

BILL ANALYSIS

C.S.H.B. 2951
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Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

House District 54 is home to a significant veteran demographic for a variety of reasons, including proximity to Fort Hood. The unfortunate, staggering fact is, on average, 16.8 veterans a day take their own lives, according to the U.S. Department of Veterans Affairs (VA). The VA also reports that in 2020, the unadjusted suicide rate among U.S. veterans was 31.7 per 100,000, and 526 Texas veterans committed suicide. Despite these statistics, a study conducted by the RAND Center for Military Health Policy Research found that less than 50 percent of veterans with mental health needs receive treatment. However, tremendous success in mitigating the symptoms of post-traumatic stress disorder, traumatic brain injury, military sexual assault, and related drug use has been documented by veterans who use service dogs. C.S.H.B. 2951 seeks to address this issue by creating a pilot program to pair veterans with highly-trained service dogs to mitigate symptoms of post-traumatic stress disorder and related mental health conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Veterans Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 2951 amends the Government Code to require the Texas Veterans Commission (TVC) by rule to establish a pilot program for veterans to assist in mitigating the symptoms of military service-related post-traumatic stress disorder, traumatic brain injury, or military sexual trauma through the provision of a service dog. The bill requires TVC to issue a request for proposals from nonprofit corporations to provide trained service dogs and training and services to veterans who participate in the pilot program. TVC must approve one or more nonprofit corporations to provide such services and a corporation may not be approved unless the corporation, as follows:

- has demonstrated experience working with veterans who have experienced post-traumatic stress disorder, traumatic brain injury, or military sexual trauma;
- may conduct business in Texas;
- is able to provide follow-up services to a veteran who participates in the pilot program and the veteran's service dog; and
- adheres to the standards of Assistance Dogs International or the Association of Service Dog Providers for Military Veterans.

C.S.H.B. 2951 requires an approved nonprofit corporation to do the following with respect to providing services to participating veterans under the pilot program:

- employ professional staff to train dogs to become service dogs;

- provide each veteran a fully trained service dog;
- instruct each veteran on maintaining the service dog's health and training;
- ensure that regular mental health and depression assessments are conducted on the veteran; and
- be able to provide a veteran a new service dog if the veteran's service dog is incompatible with the veteran or dies or is otherwise unable to fulfill the dog's duty as a service dog before the fourth anniversary of the date the veteran received the service dog under the pilot program.

The bill requires all goods and services provided as part of the pilot program, including a veteran's service dog, to be provided at no cost to the veteran. A service dog provided by a nonprofit corporation must do the following:

- complete a training program accredited by Assistance Dogs International or the Association of Service Dog Providers for Military Veterans;
- comply with any requirements of the Americans with Disabilities Act of 1990; and
- be evaluated by a veterinarian to ensure the dog is medically fit to serve as a service dog.

C.S.H.B. 2951 authorizes TVC to accept gifts, grants, and donations to fund the pilot program. The bill requires TVC, not later than October 1, 2026, to prepare and submit to the governor, lieutenant governor, speaker of the house of representatives, and appropriate standing committees of the legislature, a report evaluating the pilot program, which must include the following:

- recommendations for legislative or other action; and
- an evaluation of the pilot program's effectiveness, including a recommendation on whether the pilot program should be continued, expanded, or terminated.

The pilot program concludes and the bill's provisions expire September 1, 2027.

C.S.H.B. 2951 requires TVC to adopt rules to administer the pilot program as soon as practicable after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2951 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute, but not the introduced, includes an individual who has served in an active or reserve component of space force in the bill's definition of "veteran."

The substitute and introduced include requirements a nonprofit corporation must meet to be eligible for selection to provide services under the pilot program but, as follows, the substitute does the following:

- includes a requirement that was not included in the introduced that the corporation is able to provide follow-up services to an applicable veteran and the veteran's service dog;
- does not include a requirement that was present in the introduced that a corporation is able to serve all participating veterans, including by providing necessary transportation for a veteran to receive pilot program services;
- does not include a requirement that was present in the introduced that a corporation be part of a referral network dedicated to providing wraparound veteran support services; and
- includes the standards of Assistance Dogs International as an alternative to the standards of Association of Service Dog Providers for Military Veterans as the standards a

corporation is required to adhere to in order to participate in the pilot program, whereas the introduced does not include those alternative standards.

The substitute requires an approved corporation to instruct each veteran participating in the pilot program on maintaining the service dog's health and training, whereas the introduced required an approved corporation to cover the costs of travel, lodging, and meals for each veteran participating in the pilot program when the veteran is traveling for the program. The substitute does not include the requirements present in the introduced for an approved corporation to do the following:

- provide peer-supported training to help pair each veteran participating in the pilot program with a service dog;
- ensure that wraparound support services are provided to each veteran participating in the pilot program, the veteran's caregiver, and the veteran's family before, during, and after the period when the veteran receives a service dog; and
- work in coordination with a licensed clinical mental health provider in ensuring that regular mental health and depression assessments are conducted on a veteran.

The substitute requires an approved corporation to provide a veteran with a new service dog if the veteran's service dog is incompatible with the veteran or if the service dog dies or is otherwise unable to fulfill the dog's duty as a service dog before the fourth anniversary of the date the veteran received the service dog, while the introduced required such replacement if the service dog is incompatible with the veteran, the veteran's caregiver, or the veteran's family, or if the service dog dies or is otherwise unable to fulfill that duty.