[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

2 Be it enacted by the Senate and House of Representa-
3 tives of the United States of America in Congress assembled,
4

5 SECTION 1. FAMILY READINESS: DEFINITIONS; COMMU-
6 NICATION STRATEGY; REPORT.
7

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

March 27, 2020 (4:22 p.m.)
(b) COMMUNICATION STRATEGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall establish and implement a strategy regarding communication with military families. The strategy shall include the following:

(1) The use of a variety of modes of communication to ensure the broadest means of communicating with military families.

(2) Updating an existing annual standardized survey that assesses military family readiness to address the following issues:

(A) Communication with beneficiaries.

(B) Child care.

(C) Education,

(D) Spousal employment.

(E) The Exceptional Family Member Program.

(F) Financial literacy.

(G) Financial stress.

(H) Health care (including copayments, network adequacy, and the availability of appointments with health care providers).

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall
submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the feasibility of the implementing the recommendations in—

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

(2) the report, dated July 2019, of the National Academies of Science, Engineering and Medicine, titled “Strengthening the Military Family Readiness System for a Changing American Society”.

SEC. 2. STANDARDIZATION OF THE EXCEPTIONAL FAMILY MEMBER PROGRAM.

(a) POLICY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall, to the extent practicable, standardize the Exceptional Family Member Program (in this section referred to as the “EFMP”) across the military departments.

(b) ELEMENTS.—The EFMP, standardized under subsection (a), shall include the following:
(1) Processes for the identification and enrollment of dependents of covered members with special needs.

(2) A process for the permanent change of orders for covered members, to ensure seamless continuity of services at the new permanent duty station.

(3) A review process for installations to ensure that health care furnished through the TRICARE program, special needs education programs, and installation-based family support programs are available to military families enrolled in the EFMP.

(4) A standardized respite care benefit across the covered Armed Forces, including the number of hours available under such benefit to military families enrolled in the EFMP.

(5) Outcomes and metrics to evaluate the EFMP.

(6) A requirement that the Secretary of each military department provide a dedicated EFMP attorney, who specializes in education law, at each military installation—

(A) the Secretary determines is a primary receiving installation for military families with special needs; and
(B) in a State that the Secretary determines has historically not supported families enrolled in the EFMP.

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

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

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

(8) A process to discuss policy challenges and opportunities, best practices adopted across the covered Armed Forces, a forum period for discussion with members of military families with special needs, and other matters the Secretary of Defense determines appropriate.

(c) CASE MANAGEMENT.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop an EFMP case management model, including the following:

(1) A single EFMP office, located at the headquarters of each covered Armed Force, to oversee implementation of the EFMP and coordinate health care services, permanent change of station order
processing, and educational support services for that
covered Armed Force.

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

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

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

(1) whether military families have higher rates
of disputes and loss of free and appropriate public
education under section 504 of the Rehabilitation
than civilian counterparts; and
(2) an analysis of the number of due process hearings that were filed by school districts against children of members of the Armed Forces.

(f) DEFINITIONS.—In this section:

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

(2) The term “covered member” means a member—

(A) of a covered Armed Force; and

(B) with a dependent with special needs.

SEC. 3. CHILD CARE.

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

(b) METRICS.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall develop and implement metrics to evaluate the effectiveness of the child care priority system of the Department of Defense, including—

(1) the speed of placement for children of members of the Armed Forces on active duty;
(2) the type of child care offered;

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

(4) other metrics to monitor the child care priority system determined by the Secretary.

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

(1) the sufficiency of the stipend furnished by the Secretary to members of the Armed Forces receive for civilian child care; and

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

(A) cost of living in the applicable locale;

and

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

SEC. 4. STUDY AND REPORT ON THE PERFORMANCE OF THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) STUDY.—The Secretary of Defense shall conduct a study on the performance of the Department of Defense Education Activity.
(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) A review of the curriculum relating to health, resiliency, and nutrition taught in schools operated by the Department of Defense Education Activity and a comparison of such curriculum to appropriate education benchmarks.

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

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

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

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

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall
submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the findings of the study conducted under subsection (a).

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

(a) Report.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the effectiveness of autism treatment methodologies under the TRICARE program and the prevalence of autism among dependents of members of the Armed Forces.

(b) Elements.—The report under subsection (a) shall include the following:

(1) An assessment of the effectiveness of applied behavioral analysis and other autism treatment methodologies covered under the TRICARE program, including an independent assessment conducted by an academic institution or other similar nongovernmental entity of the Pervasive Developmental Disorder Behavior Inventory as a basis for drawing conclusions regarding such treatment.

(2) A descriptive analysis of copayment and other out-of-pocket expenses for covered beneficiaries.
who receive benefits under the Department of Defense Comprehensive Autism Care Demonstration program.

(3) A comparison of rates of autism among dependents of members of the Armed Forces and such rates among the civilian population.

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

SEC. 6. REPORT ON BEHAVIORAL HEALTH STAFFING NEEDS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that—

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

(2) identifies the number and types of military, civilian, direct contract, and managed care support contract behavioral health professionals required to treat such individuals; and
(3) contains a plan to provide behavioral health
treatment to such individuals using telehealth serv-
ices and other technologies, including any rec-
ommendations of the Secretary regarding legislation.

SEC. 7. POLICY TO ADDRESS OPIOID PRESCRIPTION ABUSE

PREVENTION.

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

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

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

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

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

(4) Implement controls to ensure that the pre-
scriptions in the military health system data reposi-
tory exist and that the dispense date and the metric
quantity field for opioid prescriptions in liquid form
are consistent among all systems.

(5) Implement opioid prescribing controls within
the electronic health record system known as
“Genesis”.

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

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

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

(a) IN GENERAL.—The Under Secretary of Personnel
and Readiness, in coordination with the Under Secretary
of Defense for Intelligence and Security, shall conduct a
pilot program with the Defense Counterintelligence and
Security Agency to recruit military spouses into a paid in-
ternship pilot program that includes specific training and
on-the-job training designed to prepare the spouse for a
position within the national security field, including the
Federal Government and cleared industry.
(b) DURATION.—The Under Secretary of Personnel and Readiness shall conduct the pilot program for a period not to exceed three years.

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

(d) REPORTS.—

(1) INTERIM REPORT.—Not later than one year after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the pilot program that shall include the following:

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

(B) Metrics to be used to measure the effectiveness of the pilot program.

(C) A description of the employment positions that spouses entered into after the pilot program.

(2) FINAL REPORT.—Not later than 180 days after the end of the pilot program, the Secretary of
Defense shall submit to the congressional committees specified in paragraph (1) a final report on the pilot program that shall include the following:

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

(B) An evaluation of the pilot program using the metrics of assessment set forth pursuant to paragraph (1)(B).

(C) A description of the employment positions that spouses entered into following the pilot program.