

116TH CONGRESS  
1ST SESSION

# S. 711

To amend title 38, United States Code, to expand eligibility for mental health services from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 7, 2019

Mr. TESTER (for himself, Mr. MORAN, Ms. BALDWIN, Mr. SULLIVAN, Ms. HASSAN, Mr. CASSIDY, Mr. MANCHIN, Mr. TILLIS, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to expand eligibility for mental health services from the Department of Veterans Affairs to include members of the reserve components of the Armed Forces, 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 “Care and Readiness  
5 Enhancement for Reservists Act of 2019” or the “CARE  
6 for Reservists Act of 2019”.

1 **SEC. 2. EXPANSION OF ELIGIBILITY FOR READJUSTMENT**  
2 **COUNSELING AND RELATED OUTPATIENT**  
3 **SERVICES FROM THE DEPARTMENT OF VET-**  
4 **ERANS AFFAIRS TO INCLUDE MEMBERS OF**  
5 **THE RESERVE COMPONENTS OF THE ARMED**  
6 **FORCES.**

7 (a) READJUSTMENT COUNSELING.—Subsection  
8 (a)(1) of section 1712A of title 38, United States Code,  
9 is amended by adding at the end the following new sub-  
10 paragraph:

11 “(D)(i) The Secretary, in consultation with the Sec-  
12 retary of Defense, may furnish to any member of the re-  
13 serve components of the Armed Forces who has a behav-  
14 ioral health condition or psychological trauma, counseling  
15 under subparagraph (A)(i), which may include a com-  
16 prehensive individual assessment under subparagraph  
17 (B)(i).

18 “(ii) A member of the reserve components of the  
19 Armed Forces described in clause (i) shall not be required  
20 to obtain a referral before being furnished counseling or  
21 an assessment under this subparagraph.”.

22 (b) OUTPATIENT SERVICES.—Subsection (b) of such  
23 section is amended—

24 (1) in paragraph (1)—

1 (A) by inserting “to an individual” after  
2 “If, on the basis of the assessment furnished”;  
3 and

4 (B) by striking “veteran” each place it ap-  
5 pears and inserting “individual”; and

6 (2) in paragraph (2), by striking “veteran” and  
7 inserting “individual”.

8 (c) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect on the date that is one year  
10 after the date of the enactment of this Act.

11 **SEC. 3. PROVISION OF MENTAL HEALTH SERVICES FROM**  
12 **THE DEPARTMENT OF VETERANS AFFAIRS**  
13 **TO MEMBERS OF THE RESERVE COMPO-**  
14 **NENTS OF THE ARMED FORCES.**

15 (a) IN GENERAL.—Subchapter VIII of chapter 17 of  
16 title 38, United States Code, is amended by adding at the  
17 end the following new section:

18 **“§ 1789. Mental health services for members of the re-**  
19 **serve components of the Armed Forces**

20 “The Secretary, in consultation with the Secretary of  
21 Defense, may furnish mental health services to members  
22 of the reserve components of the Armed Forces.”.

23 (b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of chapter 17 of such title is amended

1 by inserting after the item relating to section 1788 the  
 2 following new item:

“1789. Mental health services for members of the reserve components of the  
 Armed Forces.”.

3 **SEC. 4. INCLUSION OF MEMBERS OF RESERVE COMPO-**  
 4 **NENTS IN MENTAL HEALTH PROGRAMS OF**  
 5 **THE DEPARTMENT OF VETERANS AFFAIRS.**

6 (a) SUICIDE PREVENTION PROGRAM.—

7 (1) IN GENERAL.—Section 1720F of title 38,  
 8 United States Code, is amended by adding at the  
 9 end the following new subsection:

10 “(1)(1) COVERED INDIVIDUAL DEFINED.—In this  
 11 section, the term ‘covered individual’ means a veteran or  
 12 a member of the reserve components of the Armed Forces.

13 “(2) In determining coverage of members of the re-  
 14 serve components of the Armed Forces under the com-  
 15 prehensive program, the Secretary shall consult with the  
 16 Secretary of Defense.”.

17 (2) CONFORMING AMENDMENTS.—Such section  
 18 is further amended—

19 (A) in subsection (a), by striking “vet-  
 20 erans” and inserting “covered individuals”;

21 (B) in subsection (b), by striking “vet-  
 22 erans” each place it appears and inserting “cov-  
 23 ered individuals”;

24 (C) in subsection (c)—

1 (i) in the subsection heading, by strik-  
2 ing “OF VETERANS”;

3 (ii) by striking “veterans” each place  
4 it appears and inserting “covered individ-  
5 uals”; and

6 (iii) by striking “veteran” and insert-  
7 ing “individual”;

8 (D) in subsection (d), by striking “to vet-  
9 erans” each place it appears and inserting “to  
10 covered individuals”;

11 (E) in subsection (e), in the matter pre-  
12 ceding paragraph (1), by striking “veterans”  
13 and inserting “covered individuals”;

14 (F) in subsection (f)—

15 (i) in the first sentence, by striking  
16 “veterans” and inserting “covered individ-  
17 uals”; and

18 (ii) in the second sentence, by insert-  
19 ing “or members” after “veterans”;

20 (G) in subsection (g), by striking “vet-  
21 erans” and inserting “covered individuals”;

22 (H) in subsection (h), by striking “vet-  
23 erans” and inserting “covered individuals”;

24 (I) in subsection (i)—

1 (i) in the subsection heading, by strik-  
2 ing “FOR VETERANS AND FAMILIES”;

