

110TH CONGRESS  
2D SESSION

# H. R. 6075

To expand and improve mental health care and reintegration programs for members of the National Guard and Reserve, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2008

Mr. KENNEDY (for himself, Mr. ALLEN, Mr. KUHLMANN of New York, Mr. MCGOVERN, Mr. MARKEY, Mr. BISHOP of New York, and Ms. MOORE of Wisconsin) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To expand and improve mental health care and reintegration programs for members of the National Guard and Reserve, 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 “National Guard and  
5 Reserve Mental Health Access Act of 2008”.

1 **SEC. 2. IMPLEMENTATION OF YELLOW RIBBON RE-**  
2 **INTEGRATION PROGRAM FOR MEMBERS OF**  
3 **THE NATIONAL GUARD AND RESERVE.**

4 (a) **DEADLINE FOR IMPLEMENTATION.**—The Sec-  
5 retary of Defense shall establish the Yellow Ribbon Re-  
6 integration Program for members of the National Guard  
7 and Reserve and their families required by section 582 of  
8 the National Defense Authorization Act for Fiscal Year  
9 2008 (Public Law 110–181; 122 Stat. 122; 10 U.S.C.  
10 10101 note) by not later than 180 days after the date  
11 of the enactment of this Act.

12 (b) **REPORT ON IMPLEMENTATION OF PROGRAM.**—

13 (1) **REPORT REQUIRED.**—Not later than 180  
14 days after the date of the enactment of this Act, the  
15 Under Secretary of Defense for Personnel and Read-  
16 iness shall submit to the Committee on Armed Serv-  
17 ices of the Senate and the Committee on Armed  
18 Services of the House of Representatives a report on  
19 the implementation of the Yellow Ribbon Reintegra-  
20 tion Program.

21 (2) **ELEMENTS.**—The report required by para-  
22 graph (1) shall include the following:

23 (A) A description and assessment of the  
24 implementation of the Yellow Ribbon Reintegra-  
25 tion Program as of the date of the report.

1           (B) Such recommendations as the Under  
2           Secretary considers appropriate for legislative  
3           or administration action to improve the Yellow  
4           Ribbon Reintegration Program.

5           (C) A description of any additional re-  
6           sources required to assure the full implementa-  
7           tion of the Yellow Ribbon Reintegration Pro-  
8           gram.

9   **SEC. 3. JOINT PSYCHOLOGICAL HEALTH PROGRAM.**

10   (a) PROGRAM REQUIRED.—

11           (1) IN GENERAL.—The Secretary of Defense  
12           shall, acting through the Chief of the National  
13           Guard Bureau, carry out a program for the pur-  
14           poses as follows:

15                   (A) To improve access to psychological  
16                   health care and services for members of the Na-  
17                   tional Guard and their families.

18                   (B) To improve coordination among the  
19                   components of the Department of Defense in  
20                   the provision of psychological health care to  
21                   members of the National Guard during their  
22                   transition from active duty in the Armed Force  
23                   to civilian life.

24                   (C) To coordinate and oversee efforts of  
25                   the Department of Defense to assist members

1 of the National Guard with mental illness and  
2 members of the National Guard with Traumatic  
3 Brain Injury (TBI) post-deployment.

4 (2) DESIGNATION OF PROGRAM.—The program  
5 under this section shall be known as the “Joint Psy-  
6 chological Health Program” (in this section referred  
7 to as the “Program”).

8 (b) DIRECTORS OF PSYCHOLOGICAL HEALTH.—

9 (1) IN GENERAL.—In carrying out the Pro-  
10 gram, the Chief of the National Guard Bureau shall  
11 assign within the National Guard Bureau two indi-  
12 viduals to positions as follows:

13 (A) Director of Psychological Health of the  
14 Army National Guard of the United States.

15 (B) Director of Psychological Health of the  
16 Air National Guard of the United States.

17 (2) QUALIFICATIONS.—Each individual as-  
18 signed to a position under paragraph (1) shall have  
19 such qualifications and expertise as the Chief of the  
20 National Guard Bureau considers appropriate for  
21 such position.

22 (3) DUTIES.—A Director of Psychological  
23 Health under paragraph (1) shall carry out such du-  
24 ties with respect to the component of the National

1 Guard concerned as are provided by law or by the  
2 Chief of the National Guard Bureau.

3 (c) PROGRAM ELEMENTS.—

4 (1) STATE NETWORKS OF PSYCHOLOGICAL  
5 HEALTH PROFESSIONALS.—The Program shall con-  
6 sist of a network of psychological health profes-  
7 sionals in each State and Territory, the District of  
8 Columbia, and the Commonwealth of Puerto Rico in  
9 order to carry out programs and activities for the  
10 purposes of the Program.

