

114TH CONGRESS
1ST SESSION

H. R. 271

To establish a commission to examine the evidence-based therapy treatment model used by the Secretary of Veterans Affairs for treating mental illnesses of veterans and the potential benefits of incorporating complementary alternative treatments available in non-Department of Veterans Affairs medical facilities within the community.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2015

Mr. BILIRAKIS (for himself, Ms. FRANKEL of Florida, Mr. JOLLY, Mr. JOHNSON of Ohio, Mr. PALAZZO, and Mr. RUIZ) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To establish a commission to examine the evidence-based therapy treatment model used by the Secretary of Veterans Affairs for treating mental illnesses of veterans and the potential benefits of incorporating complementary alternative treatments available in non-Department of Veterans Affairs medical facilities within the community.

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.**

2 This Act may be cited as the “Creating Options for
3 Veterans Expedited Recovery Act” or the “COVER Act”.

4 **SEC. 2. ESTABLISHMENT AND DUTIES.**

5 (a) ESTABLISHMENT.—There is established the Vet-
6 erans Expedited Recovery Commission (in this Act re-
7 ferred to as the “Commission”).

8 (b) DUTIES.—The Commission shall perform the fol-
9 lowing duties:

10 (1) Examine the efficacy of the evidence-based
11 therapy model used by the Secretary of Veterans Af-
12 fairs for treating mental health illnesses of veterans
13 and identify areas to improve wellness-based out-
14 comes.

15 (2) Conduct a patient-centered survey within
16 each of the Veterans Integrated Service Networks to
17 examine—

18 (A) the experience of veterans with the De-
19 partment of Veterans Affairs when seeking
20 medical assistance for mental health issues
21 through the health care system of the Depart-
22 ment;

23 (B) the experience of veterans with non-
24 Department medical facilities and health profes-
25 sionals for treating mental health issues;

1 (C) the preferences of veterans regarding
2 available treatments for mental health issues
3 and which methods the veterans believe to be
4 most effective;

5 (D) the experience, if any, of veterans with
6 respect to the complementary alternative treat-
7 ment therapies described in subparagraphs (A)
8 through (I) in paragraph (3);

9 (E) the prevalence of prescribing prescrip-
10 tion medication among veterans seeking treat-
11 ment through the health care system of the De-
12 partment as remedies for addressing mental
13 health issues; and

14 (F) the outreach efforts of the Secretary
15 regarding the availability of benefits and treat-
16 ments for veterans for addressing mental health
17 issues, including by identifying ways to reduce
18 barriers to and gaps in such benefits and treat-
19 ments.

20 (3) Examine available research on complemen-
21 tary alternative treatment therapies for mental
22 health issues and identify what benefits could be
23 made with the inclusion of such treatments for vet-
24 erans, including with respect to—

25 (A) music therapy;

- 1 (B) equine therapy;
2 (C) training and caring for service dogs;
3 (D) yoga therapy;
4 (E) acupuncture therapy;
5 (F) meditation therapy;
6 (G) outdoor sports therapy;
7 (H) hyperbaric oxygen therapy;
8 (I) accelerated resolution therapy; and
9 (J) other therapies the Commission deter-
10 mines appropriate.

11 (4) Study the potential increase of claims relat-
12 ing to mental health issues submitted to the Sec-
13 retary by veterans who served in Operation Endur-
14 ing Freedom, Operation Iraqi Freedom, or Oper-
15 ation New Dawn, including an assessment of the re-
16 sources available within the Department to ensure
17 that quality health care demands relating to such
18 claims can be delivered in a timely manner.

19 **SEC. 3. MEMBERSHIP.**

20 (a) NUMBER AND APPOINTMENT.—

21 (1) IN GENERAL.—The Commission shall be
22 composed of 10 members, appointed as follows:

23 (A) Two members appointed by the Speak-
24 er of the House of Representatives, at least one
25 of whom shall be a veteran.

1 (B) Two members appointed by the Minor-
2 ity Leader of the House of Representatives, at
3 least one of whom shall be a veteran.

4 (C) Two members appointed by the Major-
5 ity Leader of the Senate, at least one of whom
6 shall be a veteran.

7 (D) Two members appointed by the Minor-
8 ity Leader of the Senate, at least one of whom
9 shall be a veteran.

