

## **Summary of H.R. 2074, as amended Veterans Sexual Assault Prevention Act**

**Title:** To amend title 38, United States Code, to require a comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents that occur at medical facilities of the Department of Veterans Affairs.

**Mrs. Buerkle** introduced H.R. 2074 on June 1, 2011.

### **H.R. 2074, as amended, would:**

- Development and use of specific risk-assessment tools to examine any risks related to sexual assault that a veteran may pose while being treated at a VA medical facility, including clear and consistent guidance on the collection of information;
- Require mandatory training of employees on security issues, including awareness, preparedness, precautions, and police assistance;
- Require mandatory implementation, use, and regular testing of appropriate physical security precautions and equipment, including surveillance camera systems, computer-based panic alarm systems, stationary panic alarms, and electronic portable personal panic alarms;
- Provide clear, consistent, and comprehensive criteria and guidance with respect to a VA employee communicating and reporting sexual assault incidents and other safety incidents to supervisory personnel of the employee and a law enforcement official at the VA;
- Provide clear and consistent criteria and guidelines with respect to a VA employee referring and reporting to the VA OIG sexual assault incidents and other safety incidents that meet the regulatory criminal threshold;
- Provide an accountable oversight system within VHA;
- Require consistent procedures and systems for VA law enforcement officials with respect to investigating, tracking, and closing reported sexual assault incidents and other safety incidents; and
- Provide clear and consistent guidance for the clinical management of the treatment of sexual assaults that are reported more than 72 hours after the assault.
- Require the Secretary to submit an annual report that includes a number of detailed provisions.
- Require that SVHs and the VA to contract for the purpose of providing nursing home care to veterans who need such care for a service-connected condition or have a service-connected rating of 70 percent or greater; and
- Determine a contract between VA and SVHs and both parties will settle on payment levels comparable to the current one.
- Clarify ambiguities in current law so that the term “rehabilitative services” is no longer limited to the restoration of physical, mental, and psychological functions and is newly expanded to include efforts to maintain the rehabilitative gains that veterans with traumatic brain injury have made.
- Further clarify that rehabilitative services include those supports that contribute to maximized independence by expanding rehabilitative objectives to include improved and sustained behavioral functioning and mental health.

- Prohibit the Secretary of Veterans Affairs (VA) from prohibiting the use of service dogs in or on any VA facility or property or any facility or property that receives VA funding.
- Direct the Secretary of Veterans Affairs to carry out a pilot program for assessing the effectiveness of addressing post-deployment mental health and post-traumatic stress disorder symptoms through a therapeutic medium of service dog training and handling for veterans with disabilities.
- Require such program to be carried out at Department of Veterans Affairs (VA) medical centers that can provide training areas for such purposes.
- Eliminate the nurse staffing report currently required by Section 7451 of title 38 United States Code.

**Effective Date:** Date of enactment.

**Legislative History:**

Jul. 25, 2011: Legislative hearing held by the Subcommittee on Health.

Jul. 28, 2011: Ordered reported by the Subcommittee on Health.

Sept. 8, 2011: Full Committee Markup – ordered reported to the House.

Oct. 5, 2011: Reported by the Committee, H. Rept. 112-235.

Oct. 11, 2011: House agreed to suspend the rules and pass the bill by voice vote.