

AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MS. MOORE OF WISCONSIN

Page 283, after line 3, insert the following:

1 **SEC. 734. MENTAL HEALTH SERVICES ACCESS DEMONSTRATION PROJECT.**
2

3 (a) **DEMONSTRATION PROJECT REQUIRED.**—The
4 Secretary of Defense shall conduct a demonstration
5 project designed to develop options for increasing access
6 of service members returning from deployment abroad,
7 and family members of such service members, to safe and
8 confidential mental health counseling, for reducing stigma
9 associated with such members seeking such services, and
10 for making mental health services more user friendly and
11 accessible for service members and their family members.

12 (b) **SPECIAL WORKING GROUP.**—

13 (1) **ESTABLISHMENT.**—The Secretary of De-
14 fense shall establish a Special Working Group, head-
15 ed by the Assistant Secretary of Defense for Health
16 Affairs, to develop guidelines and other rec-
17 ommendations applicable to the demonstration
18 project under subsection (a) to ensure that service
19 member confidentiality is protected to the maximum
20 extent possible under such demonstration project.

1 (2) COMPOSITION.—The Special Working
2 Group shall be composed of mental health profes-
3 sionals from each branch of the Armed Services, of-
4 ficials from each office of the Surgeon General of
5 each such branch, service members who have been
6 deployed in support of Operation Enduring Freedom
7 or Operation Iraqi Freedom, and other members as
8 determined appropriated by the Assistant Secretary
9 of Defense for Health Affairs. The Secretary of De-
10 fense is encouraged to appoint members of the Spe-
11 cial Working Group not later than 60 days after the
12 date of the enactment of this Act.

13 (3) DUTIES.—The duties of the Special Work-
14 ing Group shall include at least the following:

15 (A) The development of changes to mili-
16 tary command notification requirements to en-
17 sure that visits to the off-base treatment sites
18 established under the demonstration project
19 under subsection (a) are not recorded on the
20 military medical record or other record of a
21 service member, except as specified under the
22 guidelines developed under subparagraph (B).

23 (B) The development of guidelines to out-
24 line exceptions to the confidentiality protections
25 developed by the Special Working Group and

1 circumstances under which any appropriate no-
2 tification must be made to military com-
3 manders. Such guidelines shall—

4 (i) primarily provide that confiden-
5 tiality may only be broken if the mental
6 health professional involved determines
7 that the service member involved is a
8 threat to the service member or to another;
9 and

10 (ii) determine how best to structure
11 limited access to the treatment records of
12 service members treated at a sites of the
13 demonstration project under subsection
14 (a), including when to allow, consistent
15 with section (i), military commanders ac-
16 cess to records of such service member.

17 (C) The development of guidelines to en-
18 sure that sites providing mental health services
19 under the demonstration project to service
20 members are able to receive payments from the
21 Department of Defense to treat such service
22 members notwithstanding any Department re-
23 quirements preventing such payments without
24 certain notifications to military commanders of
25 such service members.

1 (D) The provision of changes to military
2 procedures, forms, and questionnaires to ensure
3 that service members receiving care at sites of
4 the demonstration project are not required to
5 reveal any services they receive at these sites on
6 any military form or questionnaire, except to
7 comply with any guidelines developed under
8 subparagraph (B).

9 (E) The development of evaluation stand-
10 ards to use to demonstrate the effectiveness of
11 the demonstration project in increasing access
12 to care, decreasing stigma, and improving the
13 quality of mental health care provided to service
14 members. As appropriate, such evaluation
15 standards should be structured to include as-
16 sessments of conditions before and after the
17 demonstration project, including an assessment
18 of—

- 19 (i) access to and utilization of mental
20 health services;
- 21 (ii) costs of such services;
- 22 (iii) outcomes of such services; and
- 23 (iv) service member satisfaction with
24 such services provided.

1 (4) COMPLETION DATE.—The duties of the
2 Special Working Group shall be completed prior to
3 selection of any site of the demonstration project
4 under subsection (a), but in no case shall the date
5 of completion of such duties be later than one year
6 after the date of the enactment of this Act.

7 (5) APPLICATION OF GUIDELINES AND REC-
8 COMMENDATIONS.—The guidelines and other rec-
9 ommendations, including changes and standards, de-
10 veloped by the Special Working Group under this
11 subsection shall be applicable only to the demonstra-
12 tion project under subsection (a) unless the Sec-
13 retary of Defense determines otherwise.

14 (c) DURATION OF PROJECT.—The mental health
15 demonstration project shall be implemented for a period
16 of two years beginning not later than one year after the
17 date of the enactment of this Act.

18 (d) REPORTS.—The Secretary of Defense shall sub-
19 mit to the Committees on Armed Services of the Senate
20 and the House of Representatives two reports on the dem-
21 onstration project. The first report shall be submitted not
22 later than one year after the date the project is first imple-
23 mented and a second report not later than two years after
24 such date. Each report shall include the results of an eval-

1 uation of the demonstration project conducted in accord-
2 ance with the standards under subsection (b)(3)(E).