10 (E) Two members appointed by the Presi-
11 dent, at least one of whom shall be a veteran.

12 (2) QUALIFICATIONS.—Members of the Com-
13 mission shall be—

14 (A) individuals who are of recognized
15 standing and distinction within the medical
16 community with a background in treating men-
17 tal health;

18 (B) individuals with experience working
19 with the military and veteran population; and

20 (C) individuals who do not have a financial
21 interest in any of the complementary alternative
22 treatments reviewed by the Commission.

23 (b) CHAIRMAN.—The President shall designate a
24 member of the Commission to be the chairman.

1 (c) PERIOD OF APPOINTMENT.—Members of the
2 Commission shall be appointed for the life of the Commis-
3 sion.

4 (d) VACANCY.—A vacancy in the Commission shall
5 be filled in the manner in which the original appointment
6 was made.

7 (e) APPOINTMENT DEADLINE.—The appointment of
8 members of the Commission in this section shall be made
9 not later than 90 days after the date of the enactment
10 of this Act.

11 **SEC. 4. POWERS OF COMMISSION.**

12 (a) MEETING.—

13 (1) INITIAL MEETING.—The Commission shall
14 hold its first meeting not later than 30 days after
15 a majority of members are appointed to the Commis-
16 sion.

17 (2) MEETING.—The Commission shall regularly
18 meet at the call of the Chairman. Such meetings
19 may be carried out through the use of telephonic or
20 other appropriate telecommunication technology if
21 the Commission determines that such technology will
22 allow the members to communicate simultaneously.

23 (b) HEARING.—The Commission may hold such hear-
24 ings, sit and act at such times and places, take such testi-
25 mony, and receive evidence as the Commission considers

1 advisable to carry out the responsibilities of the Commis-
2 sion.

3 (c) INFORMATION FROM FEDERAL AGENCIES.—The
4 Commission may secure directly from any department or
5 agency of the Federal Government such information as the
6 Commission considers necessary to carry out the duties
7 of the Commission.

8 (d) INFORMATION FROM NONGOVERNMENTAL ORGA-
9 NIZATIONS.—In carrying out section 2(b), the Commission
10 may seek guidance through consultation with foundations,
11 veterans service organizations, nonprofit groups, faith-
12 based organizations, private and public institutions of
13 higher education, and other organizations as the Commis-
14 sion determines appropriate.

15 (e) COMMISSION RECORDS.—The Commission shall
16 keep an accurate and complete record of the actions and
17 meetings of the Commission. Such record shall be made
18 available for public inspection and the Comptroller Gen-
19 eral of the United States may audit and examine such
20 record.

21 (f) PERSONNEL MATTERS.—Upon request of the
22 chairman of the Commission, the head of any department
23 or agency of the Federal Government may detail, on a re-
24 imbursable basis, any personnel of that department or

1 agency to assist the Commission in carrying out the duties
2 of the Commission.

3 (g) COMPENSATION OF MEMBERS; TRAVEL EX-
4 PENSES.—Each member shall serve without pay, except
5 that each member shall receive travel expenses to perform
6 the duties of the Commission under section 2(b) of this
7 Act, including per diem in lieu of subsistence, at rates au-
8 thorized under subchapter I of chapter 57 of title 5,
9 United States Code.

10 (h) STAFF.—The Chairman, in accordance with rules
11 agreed upon by the Commission, may appoint and fix the
12 compensation of a staff director and such other personnel
13 as may be necessary to enable the Commission to carry
14 out its functions, without regard to the provisions of title
15 5, United States Code, governing appointments in the
16 competitive service, without regard to the provision of
17 chapter 51 and subchapter III of chapter 53 of such title
18 relating to classification and General Schedule pay rates,
19 except that no rate of pay fixed under this subsection may
20 exceed the equivalent of that payable for a position at a
21 level IV of the Executive Schedule under section 5316 of
22 title 5, United States Code.

23 (i) PERSONNEL AS FEDERAL EMPLOYEES.—

24 (1) IN GENERAL.—The executive director and
25 any personnel of the Commission are employees

1 under section 2105 of title 5, United States Code,
2 for purpose of chapters 63, 81, 83, 84, 85, 87, 89,
3 and 90 of such title.

4 (2) MEMBERS OF THE COMMISSION.—Para-
5 graph (1) shall not be construed to apply to mem-
6 bers of the Commission.

