



# HOUSE COMMITTEE ON

# **VETERANS' AFFAIRS**

*Republicans | Ranking Member Phil Roe, M.D.*

## **H.R. 3788: The VA Child Care Protection Act**

### **Background:**

The lack of child care services at Department of Veterans Affairs (VA) medical facilities is frequently cited as a barrier to care for veterans, in general, and for women veterans, in particular. Congress created a pilot program in 2010 to break down that barrier by requiring VA to provide child care to veterans receiving mental health care and certain other intensive health care services through VA. In February 2019, the House passed H.R. 840, as amended, the Veterans' Access to Child Care Act, to permanently extend that pilot program and expand it across the VA healthcare system. The House-passed bill included a provision prohibiting a child care center, agency, or provider from caring for a veteran's child under the VA child care program if they employ an individual who has been convicted of a sex crime, a violent crime, a drug felony, or another offense VA considers appropriate. However, it failed to address a situation where an individual caring for a veteran's child under the VA child care program has been charged with one of those serious offenses but whose case is still pending. Current law allows, but does not require, a child care facility operated by or under contract with a federal agency to suspend an individual in those circumstances. Given the considerable amount of time it can take for cases to proceed through the criminal justice system, this could leave children in the VA child care program vulnerable to potential predators.

The VA Child Care Protection Act would affirmatively prohibit VA from paying a child care provider if they employ an individual who has been charged with a sex offense, an offense involving a child victim, a violent crime, a drug felony, or other offense that VA determines appropriate unless such individual has been suspended from having any contact with children while on the job until the case has been resolved. This does not presuppose guilt for an individual awaiting their day in court but does recognize the responsibility Congress has to ensure the safety of the children in the VA child care program while the criminal justice system does its important work.

### **The Message:**

- Congress has an obligation to ensure that the children of our nation's veterans are safe while they are under VA's care.
- The VA Child Care Protection Act would close a loophole that could allow an individual who has been charged with a serious crime - such as a sexual or physical assault of a child - from caring for a veteran's child under the VA child care program.
- Congress should not gamble with the safety of a child of one of the veterans who fought for our safety.