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## SENATE COMMITTEE ON VETERANS AFFAIRS

Senator Bob Archuleta, Chair

2019 - 2020 Regular

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<b>Bill No:</b>	SB 312	<b>Hearing Date:</b>	4/23/19
<b>Author:</b>	Leyva		
<b>Version:</b>	4/22/19 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Veronica Badillo		

**Subject:** Veterans: service dog assistance

### DESCRIPTION

#### Summary:

This bill requires the Department of Veterans Affairs (CalVet), to establish a program to provide assistance to cover costs including, among other things: the purchase, training, and equipment for a dog to veterans with post-traumatic stress disorder (PTSD).

#### Existing law:

- 1) Establishes CalVet within state government and sets forth its powers and duties, including, but not limited to, the administration of various programs providing benefits to veterans.
- 2) Authorizes CalVet to contract with veterans service organizations (VSOs) and compensate the VSO for services within the scope of this section rendered by VSO to any veteran, dependent, or survivor.
- 3) Finds and declares that services provided by VSOs play an important role in the CalVet's responsibilities to assist veterans and their dependents and survivors in presenting and pursuing claims against the United States, and that it is an efficient and reasonable use of state funds to provide compensation to VSOs for these services.
- 4) Finds and declares that contracts shall not be undertaken until the annual budget for county veterans service officers (CVSOs) reaches a minimum of five million dollars (\$5,000,000).

#### This bill:

- 1) Requires CalVet, upon appropriation by the Legislature, to establish a competitive grant program to provide assistance for the cost of service dogs to veterans with PTSD.
- 2) Awards grants to certified veteran service dog providers, as defined, that provide services including, among other things, the purchase of the dog, training of the dog, and equipment for the dog.
- 3) Requires CalVet to publicize the program.

- 4) Requires a veteran service dog provider to meet specified criteria to become certified, including, among other things, that the provider demonstrates the knowledge, experience, and cultural competency to provide veterans with service dogs.
- 5) Makes a certification valid for 3 years, unless the department decertifies the service dog provider.
- 6) Requires CalVet to send a progress report on the implementation of these provisions to the Legislature on or before March 1, 2021.
- 7) Requires CalVet to develop regulations for implementation by no later than July 21, 2021.

### **BACKGROUND**

The latest Veteran Population Projection Model 2016 (VetPop 2016), estimates there are approximately 1.6 million veterans in California. In some cases these women and men who have fought bravely to protect our country's freedom return home from service mentally and/or physically disabled. Unlike the physical wounds of war that maim or disfigure, PTSD, major depression, and TBI are often invisible to other service members, family members, the military, and the broader society. The lack of adequate access to mental health services has made reintegration into civilian life challenging for many veterans and their families. The trauma that some veterans endured during service has led to increased rates of suicide and PTSD.

The U.S. Department of Veterans Affairs (VA), estimates the number of veterans with PTSD as follows:

- 1) Operations Iraqi Freedom (OIF) and Enduring Freedom (OEF): About 11-20 out of every 100 Veterans (or between 11-20%) who served in OIF or OEF have PTSD in a given year.
- 2) Gulf War (Desert Storm): About 12 out of every 100 Gulf War Veterans (or 12%) have PTSD in a given year.
- 3) Vietnam War: About 15 out of every 100 Vietnam Veterans (or 15%) were currently diagnosed with PTSD at the time of the most recent study in the late 1980s, the National Vietnam Veterans Readjustment Study (NVVRS). It is estimated that about 30 out of every 100 (or 30%) of Vietnam Veterans have had PTSD in their lifetime.

In addition, sexual harassment or assault that occurs while in the military, known as military sexual trauma (MST), may also be a cause of PTSD. MST can happen to both men and women and can occur during peacetime, training, or war.

- 1) 23 out of 100 women and 1 out of 100 men reported sexual assault when in the military.
- 2) 55 out of 100 women and 38 out of 100 men have experienced sexual harassment when in the military.

- 3) Almost half (40%) of all veterans who tell a VA provider they experienced MST are men.

*Veterans Benefits.* In recent years the rate at which military veterans have been relocating to California has increased. These veterans vary in age, years of service, combat service, education, physical and mental health, and transferability of military skills to civilian employment. While most veterans simply need education (college or technical training) and job-seeking assistance, others face physical, emotional, and family challenges, often directly related to their military service, which are barriers to full reintegration into civilian society.

Federal, state and local governments provide veterans a wide variety of benefits. In addition, non-profit organizations offer an array of services, many of which are tailored to meet the specific needs of discrete subpopulations of the veteran community.

*Service dogs v. Emotional Support dogs.* According to the American with Disabilities Act (ADA), a service dog is one that has been trained and certified to work with people with disabilities and perform tasks related to the person's disability. Service dogs for veterans with PTSD can be trained to enter a room ahead of their handler to turn on lights, retrieve items from a distance, interrupt nightmares and anxious behaviors, as well as perform positional commands that help their handler feel more comfortable in public. For example, if a veteran is about to experience an anxiety attack, a service dog can be trained to sense the anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact.