11 (2) DIRECTORS.—

12 (A) IN GENERAL.—Each network of psy-  
13 chological health professionals established pur-  
14 suant to paragraph (1) for a State or Territory,  
15 the District of Columbia, or the Commonwealth  
16 of Puerto Rico shall be overseen and coordi-  
17 nated for the purposes of the Program by a Di-  
18 rector who shall be selected by the Chief of the  
19 National Guard Bureau from among individuals  
20 who meet such psychology licensure or certifi-  
21 cation requirements as the Chief of the Na-  
22 tional Guard Bureau considers appropriate.

23 (B) CONTRACT POSITION.—An individual  
24 selected to serve as a Director under paragraph  
25 (1) shall serve as a Director pursuant to a con-

1           tract entered into by such individual for pur-  
2           poses of the Program.

3           (C) DUTIES.—Each Director under this  
4           paragraph shall have the duties as follows:

5                   (i) To coordinate and oversee pro-  
6                   grams and activities under the Program in  
7                   the jurisdiction concerned.

8                   (ii) To work with applicable Federal,  
9                   State, and community agencies to develop  
10                  and implement a comprehensive plan for  
11                  responding to the psychological needs of  
12                  members of the National Guard and their  
13                  families for the purposes of the Program.

14                  (iii) To develop, coordinate, and over-  
15                  see programs and activities to inform  
16                  members of the National Guard and their  
17                  families on how to access behavioral health  
18                  services.

19                  (iv) To develop, coordinate, and over-  
20                  see programs and activities of education  
21                  and training for leadership of the National  
22                  Guard on matters relating to the psycho-  
23                  logical health of members of the National  
24                  Guard.

1           (v) To develop, coordinate, and over-  
2           see programs and activities to assist mem-  
3           bers of the National Guard and their fami-  
4           lies in building psychological fitness and  
5           resilience while dispelling the stigma asso-  
6           ciated with seeking and obtaining mental  
7           health services.

8           (vi) To develop, coordinate, and over-  
9           see programs and activities to coordinate  
10          psychological care for members of the Na-  
11          tional Guard during their transition from  
12          Warrior Transitions Units (WTUs) to  
13          their local communities.

14          (vii) To improve access of members of  
15          the National Guard and their families to  
16          psychological care through coordination  
17          with appropriate State agencies and com-  
18          munity-based behavioral health services  
19          providers.

20          (viii) To develop and implement as-  
21          sessments of the resource needs of commu-  
22          nity-based behavior health service providers  
23          in order to provide members of the Na-  
24          tional Guard and their families with the  
25          behavioral health services they require.

1           (ix) To coordinate with other psycho-  
2           logical health components of and for the  
3           reserve components of the Armed Forces.

4           (x) To coordinate and oversee imple-  
5           mentation of other Department of Defense  
6           initiatives to ensure that members of the  
7           National Guard and their families are  
8           aware of an informed about the psycho-  
9           logical health initiatives of the Department  
10          of Defense.

11          (xi) To participate in national and re-  
12          gional work groups developing programs  
13          and activities to address the psychological  
14          needs of members of the National Guard  
15          and their families.

16          (xii) To conduct outreach to and edu-  
17          cation for families of members of the Na-  
18          tional Guard on recognition of mental  
19          health problems, including Post Traumatic  
20          Stress Disorder (PTSD) and other mental  
21          health problems, in members of the Na-  
22          tional Guard.

23                   (3) NATIONAL GUARD PSYCHOLOGICAL HEALTH  
24          COUNCIL.—

1 (A) IN GENERAL.—The Chief of the Na-  
2 tional Guard Bureau shall establish for the pur-  
3 poses of the Program a council to be known as  
4 the “National Guard Psychological Health  
5 Council”.

6 (B) MEMBERSHIP.—The members of the  
7 National Guard Psychological Health Council  
8 shall be the Directors of Psychological Health  
9 assigned under subsection (b) and the Directors  
10 of Psychological Health under paragraph (2).

11 (C) ORGANIZATION.—The National Guard  
12 Psychological Health Council may carry out its  
13 duties on a national or regional basis as consid-  
14 ered appropriate by the Council.

