

RECOMMENDED ACTION MEMO

Agency: Department of Veterans Affairs
Topic: Evaluations of VA Lethal Means Reduction and Gun Safety Programs for Suicide Prevention Among Veterans
Date: November 2020

Recommendation: Ensure that federally mandated research evaluations of VA suicide prevention and mental healthcare activities include evidence-based assessments of the VA’s lethal means reduction and gun safety programs for veterans at risk of suicide.

I. Summary

Description of recommended executive action

Federal law requires the Department of Veterans Affairs (VA) to implement a comprehensive suicide prevention program to address the nation’s elevated rate of suicide among military veterans, and requires the VA to conduct evidence-based research and evaluations to identify best practices for suicide prevention among the veteran population. While the VA has supported an increasingly large research base on these issues, few if any studies have evaluated the effectiveness of either longstanding or more recent VA initiatives that promote safe firearm storage and encourage at-risk veterans to limit access to firearms and other highly lethal suicide means.

Firearms are responsible for nearly 70% of fatal suicide attempts among US veterans.¹ As a result, the administration’s secretary of veterans affairs should ensure that annual research evaluations of the VA’s suicide prevention and mental healthcare activities also include evidence-based assessments of the VA’s lethal means reduction and gun safety programs for at-risk veterans.

Overview of process and time to enactment

As discussed below, federal law requires the VA to provide for annual independent evaluations of the department’s mental healthcare and suicide prevention activities, and to support research on best practices for suicide prevention among veterans on an ongoing basis, in consultation with the Department of Health and Human Services, the National Institute of Mental Health, the Substance Abuse and Mental Health Services Administration, and the Centers for Disease

¹ Bridget Matarazzo, “Lethal Means Safety: How PTSD Clinicians Can Have the Conversation,” Department of Veterans Affairs, January 16, 2019, Table 1, https://www.ptsd.va.gov/professional/consult/2019lecture_archive/01162019_lecture_slides.pdf.

Control and Prevention.² The VA should ensure that evaluations of the VA's lethal means reduction and gun safety programs for at-risk veterans are completed within the next few years.

II. Current state

In late 2007, President Bush signed the Joshua Omvig Veterans Suicide Prevention Act into law, which directed the secretary of veterans affairs to “develop and carry out a comprehensive program designed to reduce the incidence of suicide among veterans.”³ That law also requires the VA to provide for ongoing research on best practices for suicide prevention among veterans, in consultation with the heads of four specified agencies: the Department of Health and Human Services, the National Institute of Mental Health, the Substance Abuse and Mental Health Services Administration, and the Centers for Disease Control and Prevention.⁴ Notably, this law also provides the secretary of Veterans Affairs with broad discretion, in carrying out the VA's suicide prevention program, to “provide for other actions to reduce the incidence of suicide among veterans that the Secretary considers appropriate.”⁵

Also in 2007, federal legislation funded the establishment of a medical “center of excellence” to develop and study evidence-based public health approaches to suicide prevention among veterans.⁶

In 2015, President Obama signed into law the Clay Hunt Suicide Prevention for American Veterans Act, which, among other things, sought to strengthen the VA's focus on best practices research by directing the Department of Veterans Affairs to order annual third-party evaluations of VA's mental healthcare and suicide prevention programs. The evaluations are meant to identify the most effective programs conducted by the VA and propose best practices for caring for individuals who suffer from mental health challenges, or who are at risk of suicide.⁷ That law requires the VA to submit to Congress an annual report containing the most recent independent research evaluations received by the VA secretary, along with any recommendations the secretary considers appropriate.⁸

Activities under the Obama administration

² 38 U.S.C. § 1720F(e).

³ Joshua Omvig Veterans Suicide Prevention Act, Pub. Law 110-110, codified in relevant part at 38 U.S.C. § 1720F.

⁴ 38 U.S.C. § 1720F(e).

⁵ 38 U.S.C. § 1720F(k).

⁶ See Congressional Research Service, “Health Care for Veterans: Suicide Prevention,” February 23, 2016, 5, <https://crsreports.congress.gov/product/pdf/R/R42340>.

⁷ Clay Hunt Suicide Prevention for American Veterans Act, Pub. Law 114-2, codified in relevant part at 38 U.S.C. § 1709B.

⁸ 38 U.S.C. § 1709B(b).

Under the Obama administration, the VA made considerable strides in implementing new suicide prevention initiatives. President Obama signed multiple executive orders to improve suicidal veterans' access to mental healthcare, and to promote effective research and development of effective diagnosis and treatment of mental injuries associated with suicide risk.⁹

Among many other things, the Veterans Health Administration issued policies requiring clinicians to develop suicide prevention safety plans for high-risk patients, including a plan to reduce the potential for use of lethal means, and to use regularly updated "patient record flags" in inpatients' electronic health records to identify and track patients at high risk for suicide.¹⁰ A 2017 inspector general report found that clinicians properly included lethal means assessment and counseling in 90% of at-risk patients' safety plans.¹¹ VA policy also established a suicide prevention coordinator to serve in every VA Medical Center.¹² The Veterans Health Administration also maintained a gun safety program, launched in 2008, to distribute free gun safety locks and disseminate gun safety information to patients.¹³

A comprehensive analysis of veteran suicides completed in August 2016 by the VA's Office of Suicide Prevention confirmed that firearms played a disproportionate role in veterans' suicide mortality and concluded that "[t]hese results strongly suggest that firearms safety initiatives are likely an important component of an effective suicide prevention strategy for male and female Veterans."¹⁴

