

116TH CONGRESS  
1ST SESSION

# H. R. 5440

To require the Secretary of Veterans Affairs to provide financial assistance to eligible entities to provide and coordinate the provision of post-traumatic stress disorder prevention services for veterans through the award of grants to such entities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2019

Mr. MEADOWS introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To require the Secretary of Veterans Affairs to provide financial assistance to eligible entities to provide and coordinate the provision of post-traumatic stress disorder prevention services for veterans through the award of grants to such entities, 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 “Remembering the Life  
5       of Kyle Poteat Act”.

1 **SEC. 2. FINANCIAL ASSISTANCE TO CERTAIN ENTITIES TO**  
2 **PROVIDE AND COORDINATE THE PROVISION**  
3 **OF POST-TRAUMATIC STRESS DISORDER PRE-**  
4 **VENTION SERVICES FOR VETERANS.**

5 (a) DISTRIBUTION OF FINANCIAL ASSISTANCE.—The  
6 Secretary of Veterans Affairs shall provide financial as-  
7 sistance to eligible entities approved under this section  
8 through the award of grants to such entities to provide  
9 and coordinate the provision of post-traumatic stress dis-  
10 order prevention services to veterans.

11 (b) AWARD OF GRANTS.—

12 (1) IN GENERAL.—The Secretary shall award a  
13 grant to each eligible entity for which the Secretary  
14 has approved an application under subsection (e) to  
15 provide or coordinate the provision of post-traumatic  
16 stress disorder prevention services under this sec-  
17 tion.

18 (2) GRANT AMOUNTS, INTERVALS OF PAY-  
19 MENTS, AND MATCHING FUNDS.—In accordance with  
20 the services being provided under a grant under this  
21 section and the duration of those services, the Sec-  
22 retary may establish—

23 (A) a maximum amount to be awarded  
24 under the grant;

25 (B) intervals of payment for the adminis-  
26 tration of the grant; and

1 (C) a requirement for the recipient of the  
2 grant to provide matching funds in a specified  
3 percentage.

4 (c) DISTRIBUTION OF FINANCIAL ASSISTANCE AND  
5 PREFERENCE.—

6 (1) DISTRIBUTION.—

7 (A) GEOGRAPHIC.—The Secretary shall  
8 ensure that, to the extent practicable and in  
9 compliance with subparagraph (B), financial as-  
10 sistance under this section is equitably distrib-  
11 uted across geographic regions, including rural  
12 communities and Tribal land.

13 (B) AREAS WITH NEED.—The Secretary  
14 shall ensure that, to the extent practicable, fi-  
15 nancial assistance under this section is distrib-  
16 uted—

17 (i) to provide services in areas of the  
18 United States that have experienced high  
19 rates of, or a high burden of, veteran post-  
20 traumatic stress disorder; and

21 (ii) to eligible entities that can assist  
22 veterans at risk of or who have post-trau-  
23 matic stress disorder.

24 (2) PREFERENCE.—The Secretary shall give  
25 preference in the provision of financial assistance

1 under this section to eligible entities providing or co-  
2 ordinating, or who have demonstrated the ability to  
3 provide or coordinate, post-traumatic stress disorder  
4 prevention services.

5 (d) REQUIREMENTS FOR RECEIPT OF FINANCIAL AS-  
6 SISTANCE.—

7 (1) NOTIFICATION THAT SERVICES ARE FROM  
8 THE DEPARTMENT.—Each entity receiving financial  
9 assistance under this section to provide post-trau-  
10 matic stress disorder prevention services to veterans  
11 shall notify the recipients of such services that such  
12 services are being paid for, in whole or in part, by  
13 the Department.

14 (2) REPORTS.—The Secretary—

15 (A) shall require each entity receiving fi-  
16 nancial assistance under this section to submit  
17 to the Secretary an annual report that describes  
18 the projects carried out with such financial as-  
19 sistance during the year covered by the report;

20 (B) shall specify to each such entity the  
21 evaluation criteria and data and information to  
22 be submitted in such report; and

23 (C) may require such entity to submit to  
24 the Secretary such additional reports as the  
25 Secretary considers appropriate.

1 (e) APPLICATION FOR FINANCIAL ASSISTANCE.—

2 (1) IN GENERAL.—An eligible entity seeking fi-  
3 nancial assistance under this section shall submit to  
4 the Secretary an application therefor in such form,  
5 in such manner, and containing such commitments  
6 and information as the Secretary considers nec-  
7 essary to carry out this section.