15 (D) DUTIES.—The National Guard Psy-  
16 chological Health Council shall have the fol-  
17 lowing duties:

18 (i) To oversee and coordinate the de-  
19 velopment of the Program and any pro-  
20 grams and activities to be carried out  
21 under the Program.

22 (ii) To ensure consistency nationally  
23 in the programs and activities to be carried  
24 out under the Program.

1 (iii) To act as advisors to the Chief of  
2 the National Guard Bureau for all matters  
3 relating to the psychological needs of mem-  
4 bers of the National Guard and their fami-  
5 lies.

6 (iv) To ensure the dissemination of  
7 best practices in behavioral health care  
8 services to providers of behavioral health  
9 care services to members of the National  
10 Guard and their families.

11 (v) To develop uniform standards for  
12 measuring success in the provision of be-  
13 havioral health care services to members of  
14 the National Guard and their families.

15 (4) COLLABORATION.—

16 (A) IN GENERAL.—The National Guard  
17 Bureau and the Department of Defense shall  
18 work collaboratively in implementing and car-  
19 rying out the Program

20 (B) OTHER COLLABORATION.—In carrying  
21 out programs and activities under the Program,  
22 the Directors of Psychological Health assigned  
23 under subsection (b) and the Directors of Psy-  
24 chological Health under paragraph (2) shall  
25 work with the following:

1 (i) The Department of Veterans Af-  
2 fairs.

3 (ii) The Substance Abuse and Mental  
4 Health Services Administration of the De-  
5 partment of Health and Human Services.

6 (iii) Appropriate State agencies, in-  
7 cluding State mental health agencies and  
8 State veterans agencies.

9 (d) TERRITORY DEFINED.—In this section, the term  
10 “Territory” has the meaning given that term in section  
11 101(1) of title 32, United States Code.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 hereby authorized to be appropriated for the Department  
14 of Defense for fiscal year 2009 for operation and mainte-  
15 nance, \$8,035,000, which shall be available for the Joint  
16 Psychological Health Program under this section in that  
17 fiscal year.

18 **SEC. 4. PILOT PROGRAMS ON PRE-DEPLOYMENT AND POST-**  
19 **DEPLOYMENT TELEMENTAL HEALTH SERV-**  
20 **ICES FOR MEMBERS OF THE NATIONAL**  
21 **GUARD AND RESERVE.**

22 (a) PILOT PROGRAMS REQUIRED.—

23 (1) IN GENERAL.—The Secretary of Defense  
24 and the Secretary of Veterans Affairs shall jointly  
25 carry out one or more pilot programs on the provi-

1 sion of mental health services to members of the Na-  
2 tional Guard and Reserve, both before and after de-  
3 ployment, through telemental health technologies in  
4 order to assess the feasibility and advisability of uti-  
5 lizing of such technologies for the provision of men-  
6 tal health services to member of the National Guard  
7 and Reserve both before and after deployment.

8 (2) DISCHARGE WITH RESPECT TO NATIONAL  
9 GUARD.—Each pilot program carried out under this  
10 section with respect to members of the National  
11 Guard shall be carried out in consultation with the  
12 Chief of the National Guard Bureau.

13 (3) COORDINATION.—The Secretary of Defense  
14 and the Secretary of Veterans Affairs shall carry out  
15 the pilot programs in coordination with the Sub-  
16 stance Abuse and Mental Health Services Adminis-  
17 tration of the Department of Health and Human  
18 Services and such other departments and agencies of  
19 the Federal Government as the Secretaries consider  
20 appropriate to assure quality in the provision of  
21 mental health services to members of the National  
22 Guard and Reserve under the pilot programs.

23 (b) PROGRAM REQUIREMENTS.—

24 (1) LOCATIONS.—

1           (A) IN GENERAL.—The pilot programs  
2           under this section shall be carried out in such  
3           location or locations as the Secretary of De-  
4           fense and the Secretary of Veterans Affairs  
5           shall jointly select.

6           (B) EMPHASIS ON SERVICES TO MEMBERS  
7           IN RURAL AREAS.—In selecting locations for  
8           pilot programs, the Secretary of Defense and  
9           the Secretary of Veterans Affairs shall afford  
10          an emphasis to locations in which services  
11          under the pilot programs are provided to mem-  
12          bers of the National Guard and Reserve resid-  
13          ing in a rural area.