Activities under the Trump administration

In March 2019, President Trump signed Executive Order 13861, establishing a three-year national effort to address veteran suicide, called the President's Roadmap to Empower Veterans and End a National Tragedy of Suicide (PREVENTS). The executive order established an inter-agency "Veteran Wellness, Empowerment, and Suicide Prevention Task Force," co-

⁹ See, e.g., Office of the Press Secretary, "Fact Sheet: President Obama Signs Executive Order to Improve Access to Mental Health Services for Veterans, Service Members, and Military Families," August 31, 2012, <https://obamawhitehouse.archives.gov/the-press-office/2012/08/31/fact-sheet-president-obama-signs-executive-order-improve-access-mental-h>; Office of the Press Secretary, "Fact Sheet: President Obama Announces New Executive Actions to Fulfill our Promises to Service Members, Veterans, and Their Families," August 26, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2014/08/26/fact-sheet-president-obama-announces-new-executive-actions-fulfill-our-p>.

¹⁰ See Office of Inspector General, "Evaluation of Suicide Prevention Programs in Veterans Health Administration Facilities," Department of Veterans Affairs, May 18, 2017, 3-5, <https://www.va.gov/oig/pubs/VAOIG-16-03808-215.pdf>.

¹¹ *Id.* at 9, Table 2.

¹² Congressional Research Service, "Health Care for Veterans: Suicide Prevention," February 23, 2016, 9, <https://crsreports.congress.gov/product/pdf/R/R42340>.

¹³ Congressional Research Service, "Health Care for Veterans: Suicide Prevention," February 23, 2016, 11, <https://crsreports.congress.gov/product/pdf/R/R42340>.

¹⁴ Office of Suicide Prevention, "Suicide Among Veterans and Other Americans 2001-2014," Department of Veterans Affairs, August 3, 2016, 47, <https://www.mentalhealth.va.gov/docs/2016suicidedatareport.pdf>.

chaired by the secretary of veterans affairs and the assistant to the president for domestic policy. The order charged the task force with developing a “roadmap” for improving veteran suicide prevention and, among other things, developing “a national research strategy to improve the coordination, monitoring, benchmarking, and execution of public- and private-sector research related to the factors that contribute to veteran suicide.”

The roadmap report, issued in June 2020, was criticized as relatively tepid and vague.¹⁵ It did, however, include general recommendations to “increase implementation of programs focused on lethal means safety” and to launch a national public health messaging and media campaign which, among other things promotes safety planning tools and resources to promote lethal means safety.¹⁶ The roadmap also included recommendations for improving suicide prevention research and data collection activities.

In 2019, the VA also partnered with the National Shooting Sports Foundation and the American Foundation for Suicide Prevention to create a messaging toolkit with educational information and resources for the development of programs regarding suicide awareness and safe firearm storage.¹⁷

The VA’s annual reports to Congress, submitted pursuant to the Clay Hunt Suicide Prevention for American Veterans Act, have thus far not included the findings of any comprehensive evaluation of VA suicide prevention activities pertaining to firearm and lethal means safety.

Unless rescinded or extended, President Trump’s Executive Order 13861, which established a national inter-agency task force to address veteran suicide, will expire and dissolve the task force in March 2022.

III. Proposed action

The administration’s new secretary of veterans affairs should ensure that VA research and evaluation activities, including the annual independent evaluation of suicide prevention and mental healthcare programs required by the Clay Hunt Suicide Prevention for American Veterans Act, include a comprehensive assessment of the VA’s lethal means reduction and gun safety efforts for veterans.

IV. Legal justification

¹⁵ See Nikki Wentling, “Trump unveils 'bold' plan to prevent veteran suicide, but critics say it's not enough,” *Stars and Stripes*, June 17, 2020, <https://www.stripes.com/news/us/trump-unveils-bold-plan-to-prevent-veteran-suicide-but-critics-say-it-s-not-enough-1.634192>.

¹⁶ U.S. Department of Veterans Affairs, “PREVENTS Task Force Roadmap Report,” June 17, 2020, https://www.va.gov/PREVENTS/docs/PRE-007-The-PREVENTS-Roadmap-1-2_508.pdf.

¹⁷ U.S. Department of Veterans Affairs, “PREVENTS Task Force Roadmap Report Supplemental Materials,” June 17, 2020, 164, <https://www.va.gov/PREVENTS/docs/PREVENTS-Supplemental-Materials-for-the-Roadmap-508.pdf>

As discussed above, federal law provides the secretary of veterans with broad discretionary authority to take actions the secretary believes appropriate to reduce the incidence of suicide among veterans.¹⁸ The law also directs the VA to provide for annual third-party evaluations of VA's mental healthcare and suicide prevention programs in order to identify the most effective programs conducted by the VA and propose best practices for caring for individuals who suffer from mental health challenges, or who are at risk of suicide.¹⁹

Consistent with the recommendations of the PREVENTS task force and the VA's mandate to identify best practices in veteran care and suicide prevention through robust research and evaluation, the VA should ensure that future research evaluations of VA suicide prevention activities include assessments regarding the effectiveness and impact of lethal means reduction and gun safety programs for reducing veteran suicide.

¹⁸ 38 U.S.C. § 1720F(k).

¹⁹ Clay Hunt Suicide Prevention for American Veterans Act, Pub. Law 114-2, codified in relevant part at 38 U.S.C. § 1709B.