To direct the Secretary of Veterans Affairs to carry out a pilot program for work therapy using service dog training.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 2019

Mr. TILLIS (for himself, Ms. SINEMA, Mrs. FISCHER, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to carry out a pilot program for work therapy using service dog training.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “K9s for Veterans Therapy Act”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the analyses of veteran suicide published by the Department of Veterans Affairs in August 2016 and titled “Suicide Among Veterans
and Other Americans”, and in June 2018, titled “VA National Suicide Date Report”—

(A) an average of 20 veterans died by suicide each day in 2014;

(B) mental health disorders, including major depression and other mood disorders, have been associated with increased risk for suicide;

(C) since 2001, the proportion of users of health care from the Veterans Health Administration with mental health conditions or substance use disorders has increased from approximately 27 percent in 2001 to more than 40 percent in 2014; and

(D) overall, suicide rates are highest among patients with mental health and substance use disorder diagnoses who are in treatment and lower among those who received a mental health diagnosis but were not at risk enough to require enhanced care from a mental health provider.

(2) The Department of Veterans Affairs must be more effective in its approach to reducing the burden of veteran suicide connected to mental health disorders, including post-traumatic stress disorder
(in this section referred to as "PTSD"), and new, rigorous scientific research provides persuasive weight to the growing anecdotal evidence that service dogs ameliorate the symptoms associated with PTSD, and in particular, may help prevent veteran suicide.

(3) Several organizations have proven track records of training service dogs for veterans with mental health diagnoses, including PTSD, and dramatically improving their quality of life, ability to re-enter society, and overall health and wellness.

SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PILOT PROGRAM FOR WORK THERAPY USING SERVICE DOG TRAINING.

(a) In general.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program under which the Secretary shall make grants to one or more appropriate non-government entities for the purpose of assessing the effectiveness of addressing symptoms of post-deployment mental health and post-traumatic stress disorder through a therapeutic medium of veterans training service dogs intended for veterans with disabilities.

(b) Duration of Pilot Program.—The pilot program required by subsection (a) shall be carried out dur-
ing the five-year period beginning on the date of the com-
menement of the pilot program.
(c) CONDITIONS ON RECEIPT OF GRANTS.—As a con-
dition of receiving a grant under this section, a non-gov-
ernment entity shall—
(1) submit to the Secretary certification that
the entity is an organization described in section
501(c)(3) of the Internal Revenue Code of 1986 and
is exempt from taxation under section 501(a) of
such Code that—
(A) trains service dogs for veterans with
disabilities; and
(B) is accredited by, or adheres to stand-
ards comparable to those of, an accrediting or-
ganization with demonstrated experience, na-
tional scope, and recognized leadership and ex-
pertise in the training of service dogs and edu-
cation in the use of service dogs;
(2) agree to cover all costs to provide services
under this section in excess of the grant amount;
(3) agree to reaccept or replace the service dog
trained by the veteran, if necessary, as determined
by the organization and the veteran conducting the
training;
(4) provide a wellness certification from a licensed veterinarian for any dog participating in the pilot program;

(5) employ at least one person with clinical experience related to mental health;

(6) ensure that veterans participating in the pilot program receive training from service dog training instructors for a period of time determined appropriate by the organization and the Secretary, including service skills to address or alleviate symptoms unique to the needs of veterans;

(7) agree to provide lectures on service dog training methodologies and practical hands-on training and grooming of service dogs;

(8) agree that in hiring service dog training instructors to carry out training under the pilot program, the non-government entity will give a preference to veterans who have successfully graduated from post-traumatic stress disorder or other residential treatment program and who have received adequate certification in service dog training;

(9) agree not to use shock collars, choke collars, or prong collars as training tools and to use positive reinforcement training;
(10) agree that upon the conclusion of training provided using the grant funds—

(A) the veteran who received the training will keep the dog he or she trained unless the veteran and the health care provider of the veteran decide it is not in the best interest of the veteran;

(B) if the veteran does not adopt the dog, the entity will be responsible for caring for and appropriately placing the dog;

(C) the Department of Veterans Affairs will have no additional responsibility to provide for any benefits under this section; and

(D) the Department of Veterans Affairs will have no liability with respect to the dog;