8 (2) MATTERS TO BE INCLUDED.—Each applica-  
9 tion submitted by an eligible entity under paragraph  
10 (1) shall contain the following:

11 (A) A description of the post-traumatic  
12 stress disorder prevention services proposed to  
13 be provided by the eligible entity and the identi-  
14 fied need for those services.

15 (B) A detailed plan describing how the eli-  
16 gible entity proposes to coordinate and deliver  
17 post-traumatic stress disorder prevention serv-  
18 ices to veterans, including—

19 (i) an identification of the community  
20 partners with which the eligible entity pro-  
21 poses to work in delivering such services;

22 (ii) a description of the arrangements  
23 currently in place between the eligible enti-  
24 ty and such partners; and

1 (iii) an identification of how long such  
2 arrangements have been in place.

3 (C) A description of the types of veterans  
4 at risk of post-traumatic stress disorder pro-  
5 posed to be provided post-traumatic stress dis-  
6 order prevention services.

7 (D) An estimate of the number of veterans  
8 at risk of post-traumatic stress disorder pro-  
9 posed to be provided post-traumatic stress dis-  
10 order prevention services and the basis for such  
11 estimate, including the percentage of those vet-  
12 erans who are not currently receiving care fur-  
13 nished by the Department.

14 (E) Evidence of the experience of the eligi-  
15 ble entity (and the proposed partners of the en-  
16 tity) in providing post-traumatic stress disorder  
17 prevention services to veterans.

18 (F) A description of the managerial and  
19 technological capacity of the eligible entity—

20 (i) to coordinate the provision of post-  
21 traumatic stress disorder prevention serv-  
22 ices with the provision of other services;

23 (ii) to assess continuously the needs of  
24 veterans at risk of post-traumatic stress

1 disorder for post-traumatic stress disorder  
2 prevention services;

3 (iii) to coordinate the provision of  
4 post-traumatic stress disorder prevention  
5 services with the services of the Depart-  
6 ment for which the beneficiaries are eligi-  
7 ble;

8 (iv) to tailor post-traumatic stress dis-  
9 order prevention services to the needs of  
10 veterans and veteran families;

11 (v) to continuously seek new sources  
12 of assistance to ensure the continuity of  
13 post-traumatic stress disorder prevention  
14 services for veterans and veteran families  
15 for as long as the veteran is determined to  
16 be at risk of post-traumatic stress dis-  
17 order; and

18 (vi) to measure, over a period of time,  
19 the improved mental resiliency and mental  
20 outlook of the veteran served.

21 (G) Such additional application criteria as  
22 the Secretary considers appropriate.

23 (f) TECHNICAL ASSISTANCE.—

24 (1) IN GENERAL.—The Secretary shall provide  
25 training and technical assistance to eligible entities

1 in receipt of financial assistance under this section  
2 regarding—

3 (A) the data required to be collected and  
4 shared with the Department;

5 (B) the means of data collection and shar-  
6 ing;

7 (C) familiarization with and appropriate  
8 use of any tool to be used to measure the effec-  
9 tiveness of the use of the financial assistance  
10 provided; and

11 (D) the requirements for reporting under  
12 subsection (d) on services provided via such fi-  
13 nancial assistance.

14 (2) PROVISION OF TRAINING AND TECHNICAL  
15 ASSISTANCE.—The Secretary may provide the train-  
16 ing and technical assistance described in paragraph  
17 (1) directly or through grants or contracts with ap-  
18 propriate public or nonprofit entities.

19 (g) ADMINISTRATION OF GRANT PROGRAM.—

20 (1) SELECTION CRITERIA.—The Secretary, in  
21 consultation with entities specified in paragraph (3),  
22 shall establish criteria for the selection of eligible en-  
23 tities that have submitted applications under sub-  
24 section (e).



1           (2) DEVELOPMENT OF MEASURES AND  
2 METRICS.—The Secretary shall develop, in consulta-  
3 tion with entities specified in paragraph (3), the fol-  
4 lowing:

5           (A) A framework for collecting and sharing  
6 information about entities in receipt of financial  
7 assistance under this section for purposes of  
8 improving the discovery of services available for  
9 veterans at risk of post-traumatic stress dis-  
10 order, set forth by service type, locality, and eli-  
11 gibility criteria.

12           (B) The measures to be used by each enti-  
13 ty in receipt of financial assistance under this  
14 section to determine the effectiveness of the  
15 programming being provided by such entity in  
16 improving mental resiliency and mental outlook  
17 of veterans at risk of post-traumatic stress dis-  
18 order.

19           (C) Metrics for measuring the effectiveness  
20 of the provision of financial assistance under  
21 this section.

