

[DISCUSSION DRAFT]

116TH CONGRESS
2D SESSION

H. R. _____

To improve military family readiness.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To improve military family readiness.

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. FAMILY READINESS: DEFINITIONS; COMMU-**
4 **UNICATION STRATEGY; REPORT.**

5 (a) DEFINITIONS.—Not later than six months after
6 the date of the enactment of this Act, the Secretary of
7 Defense, in coordination with the Secretaries of the mili-
8 tary departments, shall define the terms “military family
9 readiness” and “military family resiliency”.

1 (b) COMMUNICATION STRATEGY.—Not later than one
2 year after the date of the enactment of this Act, the Sec-
3 retary of Defense, in coordination with the Secretaries of
4 the military departments, shall establish and implement
5 a strategy regarding communication with military fami-
6 lies. The strategy shall include the following:

7 (1) The use of a variety of modes of commu-
8 nication to ensure the broadest means of commu-
9 nicating with military families.

10 (2) Updating an existing annual standardized
11 survey that assesses military family readiness to ad-
12 dress the following issues:

13 (A) Communication with beneficiaries.

14 (B) Child care.

15 (C) Education,

16 (D) Spousal employment.

17 (E) The Exceptional Family Member Pro-
18 gram.

19 (F) Financial literacy.

20 (G) Financial stress.

21 (H) Health care (including copayments,
22 network adequacy, and the availability of ap-
23 pointments with health care providers).

24 (c) REPORT.—Not later than 180 days after the date
25 of the enactment of the Act, the Secretary of Defense shall

1 submit to the Committees on Armed Services of the Sen-
2 ate and the House of Representatives a report regarding
3 the feasibility of the implementing the recommendations
4 in—

5 (1) Chapter 3 of the report of the Inspector
6 General of the Department of Defense for fiscal year
7 2020, “Ensuring Wellness and Wellbeing of Service-
8 Members and their Families”; and

9 (2) the report, dated July 2019, of the National
10 Academies of Science, Engineering and Medicine, ti-
11 tled “Strengthening the Military Family Readiness
12 System for a Changing American Society”.

13 **SEC. 2. STANDARDIZATION OF THE EXCEPTIONAL FAMILY**
14 **MEMBER PROGRAM.**

15 (a) **POLICY.**—Not later than six months after the
16 date of the enactment of this Act, the Secretary of De-
17 fense, in coordination with the Secretaries of the military
18 departments, shall, to the extent practicable, standardize
19 the Exceptional Family Member Program (in this section
20 referred to as the “EFMP”) across the military depart-
21 ments.

22 (b) **ELEMENTS.**—The EFMP, standardized under
23 subsection (a), shall include the following:

1 (1) Processes for the identification and enroll-
2 ment of dependents of covered members with special
3 needs.

4 (2) A process for the permanent change of or-
5 ders for covered members, to ensure seamless con-
6 tinuity of services at the new permanent duty sta-
7 tion.

8 (3) A review process for installations to ensure
9 that health care furnished through the TRICARE
10 program, special needs education programs, and in-
11 stallation-based family support programs are avail-
12 able to military families enrolled in the EFMP.

13 (4) A standardized respite care benefit across
14 the covered Armed Forces, including the number of
15 hours available under such benefit to military fami-
16 lies enrolled in the EFMP.

17 (5) Outcomes and metrics to evaluate the
18 EFMP.

19 (6) A requirement that the Secretary of each
20 military department provide a dedicated EFMP at-
21 torney, who specializes in education law, at each
22 military installation—

23 (A) the Secretary determines is a primary
24 receiving installation for military families with
25 special needs; and

1 (B) in a State that the Secretary deter-
2 mines has historically not supported families
3 enrolled in the EFMP.

4 (7) The option for a family enrolled in the
5 EFMP to continue to receive all services under that
6 program and the bachelor allowance for housing if—

7 (A) the covered member receives a new
8 permanent duty station; and

9 (B) the covered member and family elect
10 for the family not to relocate with the covered
11 member.

12 (8) A process to discuss policy challenges and
13 opportunities, best practices adopted across the cov-
14 ered Armed Forces, a forum period for discussion
15 with members of military families with special needs,
16 and other matters the Secretary of Defense deter-
17 mines appropriate.

18 (c) CASE MANAGEMENT.—The Secretary of Defense,
19 in coordination with the Secretaries of the military depart-
20 ments, shall develop an EFMP case management model,
21 including the following:

22 (1) A single EFMP office, located at the head-
23 quarters of each covered Armed Force, to oversee
24 implementation of the EFMP and coordinate health
25 care services, permanent change of station order

1 processing, and educational support services for that
2 covered Armed Force.

3 (2) An EFMP office at each military installa-
4 tion with case managers to assist each family of a
5 covered member in the development of a plan that
6 addresses the areas specified in subsection (b)(1).

7 (d) REPORT.—Not later than 180 days after the date
8 of the enactment of the Act, the Secretary of Defense shall
9 submit to the Committees on Armed Services of the Sen-
10 ate and the House of Representatives a report on the im-
11 plementation of the items identified under subsections (a),
12 (b), and (c), including any recommendations of the Sec-
13 retary regarding legislation.

