

118TH CONGRESS  
1ST SESSION

# H. R. 3581

To amend title 38, United States Code, to modify the family caregiver program of the Department of Veterans Affairs to include services related to mental health and neurological disorders, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2023

Mrs. KIGGANS of Virginia introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to modify the family caregiver program of the Department of Veterans Affairs to include services related to mental health and neurological disorders, 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 “Caregiver Outreach  
5 and Program Enhancement Act” or the “COPE Act”.

1 **SEC. 2. AUTHORITY FOR SECRETARY OF VETERANS AF-**  
2 **FAIRS TO AWARD GRANTS TO ENTITIES TO**  
3 **IMPROVE PROVISION OF MENTAL HEALTH**  
4 **SUPPORT TO FAMILY CAREGIVERS OF VET-**  
5 **ERANS.**

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

9 **“§ 1720K. Grants to provide mental health support to**  
10 **family caregivers of veterans**

11 “(a) AUTHORITY.—The Secretary may award grants  
12 to carry out, coordinate, improve, or otherwise enhance  
13 mental health counseling, treatment, or support to the  
14 family caregivers of veterans participating in the family  
15 caregiver program.

16 “(b) APPLICATION.—(1) To be eligible for a grant  
17 under this section, an entity shall submit to the Secretary  
18 an application therefor at such time, in such manner, and  
19 containing such information as the Secretary may require.

20 “(2) Each application submitted under paragraph (1)  
21 shall include the following:

22 “(A) A detailed plan for the use of the grant.

23 “(B) A description of the programs or efforts  
24 through which the entity will meet the outcome  
25 measures developed by the Secretary under sub-  
26 section (g).

1           “(C) A description of how the entity will dis-  
2           tribute grant amounts equitably among areas with  
3           varying levels of urbanization.

4           “(D) A plan for how the grant will be used to  
5           meet the unique needs of veterans residing in rural  
6           areas, American Indian or Alaska Native veterans,  
7           elderly veterans, women veterans, and veterans from  
8           other underserved communities.

9           “(c) DISTRIBUTION.—The Secretary shall seek to en-  
10          sure that grants awarded under this section are equitably  
11          distributed among entities located in States with varying  
12          levels of urbanization.

13          “(d) PRIORITY.—The Secretary shall prioritize  
14          awarding grants under this section that will serve the fol-  
15          lowing areas:

16                 “(1) Areas with high rates of veterans enrolled  
17                 in the family caregiver program.

18                 “(2) Areas with high rates of—

19                         “(A) suicide among veterans; or

20                         “(B) referrals to the Veterans Crisis Line.

21          “(e) REQUIRED ACTIVITIES.—Any grant awarded  
22          under this section shall be used—

23                 “(1) to expand existing programs, activities,  
24                 and services;

1           “(2) to establish new or additional programs,  
2           activities, and services; or

3           “(3) for travel and transportation to facilitate  
4           carrying out paragraph (1) or (2).

5           “(f) OUTCOME MEASURES.—(1) The Secretary shall  
6           develop and provide to each entity that receives a grant  
7           under this section written guidance on the following:

8           “(A) Outcome measures.

9           “(B) Policies of the Department.

10          “(2) In developing outcome measures under para-  
11          graph (1), the Secretary shall consider the following goals:

12           “(A) Increasing the utilization of mental health  
13           services among family caregivers of veterans partici-  
14           pating in the family caregiver program.

15           “(B) Reducing barriers to mental health serv-  
16           ices among family caregivers of veterans partici-  
17           pating in such program.

18          “(g) TRACKING REQUIREMENTS.—(1) The Secretary  
19          shall establish appropriate tracking requirements with re-  
20          spect to the entities receiving a grant under this section.

21          “(2) Not less frequently than annually, the Secretary  
22          shall submit to Congress a report on such tracking re-  
23          quirements.

24          “(h) PERFORMANCE REVIEW.—The Secretary  
25          shall—

1           “(1) review the performance of each entity that  
2           receives a grant under this section; and

3           “(2) make information regarding such perform-  
4           ance publicly available.

5           “(i) REMEDIATION PLAN.—(1) In the case of an enti-  
6           ty that receives a grant under this section and does not  
7           meet the outcome measures developed by the Secretary  
8           under subsection (g), the Secretary shall require the entity  
9           to submit to the Secretary a remediation plan under which  
10          the entity shall describe how and when it plans to meet  
11          such outcome measures.

