

115TH CONGRESS
1ST SESSION

S. 1881

To expand eligibility for health care under the Veterans Access, Choice, and Accountability Act of 2014 to include certain veterans seeking mental health care, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2017

Mrs. ERNST (for herself, Mr. TILLIS, Mr. GRASSLEY, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To expand eligibility for health care under the Veterans Access, Choice, and Accountability Act of 2014 to include certain veterans seeking mental health care, and for other purposes.

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 “Prioritizing Veterans
5 Access to Mental Health Care Act of 2017”.

1 **SEC. 2. EXPANSION OF ELIGIBILITY OF CERTAIN VETERANS**
2 **SEEKING MENTAL HEALTH CARE FOR**
3 **HEALTH CARE FROM NON-DEPARTMENT OF**
4 **VETERANS AFFAIRS ENTITIES.**

5 (a) IN GENERAL.—Section 101(b)(2) of the Veterans
6 Access, Choice, and Accountability Act of 2014 (Public
7 Law 113–146; 38 U.S.C. 1701 note) is amended—

8 (1) in subparagraph (C)(ii), by striking “; or”
9 and inserting a semicolon;

10 (2) in subparagraph (D)(ii)(II)(dd), by striking
11 the period at the end and inserting “; or”; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(E) provides a statement in writing that
15 the veteran seeks mental health care from the
16 Department and has not received timely and
17 adequate mental health care through a facility
18 or health care provider of the Department.”.

19 (b) SUBMISSION OF STATEMENT IN WRITING.—

20 (1) IN GENERAL.—In providing for a statement
21 in writing under subparagraph (E) of section
22 101(b)(2) of the Veterans Access, Choice, and Ac-
23 countability Act of 2014 (Public Law 113–146; 38
24 U.S.C. 1701 note), as added by subsection (a), the
25 Secretary of Veterans Affairs shall develop proce-

dures for the submission by veterans of such statement—

(A) electronically, through the primary Internet website of the Department of Veterans Affairs that is available to the public; and

(B) in person or by fax to the Non-VA Care Communication Office of each medical facility of the Department.

(2) COMPONENTS OF STATEMENT.—The Secretary shall require that any veteran that submits a statement in writing described in paragraph (1) include the following:

(A) The earliest date that the Department provided to the veteran for an appointment for the receipt of mental health care through a facility or health care provider of the Department, or, if no date was provided, an indication that no appointment date was provided.

(B) The earliest date of an appointment of the veteran for the receipt of mental health care that was offered by a non-Department health care provider, if applicable.

(C) A certification by the veteran that the veteran cannot reasonably wait for an appoint-

ment for mental health care through a facility or health care provider of the Department.

(D) Feedback by the veteran with respect to the timeliness and adequacy of mental health care furnished by the Department.

(3) RECEIPT OF STATEMENT.—Upon the receipt by the Department of a statement in writing described in paragraph (1) by a veteran, the Secretary shall provide a confirmation to the veteran that the Secretary has received the statement in writing—

(A) in the form of an immediate automated confirmation, if the statement in writing was submitted electronically; and

(B) in the form of an immediate written confirmation, if the statement in writing was submitted in person or by fax.

(c) CONFORMING AMENDMENT.—Section 101(q)(2)(A) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in clause (iii), by striking “; and” and inserting a semicolon;

(2) in clause (iv), by striking the period at the end and inserting “; and”; and

1 (3) by adding at the end the following new
2 clause:

3 “(v) eligible veterans described in sub-
4 section (b)(2)(E).”.

5 **SEC. 3. PRIORITIZATION OF HIRING INCENTIVES TO AD-**
6 **DRESS NEED FOR HEALTH PROFESSIONALS**
7 **AT DEPARTMENT OF VETERANS AFFAIRS.**

8 In carrying out hiring incentives for health profes-
9 sionals at the Department of Veterans Affairs, including
10 the Department of Veterans Affairs Health Professionals
11 Educational Assistance Program under chapter 76 of title
12 38, United States Code, the Secretary of Veterans Affairs
13 shall give priority to those health professionals for which
14 there is the greatest need in the Department, such as psy-
15 chiatrists, psychologists, and other mental health care pro-
16 viders.

17 **SEC. 4. SOURCE OF AMOUNTS.**

18 Such sums as may be necessary to carry out this Act
19 and the amendments made by this Act shall be derived
20 from amounts appropriated under section 801 of the Vet-
21 erans Access, Choice, and Accountability Act of 2014
22 (Public Law 113–146; 38 U.S.C. 1701 note).

1 **SEC. 5. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act shall
3 take effect on the date that is 90 days after the date of
4 the enactment of this Act.

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