22           (3) COORDINATION.—In developing a plan for  
23 the design and implementation of the provision of fi-  
24 nancial assistance under this section, including cri-

1       teria for the award of grants, the Secretary shall  
2       consult with the following:

3               (A) Veterans service organizations.

4               (B) National organizations representing  
5       potential community partners of eligible entities  
6       in providing supportive services to address the  
7       needs of veterans at risk of post-traumatic  
8       stress disorder, including national organizations  
9       that—

10              (i) advocate for the needs of individ-  
11              uals with or at risk of behavioral health  
12              conditions;

13              (ii) represent mayors;

14              (iii) represent religious or faith lead-  
15              ers;

16              (iv) represent first responders; or

17              (v) represent chiefs of police and sher-  
18              iffs.

19              (C) Organizations with which the Depart-  
20       ment has a current memoranda of agreement or  
21       understanding related to mental health or post-  
22       traumatic stress disorder.

23              (D) State departments of veterans affairs.

1 (E) National organizations representing  
2 members of the reserve components of the  
3 Armed Forces.

4 (F) Vet Centers.

5 (G) Organizations with experience in cre-  
6 ating measurement tools for purposes of deter-  
7 mining programmatic effectiveness.

8 (H) Such other organizations as the Sec-  
9 retary considers appropriate.

10 (4) REPORT ON GRANT CRITERIA.—Before noti-  
11 fying eligible entities of the availability of funding  
12 under this section, the Secretary shall submit to  
13 Congress a report containing—

14 (A) criteria for the award of a grant under  
15 this section;

16 (B) the tool to be used by the Department  
17 to measure the effectiveness of the use of finan-  
18 cial assistance provided under this section; and

19 (C) a framework for the sharing of infor-  
20 mation about entities in receipt of financial as-  
21 sistance under this section.

22 (h) INFORMATION ON POTENTIAL BENEFICIARIES.—

23 (1) IN GENERAL.—The Secretary may make  
24 available to recipients of financial assistance under  
25 this section certain information regarding potential

1 beneficiaries of services for which such financial as-  
2 sistance is provided.

3 (2) INFORMATION INCLUDED.—The information  
4 made available under paragraph (1) with respect to  
5 potential beneficiaries may include the following:

6 (A) Confirmation of the status of a poten-  
7 tial beneficiary as a veteran.

8 (B) Confirmation of whether a potential  
9 beneficiary is currently receiving care furnished  
10 by the Department or has recently received  
11 such care.

12 (i) DURATION.—The authority of the Secretary to  
13 provide financial assistance under this section shall termi-  
14 nate on the date that is three years after the date on which  
15 the first grant is awarded under this section.

16 (j) REPORTING.—

17 (1) INTERIM REPORT.—

18 (A) IN GENERAL.—Not later than 18  
19 months after the date on which the first grant  
20 is awarded under this section, the Secretary  
21 shall submit to the appropriate committees of  
22 Congress a report on the provision of financial  
23 assistance under this section.

1 (B) ELEMENTS.—The report submitted  
2 under subparagraph (A) shall include the fol-  
3 lowing:

4 (i) An assessment of the effectiveness  
5 of the provision of financial assistance  
6 under this section, including the effective-  
7 ness of community partners in conducting  
8 outreach to veterans at risk of post-trau-  
9 matic stress disorder.

10 (ii) A list of grant recipients and their  
11 partner organizations that delivered serv-  
12 ices funded by the grant and the amount  
13 of such grant received by each recipient  
14 and partner organization.

15 (iii) The number of veterans sup-  
16 ported by each grant recipient, including  
17 through services provided to family mem-  
18 bers.

19 (iv) The number of veterans sup-  
20 ported by financial assistance under this  
21 section, including through services provided  
22 to family members.

23 (v) The number of veterans supported  
24 by financial assistance under this section,  
25 including through services provided to fam-

1           ily members, who were not previously re-  
2           ceiving care furnished by the Department.

3           (vi) The number of veterans whose  
4           mental resiliency and mental outlook re-  
5           ceived a baseline measurement assessment  
6           under this section and the number of such  
7           veterans whose mental resiliency and men-  
8           tal outlook will be measured by the De-  
9           partment or a community partner over a  
10          period of time.

11          (vii) The types of data the Depart-  
12          ment was able to collect and share with  
13          partners, including a characterization of  
14          the benefits of that data.