14          (2) UTILIZATION OF EVIDENCE-BASED PRAC-  
15          TICES.—Each pilot program under this section shall  
16          utilize telemental health technologies that have prov-  
17          en effective in the provision of mental health services  
18          to members of the Armed Forces.

19          (c) REPORT.—

20               (1) IN GENERAL.—Not later than one year  
21               after the date of the enactment of this Act, the Sec-  
22               retary of Defense and the Secretary of Veterans Af-  
23               fairs shall jointly submit to Congress a report on the  
24               pilot programs carried out under this section.

1           (2) ELEMENTS.—The report under paragraph  
2           (1) shall including a description of each pilot pro-  
3           gram carried out under this section, including—

4                   (A) the types of mental health services pro-  
5                   vided;

6                   (B) the types of telemental health tech-  
7                   nologies utilized in providing such services;

8                   (C) the number of members of the Na-  
9                   tional Guard and Reserve provided such serv-  
10                  ices; and

11                  (D) the outcomes for members of the Na-  
12                  tional Guard and Reserve in receiving such  
13                  services.

14           (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
15 hereby authorized to be appropriated for the Department  
16 of Defense for fiscal year 2009 for operation and mainte-  
17 nance, \$2,005,000, to carry out pilot programs under this  
18 section in such fiscal year.

19 **SEC. 5. ANTI-STIGMA CAMPAIGN REGARDING MENTAL**  
20 **HEALTH SERVICES AMONG MEMBERS OF THE**  
21 **NATIONAL GUARD AND RESERVE RETURNING**  
22 **FROM DEPLOYMENT AND THEIR FAMILIES.**

23           (a) CAMPAIGN REQUIRED.—

24                   (1) IN GENERAL.—The Secretary of Defense  
25                   and the Secretary of Veterans Affairs shall jointly

1 carry out a program of outreach intended to reduce  
2 the stigma among members of the National Guard  
3 and Reserve returning from deployment, and their  
4 families, associated with seeking and obtaining men-  
5 tal health services.

6 (2) DISCHARGE WITH RESPECT TO NATIONAL  
7 GUARD.—The campaign carried out under this sec-  
8 tion with respect to members of the National Guard  
9 shall be carried out in consultation with the Chief of  
10 the National Guard Bureau.

11 (3) COORDINATION.—The Secretary of Defense  
12 and the Secretary of Veterans Affairs shall carry out  
13 the campaign in coordination with the Substance  
14 Abuse and Mental Health Services Administration of  
15 the Department of Health and Human Services.

16 (b) ELEMENTS.—In carrying out the campaign re-  
17 quired by this section, the Secretary of Defense and the  
18 Secretary of Veterans Affairs shall carry out such pro-  
19 grams and activities (including the award of contracts,  
20 grants, and cooperative agreements with appropriate enti-  
21 ties) as the Secretaries consider appropriate to reduce the  
22 stigma among members of the National Guard and Re-  
23 serve returning from deployment, and their families, asso-  
24 ciated with seeking and obtaining mental health services.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 hereby authorized to be appropriated for fiscal year 2009,  
3 \$2,000,000, to carry out this section.

4 **SEC. 6. ASSIGNMENT OF COMMUNITY OUTREACH COORDI-**  
5 **NATORS TO ASSIST MEMBERS OF THE NA-**  
6 **TIONAL GUARD AND RESERVE RETURNING**  
7 **FROM DEPLOYMENT.**

8 As part of the Yellow Ribbon Reintegration Program  
9 for members of the National Guard and Reserve and their  
10 families under section 582 of the National Defense Au-  
11 thorization Act for Fiscal Year 2008 (Public Law 110–  
12 181; 122 Stat. 122; 10 U.S.C. 10101 note), the Secretary  
13 of Defense shall assign community outreach coordinators  
14 based out of the Office of Reintegration Program’s State  
15 Family Assistance Centers for the purpose of—

16 (1) educating local school districts, religious or-  
17 ganizations, business groups, and other community  
18 groups as necessary on military culture, the stresses  
19 of deployment, hardships on families and other such  
20 topics related to the deployment of members of the  
21 National Guard and Reserve and the reintegration  
22 of members returning from deployment;

23 (2) conducting education programs through  
24 special events designed for specific target community  
25 groups, such as teachers, clergy, and employers; and

1           (3) educating these community members on as-  
2           sistance services offered to members of the National  
3           Guard and Reserve and their families through the  
4           Yellow Ribbon Reintegration Program.

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