOMEN**  
13 **PSYCHIATRIC PATIENTS.**

14 The Secretary of Veterans Affairs shall ensure that  
15 women veterans who receive psychiatric treatment from  
16 the Secretary, particularly in the case of women who are  
17 sexually traumatized, receive such treatment (on both an  
18 inpatient and outpatient basis) in a safe and effective  
19 manner that recognizes the privacy needs of such women.

20 **SEC. 9. MAMMOGRAPHY QUALITY STANDARDS.**

21 (a) APPLICABILITY TO DEPARTMENT OF VETERANS  
22 AFFAIRS OF MAMMOGRAPHY QUALITY STANDARDS ACT  
23 OF 1992.—Subsections (a) through (k) of section 354 of  
24 the Public Health Service Act (42 U.S.C. 263b) shall  
25 apply with respect to facilities of the Department of Veter-

1   ans Affairs without regard to the last sentence of subpara-  
2   graph (A) of subsection (a)(3) of such section.

3       (b) EXTENSION OF DEADLINES.—Any deadline for  
4   the completion of any action prescribed under any provi-  
5   sion referred to in subsection (a) shall be applied with re-  
6   spect to facilities of the Department of Veterans Affairs  
7   by extending such deadline so as to be two years after  
8   the date of the enactment of this Act or two years after  
9   the date which would otherwise be applicable under such  
10  provision, whichever is later.

11       (c) INTERAGENCY COOPERATION.—The Secretary of  
12  Veterans Affairs shall take appropriate steps to cooperate  
13  with the Secretary of Health and Human Services in the  
14  implementation of this section.

15  **SEC. 10. CENTER FOR WOMEN VETERANS.**

16       Section 318(e) of title 38, United States Code, is  
17  amended—

18           (1) by inserting “(1)” after “(e)”;

19           (2) by adding after the period the following:

20       “Such resources shall include (subject to the avail-  
21   ability of appropriations) adequate clerical support  
22   (as determined by the Director) to enable the Direc-  
23   tor to carry out the functions of the Director under  
24   this section.”; and

25           (3) by adding at the end the following:

1       “(2) There is in the Center an Associate Director,  
2 who shall be appointed from among individuals with ap-  
3 propriate education, experience, and training to assist the  
4 Director with the investigative, research, and reporting  
5 requirements under this section.”.

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