15          (2) FINAL REPORT.—Not later than three  
16          years after the date on which the first grant is  
17          awarded under this section, the Secretary shall sub-  
18          mit to the appropriate committees of Congress—

19                (A) a follow-up on the interim report sub-  
20                mitted under paragraph (1) containing the ele-  
21                ments set forth in subparagraph (B) of such  
22                paragraph; and

23                (B) a report on—

24                    (i) the effectiveness of the provision of  
25                    financial assistance under this section, in-

1 cluding the effectiveness of community  
2 partners in conducting outreach and edu-  
3 cation to veterans at risk of post-traumatic  
4 stress disorder;

5 (ii) an assessment of the increased ca-  
6 pacity of the Department to provide serv-  
7 ices to veterans at risk of post-traumatic  
8 stress disorder, set forth by State, as a re-  
9 sult of the provision of financial assistance  
10 under this section; and

11 (iii) the feasibility and advisability of  
12 extending or expanding the provision of fi-  
13 nancial assistance under this section.

14 (k) SUPPORT FOR FAMILIES OF VETERANS.—Section  
15 7309A of title 38, United States Code, is amended—

16 (1) in subsection (d) by adding at the end the  
17 following new paragraph:

18 “(15) To support family caregivers, acting in  
19 consultation with the veteran and family advisor, by  
20 sharing information with such family caregivers  
21 about the following:

22 “(A) The rights and responsibilities of a  
23 veteran as a patient receiving health care.

24 “(B) The benefits, services, and treatments  
25 available to a veteran.

1           “(C) How an external advocate helps a vet-  
2           eran based upon the specific needs of such vet-  
3           eran, including by providing support, resources,  
4           and personalized case management to meet  
5           such needs.”; and

6           (2) by striking subsection (f) and inserting the  
7           following:

8           “(f) DEFINITIONS.—In this section:

9           “(1) The term ‘family caregiver’ has the mean-  
10          ing given that term in section 1720G(d).

11          “(2) The term ‘controlled substance’ has the  
12          meaning given that term in section 102 of the Con-  
13          trolled Substances Act (21 U.S.C. 802).

14          “(3) The term ‘external advocate’ has the  
15          meaning given that term in Veterans Health Admin-  
16          istration directive 1003.04 (or any successor direc-  
17          tive).

18          “(4) The term ‘veteran and family advisor’ has  
19          the meaning given the term ‘Veteran/Family Advi-  
20          sor’ in Veterans Health Administration directive  
21          1003.04 (or any successor directive).”.

22          (l) DEFINITIONS.—In this section:

23          (1) APPROPRIATE COMMITTEES OF CON-  
24          GRESS.—The term “appropriate committees of Con-  
25          gress” means—



1 (A) the Committee on Veterans' Affairs  
2 and the Subcommittee on Military Construc-  
3 tion, Veterans Affairs, and Related Agencies of  
4 the Committee on Appropriations of the Senate;  
5 and

6 (B) the Committee on Veterans' Affairs  
7 and the Subcommittee on Military Construc-  
8 tion, Veterans Affairs, and Related Agencies of  
9 the Committee on Appropriations of the House  
10 of Representatives.

11 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
12 ty” means—

13 (A) an incorporated private institution or  
14 foundation—

15 (i) no part of the net earnings of  
16 which incurs to the benefit of any member,  
17 founder, contributor, or individual;

18 (ii) that has a governing board that  
19 would be responsible for the operation of  
20 the post-traumatic stress disorder preven-  
21 tion services provided under this section;  
22 and

23 (iii) that is approved by the Secretary  
24 as to financial responsibility;

1 (B) a corporation wholly owned and con-  
2 trolled by an organization meeting the require-  
3 ments of clauses (i), (ii), and (iii) of subpara-  
4 graph (A);

5 (C) a tribally designated housing entity (as  
6 defined in section 4 of the Native American  
7 Housing Assistance and Self-Determination Act  
8 of 1996 (25 U.S.C. 4103)); or

9 (D) a community-based organization that  
10 is physically based in the targeted community  
11 and that can effectively network with local civic  
12 organizations, regional health systems, and  
13 other settings where veterans at risk of post-  
14 traumatic stress disorder are likely to have con-  
15 tact.

16 (3) PEER SPECIALIST.—The term “peer spe-  
17 cialist” means a person eligible to be appointed as  
18 a peer specialist under section 7402(b)(13) of title  
19 38, United States Code.