3 (ii) in the matter preceding paragraph  
4 (1), by striking “veterans and the families  
5 of veterans” and inserting “covered indi-  
6 viduals and the families of covered individ-  
7 uals”;

8 (iii) in paragraph (2), by striking  
9 “veterans” and inserting “covered individ-  
10 uals”; and

11 (iv) in paragraph (4), by striking  
12 “veterans” each place it appears and in-  
13 serting “covered individuals”;

14 (J) in subsection (j)—

15 (i) in paragraph (1), by striking “vet-  
16 erans” each place it appears and inserting  
17 “covered individuals”; and

18 (ii) in paragraph (4)—

19 (I) in subparagraph (A), in the  
20 matter preceding clause (i), by strik-  
21 ing “women veterans” and inserting  
22 “covered individuals who are women”;

23 (II) in subparagraph (B), by  
24 striking “women veterans who” and

1 inserting “covered individuals who are  
2 women and”; and

3 (III) in subparagraph (C), by  
4 striking “women veterans” and insert-  
5 ing “covered individuals who are  
6 women”; and

7 (K) in subsection (k), by striking “vet-  
8 erans” and inserting “covered individuals”.

9 (3) CLERICAL AMENDMENTS.—

10 (A) IN GENERAL.—Such section is further  
11 amended, in the section heading, by inserting  
12 **“AND MEMBERS OF THE RESERVE COMPO-  
13 NENTS OF THE ARMED FORCES”** after  
14 **“VETERANS”**.

15 (B) TABLE OF SECTIONS.—The table of  
16 sections at the beginning of chapter 17 of such  
17 title is amended by striking the item relating to  
18 section 1720F and inserting the following new  
19 item:

“1720F. Comprehensive program for suicide prevention among veterans and  
members of the reserve components of the Armed Forces.”.

20 (b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS  
21 WHO SERVED IN CLASSIFIED MISSIONS.—

22 (1) IN GENERAL.—Section 1720H of such title  
23 is amended—

24 (A) in subsection (a)—

1 (i) in paragraph (1)—

2 (I) by striking “eligible veteran”  
3 and inserting “eligible individual”;  
4 and

5 (II) by striking “the veteran”  
6 and inserting “the individual”; and

7 (ii) in paragraph (3), by striking “eli-  
8 gible veterans” and inserting “eligible indi-  
9 viduals”;

10 (B) in subsection (b)—

11 (i) by striking “a veteran” and insert-  
12 ing “an individual”; and

13 (ii) by striking “eligible veteran” and  
14 inserting “eligible individual”; and

15 (C) in subsection (c)—

16 (i) in paragraph (2), in the matter  
17 preceding subparagraph (A), by striking  
18 “The term ‘eligible veteran’ means a vet-  
19 eran” and inserting “The term ‘eligible in-  
20 dividual’ means a veteran or a member of  
21 the reserve components of the Armed  
22 Forces”; and

23 (ii) in paragraph (3), by striking “eli-  
24 gible veteran” and inserting “eligible indi-  
25 vidual”.



1 (2) CLERICAL AMENDMENTS.—

2 (A) IN GENERAL.—Such section is further  
3 amended, in the section heading, by inserting  
4 “**AND MEMBERS OF THE RESERVE COMPO-**  
5 **NENTS OF THE ARMED FORCES**” after  
6 “**VETERANS**”.

7 (B) TABLE OF SECTIONS.—The table of  
8 sections at the beginning of chapter 17 of such  
9 title is amended by striking the item relating to  
10 section 1720H and inserting the following new  
11 item:

“1720H. Mental health treatment for veterans and members of the reserve components of the Armed Forces who served in classified missions.”.

12 **SEC. 5. REPORT ON MENTAL HEALTH AND RELATED SERV-**  
13 **ICES PROVIDED BY THE DEPARTMENT OF**  
14 **VETERANS AFFAIRS TO MEMBERS OF THE**  
15 **ARMED FORCES.**

16 (a) IN GENERAL.—Not later than one year after the  
17 date of the enactment of this Act, the Secretary of Vet-  
18 erans Affairs shall submit to the Committee on Veterans’  
19 Affairs and the Committee on Appropriations of the Sen-  
20 ate and the Committee on Veterans’ Affairs and the Com-  
21 mittee on Appropriations of the House of Representatives  
22 a report that includes an assessment of the following:

23 (1) The increase, as compared to the day before  
24 the date of the enactment of this Act, of the number

1 of members of the Armed Forces that use readjust-  
2 ment counseling or outpatient mental health care  
3 from the Department of Veterans Affairs,  
4 disaggregated by State, Vet Center location, and  
5 clinical care site of the Department, as appropriate.

6 (2) The number of members of the reserve com-  
7 ponents of the Armed Forces receiving telemental  
8 health care from the Department.

9 (3) The increase, as compared to the day before  
10 the date of the enactment of this Act, of the annual  
11 cost associated with readjustment counseling and  
12 outpatient mental health care provided by the De-  
13 partment to members of the reserve components of  
14 the Armed Forces.

15 (4) The changes, as compared to the day before  
16 the date of the enactment of this Act, in staffing,  
17 training, organization, and resources required for  
18 the Department to offer readjustment counseling  
19 and outpatient mental health care to members of the  
20 reserve components of the Armed Forces.

21 (5) Any challenges the Department has encoun-  
22 tered in providing readjustment counseling and out-  
23 patient mental health care to members of the reserve  
24 components of the Armed Forces.

1       (b) VET CENTER DEFINED.—In this section, the  
2 term “Vet Center” has the meaning given that term in  
3 section 1712A(h) of title 38, United States Code.

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