An emotional support/comfort dog may play an equally important role to someone who needs the emotional support, but comfort animals are not necessarily trained in certain tasks or certified as a support animal.

*VA study on service and emotional support dogs and PTSD.* Currently, VA provides service dogs only for veterans with certain physical disabilities. However, a research study was mandated in the Department of Defense Bill of 2010, to examine the effectiveness of service and emotional support dogs for veterans with PTSD. Importantly, one requirement for Veterans in the study is that they be in some form of mental health treatment for their PTSD. The findings of the new study could potentially change VA's policy on providing emotional support dogs for veterans with PTSD, and is expected to be complete in June 2019.

*VA Mental Health Mobility Service Dog Initiative.* The Mental Health Mobility Service Dog Initiative, is offered for veterans with substantial mobility limitations associated with a mental health disorder. It provides comprehensive coverage for the canine's health and wellness and any prescription medications necessary to enable the dog to perform its duties in service to the veteran.

In order to begin the application process for this benefit, veterans meet with a mental health provider and care team who evaluate and determine whether the mental health condition is the primary cause of the veteran's substantial mobility limitations. The team assesses whether a mobility service dog would be the optimal intervention or treatment approach for the veteran. If the team considers a service dog to be the optimal

intervention, they will apply to receive the benefit on behalf of the veteran by contacting the VA Offices of Mental Health Services and Prosthetic and Sensory Aids Service.

Each veteran's case is reviewed and evaluated by a prescribing clinician for the following:

- 1) Goals that are to be accomplished through other assistive technology or therapy.
- 2) Goals that are to be accomplished through the use of a service dog.
- 3) Ability and means, including potential co-caregivers, to care for the dog currently and in the future.

The veteran will be informed if the veterinary benefit has been granted. Veterans approved for the benefit are then referred to Assistance Dogs International (ADI)-accredited agencies to apply for a service dog.

*Purdue University College of Veterinary Medicine Study.* A preliminary study by researchers at the Veterinary Medicine College at Purdue University found that overall symptoms of Post-Traumatic Stress Disorder (PTSD) are lower among veterans with service dogs. The pilot research project provided scientific evidence of mental health benefits experienced by veterans with PTSD who have service dogs. According to Ms. Maggie O'Haire who led the study, "we found that the group of veterans with service dogs had significantly lower levels of PTSD symptomology than those who did not have a service dog. They also had lower levels of depression, lower anxiety and increased social participation, meaning a willingness to leave their house and go engage with society in different activities."

According to one of the sponsors of the study, "pairing service dogs with our nation's veterans should be recognized as a significant complementary method of treatment. This study is a significant step in providing scientific documentation, and I hope the promising results from this study will prompt a renewed focus on the benefits that service dogs provide."

### **COMMENT**

*Author's statement.* According to the Author, "California is home to the greatest number of veterans in the country. These brave men and women risk their lives during their military service and, in some cases, suffer severe trauma that ultimately results in Post-Traumatic Stress Disorder (PTSD). When they return home from service, we must make sure that we are doing everything possible to provide veterans with the necessary support in readjusting to civilian life. Studies show that service dogs have many benefits for veterans returning from service. SB 312 will help to bridge these gaps in our system that currently make it difficult for our veterans with PTSD to be paired with service dogs needed for their safety and independence."

*Related/Previous legislation.* SB 245 (Chang, 2019) would prohibit a public animal shelter from charging an adoption fee for a dog or cat if the person adopting the animal presents a current and valid driver's license or identification card with the word "VETERAN" printed on its face.

AB 1618 (Cervantes, Chapter 416, Statutes of 2017), established a competitive grant program for California veteran service providers (VSPs) and a process for certifying VSPs applying for the competitive grants.

**POSITIONS**

**Sponsor:** USA Strong for Veterans

**Support:**

American Legion Post 6<sup>th</sup> Area  
American Legion District 18  
American Legion Post 30  
American Legion Post 56  
American Legion Post 70  
American Legion Post 78  
American Legion Post 125  
American Legion Post 176  
American Legion Post 206  
American Legion Post 247  
American Legion Post 261  
American Legion Post 279  
American Legion Post 280  
American Legion Post 471  
American Legion Post 502  
American Legion Post 508  
American Legion Post 534  
American Legion Post 790  
American Legion Post 817  
City Of Glendora  
Freedom Dogs  
Girl Scout Troop 6674  
John D. Baca, Medal of Honor Recipient, Army MOH  
Kiwanis International Glendora  
Rotary Club of Pomona  
Town of Bedford, NY  
Veterans Canine Intelligence Academy  
Several individuals

**Oppose:** None on file.

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