

114TH CONGRESS
2D SESSION

S. 2527

To amend title 38, United States Code, to improve the mental health treatment provided by the Secretary of Veterans Affairs to veterans who served in classified missions.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2016

Mr. TESTER (for himself and Mr. SULLIVAN) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve the mental health treatment provided by the Secretary of Veterans Affairs to veterans who served in classified missions.

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 “Sergeant Daniel
5 Somers Classified Veterans Access to Care Act”.

1 **SEC. 2. MENTAL HEALTH TREATMENT FOR VETERANS WHO**
2 **SERVED IN CLASSIFIED MISSIONS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that veterans who experience combat-related mental
5 health wounds should have immediate, appropriate, and
6 consistent access to comprehensive mental health care.

7 (b) IN GENERAL.—Subchapter II of chapter 17 of
8 title 38, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 1720H. Mental health treatment for veterans who**
11 **served in classified missions**

12 “(a) ESTABLISHMENT OF STANDARDS.—(1) The
13 Secretary shall establish standards and procedures to en-
14 sure that each covered veteran may access mental health
15 care furnished by the Secretary in a manner that fully
16 accommodates the obligation of the veteran to not improv-
17 erly disclose classified information.

18 “(2) The Secretary shall disseminate guidance to em-
19 ployees of the Veterans Health Administration, including
20 mental health professionals, on the standards and proce-
21 dures established under paragraph (1) and how to best
22 engage covered veterans during the course of mental
23 health treatment with respect to classified information.

24 “(b) IDENTIFICATION.—In carrying out this section,
25 the Secretary shall ensure that a veteran may elect to
26 identify as a covered veteran on an appropriate form.

1 “(c) DEFINITIONS.—In this section:

2 “(1) The term ‘classified information’ means
3 any information or material that has been deter-
4 mined by an official of the United States pursuant
5 to law to require protection against unauthorized
6 disclosure for reasons of national security.

7 “(2) The term ‘covered veteran’ means a vet-
8 eran who—

9 “(A) is enrolled in the system of annual
10 patient enrollment established and operated
11 under section 1705(a) of this title;

12 “(B) is seeking mental health treatment;
13 and

14 “(C) in the course of serving in the Armed
15 Forces, participated in a sensitive mission or
16 served in a sensitive unit.

17 “(3) The term ‘sensitive mission’ means a mis-
18 sion of the Armed Forces that, at the time at which
19 a covered veteran seeks treatment, is classified.

20 “(4) The term ‘sensitive unit’ has the meaning
21 given that term in section 130b(c)(4) of title 10.”.

22 (c) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 17 of such title is amended
24 by inserting after the item relating to section 1720G the
25 following new item:

“1720H. Mental health treatment for veterans who served in classified missions.”.