12          “(2) The Secretary may not award a subsequent  
13          grant under this section to an entity described in para-  
14          graph (1) unless the Secretary approves the remediation  
15          plan submitted by the entity under such paragraph.

16          “(j) MAXIMUM AMOUNT.—The amount of a grant  
17          awarded under this section may not exceed 10 percent of  
18          amounts made available for grants under this section for  
19          the fiscal year in which the grant is awarded.

20          “(k) SUPPLEMENT, NOT SUPPLANT.—Any grant  
21          awarded under this section shall be used to supplement  
22          and not supplant funding that is otherwise available  
23          through the Department to provide mental health support  
24          among family caregivers of veterans participating in the  
25          family caregiver program.

1           “(1) OUTREACH TO FAMILY CAREGIVERS.—The Sec-  
2 retary shall include, in the outreach materials regularly  
3 mailed to a family caregiver who participates in the family  
4 caregiver program, notice of mental health support pro-  
5 vided by recipients of grants under this section that are  
6 located in the relevant Veterans Integrated Service Net-  
7 work.

8           “(m) FUNDING.—(1) Amounts for the activities of  
9 the Department under this section shall be budgeted and  
10 appropriated through a separate appropriation account.

11           “(2) In the budget justification materials submitted  
12 to Congress in support of the budget of the Department  
13 for any fiscal year (as submitted with the budget of the  
14 President under section 1105(a) of title 31), the Secretary  
15 shall include a separate statement of the amount re-  
16 quested to be appropriated for that fiscal year for the ac-  
17 count specified in paragraph (1).

18           “(n) AUTHORIZATION OF APPROPRIATIONS.—There  
19 is authorized to be appropriated to the Secretary, for each  
20 of fiscal years 2023 through 2025, \$50,000,000 to carry  
21 out this section.

22           “(o) DEFINITIONS.—In this section:

23                   “(1) The terms ‘caregiver’ and ‘family care-  
24 giver’ have the meanings given those terms in sec-  
25 tion 1720G of this title.

1           “(2) The term ‘family caregiver program’  
2 means the program of comprehensive assistance for  
3 family caregivers under section 1720G of this title.

4           “(3) The term ‘Veterans Crisis Line’ means the  
5 toll-free hotline for veterans established under sec-  
6 tion 1720F of this title.”.

7           (b) CLERICAL AMENDMENT.—The table of sections  
8 at the beginning of such subchapter is amended by adding  
9 at the end the following new item:

“1720K. Grants to provide mental health support to family caregivers of vet-  
erans.”.

10 **SEC. 3. GAO REPORT ON MENTAL HEALTH SUPPORT FOR**  
11 **CAREGIVERS.**

12           (a) REPORT REQUIRED.—Not later than one year  
13 after the date of the enactment of this Act, the Comp-  
14 troller General of the United States shall submit to the  
15 Committee on Veterans’ Affairs of the Senate and the  
16 Committee on Veterans’ Affairs of the House of Rep-  
17 resentatives a report on the provision of mental health  
18 support to caregivers of veterans.

19           (b) CONTENTS.—The report submitted under sub-  
20 section (a) shall include the following:

21           (1) An assessment of the need for mental  
22 health support among caregivers participating in the  
23 caregiver programs.

1           (2) An assessment of options for mental health  
2 support in facilities of the Department of Veterans  
3 Affairs and in the community for caregivers partici-  
4 pating in the caregiver programs.

5           (3) An assessment of the availability and acces-  
6 sibility of mental health support in facilities of the  
7 Department and in the community for caregivers  
8 participating in the caregiver programs.

9           (4) An assessment of the awareness among  
10 caregivers of the availability of mental health sup-  
11 port in facilities of the Department and in the com-  
12 munity for caregivers participating in the caregiver  
13 programs.

14           (5) An assessment of barriers to mental health  
15 support in facilities of the Department and in the  
16 community for caregivers participating in the care-  
17 giver programs.

18           (c) DEFINITIONS.—In this section:

19           (1) CAREGIVER.—The term “caregiver” has the  
20 meaning given that term in section 1720G of title  
21 38, United States Code.

22           (2) CAREGIVER PROGRAMS.—The term “care-  
23 giver programs” means—

24           (A) the program of comprehensive assist-  
25 ance for family caregivers under subsection (a)



1 of section 1720G of title 38, United States  
2 Code; and

3 (B) the program of support services for  
4 caregivers under subsection (b) of such section.

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