14 (e) GAO REPORT.—Not later than one year after the
15 date of the enactment of this Act, the Comptroller General
16 of the United States shall submit to the Committees on
17 Armed Services of the Senate and the House of Represent-
18 atives a report on—

19 (1) whether military families have higher rates
20 of disputes and loss of free and appropriate public
21 education under section 504 of the Rehabilitation
22 Act of 1973 (Public Law 93–112; 29 U.S.C. 794)
23 than civilian counterparts; and

1 (2) an analysis of the number of due process
2 hearings that were filed by school districts against
3 children of members of the Armed Forces.

4 (f) DEFINITIONS.—In this section:

5 (1) The term “covered Armed Force” means an
6 Armed Force under the jurisdiction of the Secretary
7 of a military department.

8 (2) The term “covered member” means a mem-
9 ber—

10 (A) of a covered Armed Force; and

11 (B) with a dependent with special needs.

12 **SEC. 3. CHILD CARE.**

13 (a) 24-HOUR CHILD CARE.—If the Secretary of De-
14 fense determines it feasible, the Secretary shall furnish
15 child care to each child of a member of the Armed Forces
16 or employee of the Department of Defense while that
17 member or employee works on rotating shifts at a military
18 installation.

19 (b) METRICS.—Not later than six months after the
20 date of the enactment of this Act, the Secretary of Defense
21 shall develop and implement metrics to evaluate the effec-
22 tiveness of the child care priority system of the Depart-
23 ment of Defense, including—

24 (1) the speed of placement for children of mem-
25 bers of the Armed Forces on active duty;

1 (2) the type of child care offered;

2 (3) available spaces in such system, if any; and

3 (4) other metrics to monitor the child care pri-
4 ority system determined by the Secretary.

5 (c) REPORT.—Not later than 180 days after the date
6 of the enactment of the Act, the Secretary of Defense shall
7 submit to the Committees on Armed Services of the Sen-
8 ate and the House of Representatives a report regarding
9 the results of a study that evaluates—

10 (1) the sufficiency of the stipend furnished by
11 the Secretary to members of the Armed Forces re-
12 ceive for civilian child care; and

13 (2) whether the amount of such stipend should
14 be based on—

15 (A) cost of living in the applicable locale;

16 and

17 (B) the capacity of licensed civilian child
18 care providers in the local market.

19 **SEC. 4. STUDY AND REPORT ON THE PERFORMANCE OF**
20 **THE DEPARTMENT OF DEFENSE EDUCATION**
21 **ACTIVITY.**

22 (a) STUDY.—The Secretary of Defense shall conduct
23 a study on the performance of the Department of Defense
24 Education Activity.

1 (b) ELEMENTS.—The study under subsection (a)
2 shall include the following:

3 (1) A review of the curriculum relating to
4 health, resiliency, and nutrition taught in schools op-
5 erated by the Department of Defense Education Ac-
6 tivity and a comparison of such curriculum to appro-
7 priate education benchmarks.

8 (2) An analysis of the outcomes experienced by
9 students in such schools, as measured by—

10 (A) the performance of such students on
11 the National Assessment of Educational
12 Progress carried out under section 303(b)(3) of
13 the National Assessment of Educational
14 Progress Authorization Act (20 U.S.C.
15 9622(b)(3)); and

16 (B) any other methodologies used by the
17 Department of Defense Education Activity to
18 measure individual student outcomes.

19 (3) An assessment of the effectiveness of the
20 School Liaison Officer program of the Department
21 of Defense Education Activity in achieving the goals
22 of the program with an emphasis on goals relating
23 to special education and family outreach.

24 (c) REPORT.—Not later than 180 days after the date
25 of the enactment of the Act, the Secretary of Defense shall

1 submit to the Committees on Armed Services of the Sen-
2 ate and the House of Representatives a report that in-
3 cludes the findings of the study conducted under sub-
4 section (a).

5 **SEC. 5. REPORT ON AUTISM TREATMENTS PROVIDED**
6 **UNDER TRICARE PROGRAM.**

7 (a) REPORT.—Not later than one year after the date
8 of the enactment of this Act, the Secretary of Defense
9 shall submit to the Committees on Armed Services of the
10 Senate and the House of Representatives a report assess-
11 ing the effectiveness of autism treatment methodologies
12 under the TRICARE program and the prevalence of au-
13 tism among dependents of members of the Armed Forces.

14 (b) ELEMENTS.—The report under subsection (a)
15 shall include the following:

16 (1) An assessment of the effectiveness of ap-
17 plied behavioral analysis and other autism treatment
18 methodologies covered under the TRICARE pro-
19 gram, including an independent assessment con-
20 ducted by an academic institution or other similar
21 nongovernmental entity of the Pervasive Develop-
22 mental Disorder Behavior Inventory as a basis for
23 drawing conclusions regarding such treatment.