20 (4) RISK OF POST-TRAUMATIC STRESS DIS-  
21 ORDER.—The term “risk of post-traumatic stress  
22 disorder” means exposure to or the existence of any  
23 of the following:

24 (A) Health risk factors, including the fol-  
25 lowing:

- 1 (i) Mental health challenges.
- 2 (ii) Substance abuse.
- 3 (iii) Serious or chronic health condi-
- 4 tions or pain.
- 5 (iv) Traumatic brain injury.
- 6 (B) Environmental risk factors, including
- 7 the following:
  - 8 (i) Access to lethal means (such as
  - 9 drugs, firearms, etc.).
  - 10 (ii) Prolonged stress.
  - 11 (iii) Stressful life events.
  - 12 (iv) Exposure to the suicide of an-
  - 13 other person or to graphic or sensational-
  - 14 ized accounts of suicide.
  - 15 (v) Unemployment.
  - 16 (vi) Homelessness.
  - 17 (vii) Recent loss.
  - 18 (viii) Legal or financial challenges.
- 19 (C) Historical risk factors, including the
- 20 following:
  - 21 (i) Previous suicide attempts.
  - 22 (ii) Family history of suicide.
  - 23 (iii) History of abuse, neglect, or trau-
  - 24 ma.

1           (5) POST-TRAUMATIC STRESS DISORDER PRE-  
2           VENTION SERVICES.—The term “post-traumatic  
3           stress disorder services” means services to address  
4           the needs of veterans at risk of post-traumatic stress  
5           disorder and includes the following:

6                   (A) Outreach to identify veterans at risk of  
7                   post-traumatic stress disorder, with an empha-  
8                   sis on veterans who are at highest risk or not  
9                   receiving health care or other services furnished  
10                  by the Department.

11                  (B) A baseline mental health assessment  
12                  for risk screening and referral to care.

13                  (C) Education on post-traumatic stress  
14                  disorder and how to care for individuals with it  
15                  and peer support to families and communities.

16                  (D) Direct treatment.

17                  (E) Medication management.

18                  (F) Individual and group therapy.

19                  (G) Case management services.

20                  (H) Peer support services.

21                  (I) Assistance in obtaining any benefits  
22                  from the Department that the veteran at risk of  
23                  post-traumatic stress disorder or veteran family  
24                  may be eligible to receive, including—

1 (i) vocational and rehabilitation coun-  
2 seling;

3 (ii) supportive services for homeless  
4 veterans;

5 (iii) employment and training services;

6 (iv) educational assistance; and

7 (v) health care services.

8 (J) Assistance in obtaining and coordi-  
9 nating the provision of other benefits provided  
10 by the Federal Government, a State or local  
11 government, or an eligible entity.

12 (K) Temporary cash assistance (not to ex-  
13 ceed 6 months) to assist with emergent needs  
14 relating to—

15 (i) health care services;

16 (ii) daily living services;

17 (iii) personal financial planning;

18 (iv) transportation services;

19 (v) temporary income support serv-  
20 ices;

21 (vi) fiduciary and representative payee  
22 services;

23 (vii) legal services to assist the vet-  
24 eran family with issues that may con-

1           tribute to the risk of post-traumatic stress  
2           disorder of the veteran; and

3                   (viii) child care (not to exceed \$5,000  
4           per veteran family per fiscal year).

5           (L) Such other services necessary for im-  
6           proving the resiliency of veterans at risk of  
7           post-traumatic stress disorder and veteran fam-  
8           ilies as the Secretary considers appropriate,  
9           which may include—

10                   (i) adaptive sports or in-place rec-  
11           reational therapy;

12                   (ii) substance use reduction program-  
13           ming;

14                   (iii) individual, group, or family coun-  
15           seling; and

16                   (iv) relationship coaching.

17           (6) VET CENTER.—The term “Vet Center”  
18           means a center for readjustment counseling and re-  
19           lated mental health services for veterans under sec-  
20           tion 1712A of title 38, United States Code.

21           (7) VETERAN.—The term “veteran” has the  
22           meaning given that term in section 101 of title 38,  
23           United States Code.

1           (8) VETERAN FAMILY.—The term “veteran  
2 family” means, with respect to a veteran at risk of  
3 post-traumatic stress disorder, any of the following:

4                   (A) A parent.

5                   (B) A spouse.

6                   (C) A child.

7                   (D) A sibling.

8                   (E) A step-family member.

9                   (F) An extended family member.

10                  (G) Any other individual who lives with the  
11 veteran.

12           (9) VETERANS SERVICE ORGANIZATION.—The  
13 term “veterans service organization” means any or-  
14 ganization recognized by the Secretary of Veterans  
15 Affairs for the representation of veterans included as  
16 part of the annually updated list at [https://](https://www.va.gov/vso/)  
17 [www.va.gov/vso/](https://www.va.gov/vso/) or a successor website.

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