

CHAPTER 60**(HCR 40)**

A CONCURRENT RESOLUTION urging Kentucky's Congressional delegation to include Kentucky's Veterans Affairs Medical Centers into the Center for Compassionate Innovation, a U.S. Department of Veterans Affairs pilot program enabling the use of hyperbaric oxygen therapy treatment for veterans with a traumatic brain injury or post-traumatic stress disorder.

WHEREAS, the General Assembly values our citizens who are active duty military, National Guard and Reserve members, and veterans, and recognizes the importance of ensuring proper treatment for a wide variety of health issues, especially those caused as a result of their service; and

WHEREAS, the signature wounds of Iraq and Afghanistan are traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD), which affect an estimated 877,450 veterans nationally and 12,800 in Kentucky; and

WHEREAS, although TBI and PTSD can result from any number of traumatic events, the causes for veterans often include roadside bombs, enemy mortar attacks, convoy attacks, and exchanging gunfire while on foot patrol; and

WHEREAS, the United States Congress has mandated significant improvements to the mental health care provided by the Department of Veterans Affairs including partnerships with non-federal government entities to provide hyperbaric oxygen therapy (HBOT) to veterans for treatment of TBI and PTSD; and

WHEREAS, published neurological studies and Institutional Review Board trials have found that HBOT can repair the brain tissue from a TBI and significantly improve the quality of life of over 95% of patients after HBOT sessions; and

WHEREAS, in 2018, Kentucky joined six other states in passing legislation allowing veterans to receive HBOT for TBI and PTSD; and

WHEREAS, Kentucky has several providers capable of providing HBOT services throughout the state, with approximately 34 Hospital Wound Care Centers equipped with 73 functional hyperbaric chambers; and

WHEREAS, the Kentucky veterans program trust fund supported partial funding for HBOT treatments for TBI and PTSD in 2021; and

WHEREAS, the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019 and numerous other pieces of legislation introduced in Congress all support HBOT treatment for veterans with TBI and PTSD; and

WHEREAS, the VA Mission Act of 2018 states, "the Secretary shall not limit the types of hospital care, medical services, or extended care services covered veterans may receive under this section if it is in the best medical interest of the veteran to receive such hospital care, medical services, or extended services, as determined by the veteran and the veteran's health care provider"; and

WHEREAS, the VA Community Care Program is currently available to veterans from local community providers outside of the VA when the VA is not able to provide the care that is needed; and

WHEREAS, the Commonwealth of Kentucky values the brave men and women who have served in the Armed Forces of the United States and the General Assembly supports and encourages the best available treatment for our veterans in gratitude for their service;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

➔Section 1. Kentucky's Congressional delegation is strongly encouraged to communicate the importance and value of including Kentucky's Veterans Affairs Medical Centers into the Center for Compassionate Innovation to help veterans with traumatic brain injuries and post-traumatic stress disorders. Additionally, the VA Community Care Program should be utilized to contract with eligible community partners to provide HBOT treatment for veterans within reasonable travel distance, at prescribed Medicare rates, and pay for this critical care.

➔Section 2. The General Assembly urges a review of the medical results in the VA pilot program in order to improve treatment availability and eliminate current qualifying criteria that pose a serious obstacle to the majority of VA in-care veterans who may qualify for hyperbaric oxygen therapy treatment.

➔Section 3. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to all members of the Kentucky Congressional delegation; the Secretary of the U.S. Department of Veterans Affairs, Denis Richard McDonough; the Chairman of the U.S. House Committee on Veterans' Affairs, Representative Mark Takano; and the Chairman of the U.S. Senate Committee on Veterans' Affairs, Senator Jon Tester.

Signed by Governor March 30, 2022.