24 (2) A descriptive analysis of copayment and
25 other out-of-pocket expenses for covered beneficiaries

1 who receive benefits under the Department of De-
2 fense Comprehensive Autism Care Demonstration
3 program.

4 (3) A comparison of rates of autism among de-
5 pendents of members of the Armed Forces and such
6 rates among the civilian population.

7 (c) TRICARE PROGRAM DEFINED.—In this section,
8 the term “TRICARE program” has the meaning given
9 that term in section 1072 of title 10, United States Code.

10 **SEC. 6. REPORT ON BEHAVIORAL HEALTH STAFFING**
11 **NEEDS.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, the Secretary of Defense shall submit
14 to the Committees on Armed Services of the Senate and
15 the House of Representatives a report that—

16 (1) contains specific information on the amount
17 of funding needed to hire and retain behavioral
18 health professionals to treat members of the Armed
19 Forces and covered beneficiaries (as defined in sec-
20 tion 1072 of title 10, United States Code);

21 (2) identifies the number and types of military,
22 civilian, direct contract, and managed care support
23 contract behavioral health professionals required to
24 treat such individuals; and

1 (3) contains a plan to provide behavioral health
2 treatment to such individuals using telehealth serv-
3 ices and other technologies, including any rec-
4 ommendations of the Secretary regarding legislation.

5 **SEC. 7. POLICY TO ADDRESS OPIOID PRESCRIPTION ABUSE**
6 **PREVENTION.**

7 (a) REQUIREMENT.—The Secretary of Defense shall
8 develop a policy and tracking mechanism for opioids that
9 monitors and prohibits the over prescribing of opioids to
10 ensure compliance with clinical practice guidelines.

11 (b) ELEMENTS.—The requirements under subsection
12 (a) shall include the following:

13 (1) Limit the prescribing of opioids to the mor-
14 phine milligram equivalent level per day specified in
15 the guideline published by the Centers for Disease
16 Control and Prevention titled “CDC Guideline for
17 Prescribing Opioids for Chronic Pain—United
18 States, 2016”, or such successor guideline.

19 (2) Limit the supply of opioids to within clini-
20 cally accepted guidelines.

21 (3) Develop a waiver process for specific patient
22 categories that will require treatment beyond the
23 limit specified in paragraph (1).

24 (4) Implement controls to ensure that the pre-
25 scriptions in the military health system data reposi-

1 tory exist and that the dispense date and the metric
2 quantity field for opioid prescriptions in liquid form
3 are consistent among all systems.

4 (5) Implement opioid prescribing controls with-
5 in the electronic health record system known as
6 “Genesis”.

7 (6) Develop metrics that can be used by the
8 Defense Health Agency and each military medical
9 treatment facility to actively monitor and limit the
10 over prescribing of opioids.

11 (7) Develop a report that tracks progression to-
12 ward reduced levels of opioid use.

13 **SEC. 8. SPOUSAL EMPLOYMENT PILOT PROGRAM WITH THE**
14 **DEFENSE COUNTERINTELLIGENCE AND SE-**
15 **CURITY AGENCY.**

16 (a) IN GENERAL.—The Under Secretary of Personnel
17 and Readiness, in coordination with the Under Secretary
18 of Defense for Intelligence and Security, shall conduct a
19 pilot program with the Defense Counterintelligence and
20 Security Agency to recruit military spouses into a paid in-
21 ternship pilot program that includes specific training and
22 on-the-job training designed to prepare the spouse for a
23 position within the national security field, including the
24 Federal Government and cleared industry.

1 (b) DURATION.—The Under Secretary of Personnel
2 and Readiness shall conduct the pilot program for a period
3 not to exceed three years.

4 (c) SECURITY TRAINING.—The pilot program under
5 this section shall permit military spouses the opportunity
6 to gain experience in variety of areas, including security
7 clearance background investigations and personnel vet-
8 ting, industrial security and critical technology protection,
9 and counterintelligence analysis.

10 (d) REPORTS.—

11 (1) INTERIM REPORT.—Not later than one year
12 after the date of the enactment of the Act, the Sec-
13 retary of Defense shall submit to the Committees on
14 Armed Services of the Senate and the House of Rep-
15 resentatives a report on the status of the pilot pro-
16 gram that shall include the following:

17 (A) Number of spouses that entered the
18 pilot program.

19 (B) Metrics to be used to measure the ef-
20 fectiveness of the pilot program.

21 (C) A description of the employment posi-
22 tions that spouses entered into after the pilot
23 program.

24 (2) FINAL REPORT.—Not later than 180 days
25 after the end of the pilot program, the Secretary of

1 Defense shall submit to the congressional commit-
2 tees specified in paragraph (1) a final report on the
3 pilot program that shall include the following:

4 (A) Number of spouses that completed the
5 pilot program.

6 (B) An evaluation of the pilot program
7 using the metrics of assessment set forth pursu-
8 ant to paragraph (1)(B).

9 (C) A description of the employment posi-
10 tions that spouses entered into following the
11 pilot program.