(11) provide follow-up support service for the life of the dog, including a contact plan between the veteran and the entity to allow the veteran to reach out for and receive adequate help with the service dog and the organization to communicate with the veteran to ensure the service dog is being properly cared for; and

(12) submit to the Secretary an application containing such information, certification, and assurances as the Secretary may require.
(d) VETERAN ELIGIBILITY.—

(1) IN GENERAL.—For the purposes of this section, an eligible veteran is a veteran who—

(A) is enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705 of title 38, United States Code;

(B) has been recommended for the pilot program under this section by a qualified health care provider or clinical team based on the medical judgment that the veteran may benefit from participating in the pilot program; and

(C) agrees to successfully complete training provided by a non-government entity that receives a grant under this section.

(2) RELATIONSHIP TO PARTICIPATION IN OTHER PROGRAM.—Veterans may participate in the pilot program under this section in conjunction with the compensated work therapy program of the Department of Veterans Affairs.

(3) CONTINUING ELIGIBILITY REQUIREMENT.—To remain eligible to participate in the pilot program, a veteran shall see the health care provider or clinical team of the Department of Veterans Affairs treating the veteran for post-traumatic stress dis-
order not less frequently than once every 180 days
to determine, based on a clinical evaluation of effi-
cacy, whether the veteran continues to benefit from
the pilot program.

(4) CARE FOR SERVICE DOG.—If at any point
a veteran is no longer able or willing to care for a
service dog provided to the veteran under this sec-
tion, the entity that provided the service dog and the
veteran shall determine the appropriate recourse to
ensure the safety of both the veteran and the service
dog.

(e) COLLECTION OF DATA.—In carrying out this sec-
tion, the Secretary shall—

(1) develop metrics and other appropriate
means to measure, with respect to veterans partici-
pation in the pilot program—

(A) the improvement in psychosocial func-
tion and therapeutic compliance of such vet-
erans;

(B) changes with respect to the depend-
ence of such veterans on prescription narcotics
and psychotropic medication; and

(C) quality of life indicators and other ap-
propriate measures with respect to such vet-
erans;
(2) establish processes to document and track
the progress of such veterans under the pilot pro-
gram in terms of the benefits and improvements
noted as a result of the pilot program; and

(3) with respect to any veteran who decides to
keep the dog he or she has personally trained, the
Secretary shall continue to collect the data under
paragraphs (1) and (2) during the five-year period
following the date on which the veteran decides to
keep the dog.

(f) COMPTROLLER GENERAL BRIEFINGS AND RE-
PORT.—

(1) INITIAL BRIEFING.—Not later than one
year after the date of the commencement of the pilot
program under subsection (a), the Comptroller Gen-
eral of the United States shall provide to the Com-
mittee on Veterans’ Affairs of the Senate and the
Committee on Veterans’ Affairs of the House of
Representatives a briefing on the methodology estab-
lished for the pilot program.

(2) FOLLOW-UP BRIEFING.—Not later than two
years after the briefing on the methodology estab-
lished for the pilot program under paragraph (1),
the Comptroller General shall provide to the commit-
tees specified in paragraph (1) a briefing that includes—

(A) an assessment of the elements required for the report under paragraph (3)(B); and

(B) if there are any such elements that cannot be included in the briefing—

(i) an explanation as to why those elements cannot be included; and

(ii) such recommendations as the Comptroller General may have to improve the pilot program to ensure such elements will be included in the report.

(3) Final report.—

(A) In general.—Not later than 270 days after the date on which the pilot program terminates, the Comptroller General shall submit to the committees specified in paragraph (1) a report on the pilot program.

(B) Elements.—The report required by subparagraph (A) shall include an evaluation of the approach and methodology used for the pilot program with respect to—

(i) helping veterans with post-traumatic stress disorder return to civilian life;
(ii) relevant metrics, including reduction in scores under the post-traumatic stress disorder check-list (PCL–5), improvement in psychosocial function, and therapeutic compliance; and

(iii) reducing the dependence of participants on prescription narcotics and psychotropic medication.

(g) Service Dog Training Instructor Defined.—In this section, the term “service dog training instructor” means an instructor who provides the direct training of veterans with post-traumatic stress disorder and other post-deployment issues in the art and science of service dog training and handling.