7 (j) CONTRACTING.—The Commission may, to such
8 extent and in such amounts as are provided in appropria-
9 tions Acts, enter into contracts to enable the Commission
10 to discharge the duties of the Commission under this Act.

11 (k) EXPERT AND CONSULTANT SERVICE.—The Com-
12 mission may procure the services of experts and consult-
13 ants in accordance with section 3109 of title 5, United
14 States Code, at rates not to exceed the daily rate paid
15 to a person occupying a position at level IV of the Execu-
16 tive Schedule under section 5315 of title 5, United States
17 Code.

18 (l) POSTAL SERVICE.—The Commission may use the
19 United States mails in the same manner and under the
20 same conditions as departments and agencies of the
21 United States.

22 (m) PHYSICAL FACILITIES AND EQUIPMENT.—Upon
23 the request of the Commission, the Administrator of Gen-
24 eral Services shall provide to the Commission, on a reim-
25 bursable basis, the administrative support services nec-

1 essary for the Commission to carry out its responsibilities
2 under this Act. These administrative services may include
3 human resource management, budget, leasing, accounting,
4 and payroll services.

5 **SEC. 5. REPORT.**

6 (a) INTERIM REPORTS.—

7 (1) IN GENERAL.—Not later than 60 days after
8 the date on which the Commission first meets, and
9 each 30-day period thereafter ending on the date on
10 which the Commission submits the final report
11 under subsection (b), the Commission shall submit
12 to the Committees on Veterans' Affairs of the House
13 of Representatives and the Senate and the President
14 a report detailing the level of cooperation the Sec-
15 retary of Veterans Affairs (and the heads of other
16 departments or agencies of the Federal Government)
17 has provided to the Commission.

18 (2) OTHER REPORTS.—In carrying out the du-
19 ties pursuant to section 2(b), at times that the Com-
20 mission determines appropriate, the Commission
21 shall submit to the Committees on Veterans' Affairs
22 of the House of Representatives and the Senate and
23 any other appropriate entities an interim report with
24 respect to the findings identified by the Commission.

1 (b) FINAL REPORT.—Not later than 18 months after
2 the first meeting of the Commission, the Commission shall
3 submit to the Committees on Veterans' Affairs of the
4 House of Representatives and the Senate, the President,
5 and the Secretary of Veterans Affairs a final report on
6 the findings of the Commission. Such report shall include
7 the following:

8 (1) Recommendations to implement in a fea-
9 sible, timely, and cost-effective manner the solutions
10 and remedies identified within the findings of the
11 Commission pursuant to section 2(b).

12 (2) An analysis of the evidence-based therapy
13 model used by the Secretary of Veterans Affairs for
14 treating veterans with mental health care issues, and
15 an examination of the prevalence and efficacy of pre-
16 scription drugs as a means for treatment.

17 (3) The findings of the patient-centered survey
18 conducted within each of the Veterans Integrated
19 Service Networks pursuant to section 2(b)(2).

20 (4) An examination of complementary alter-
21 native treatments described in section 2(b)(3) and
22 the potential benefits of incorporating such treat-
23 ments in the therapy model used by the Secretary
24 for treating veterans with mental health issues.

1 (c) PLAN.—Not later than 90 days after the date on
2 which the Commission submits the final report under sub-
3 section (b), the Secretary of Veterans Affairs shall submit
4 to the Committees on Veterans' Affairs of the House of
5 Representatives and the Senate a report on the following:

6 (1) An action plan for implementing the rec-
7 ommendations established by the Commission on
8 such solutions and remedies for improving wellness-
9 based outcomes for veterans with mental health care
10 issues.

11 (2) A feasible timeframe on when complemen-
12 tary alternative treatments described in section
13 2(b)(3) can be implemented Department-wide.

14 (3) With respect to each recommendation estab-
15 lished by the Commission, including regarding any
16 complementary alternative treatment, that the Sec-
17 retary determines is not appropriate or feasible to
18 implement, a justification for each such determina-
19 tion and an alternative solution to improve the effi-
20 cacy of the therapy model used by the Secretary for
21 treating veterans with mental health issues.

22 **SEC. 6. TERMINATION OF COMMISSION.**

23 The Commission shall terminate 30 days after the
24 Commission submits the final report under section 5(b).

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