

109TH CONGRESS
1ST SESSION

H. R. 1639

To require pre- and post-deployment mental health screenings for members of the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2005

Ms. DELAURO (for herself, Mr. EVANS, Ms. BORDALLO, Mr. GRIJALVA, Mr. OBERSTAR, Mr. FILNER, Mr. McDERMOTT, Mr. CASE, Mrs. CAPPS, Mr. GUTIERREZ, Mrs. LOWEY, Mr. EMANUEL, Mr. LARSON of Connecticut, Ms. HOOLEY, Mr. STARK, Mr. KENNEDY of Rhode Island, Mr. SERRANO, Mr. HINCHEY, and Mr. SANDERS) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require pre- and post-deployment mental health screenings for members of the Armed Forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Health Serv-
5 ices Improvement Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) More than 160,000 United States
2 servicemembers are serving their country in Oper-
3 ation Enduring Freedom and Operation Iraqi Free-
4 dom.

5 (2) There currently are more than 100,000 ac-
6 tivated National Guard and reserve component
7 forces engaged in the war on terrorism.

8 (3) According to the Department of the Army,
9 nearly one in six soldiers who have served in Oper-
10 ation Iraqi Freedom suffers from post-traumatic
11 stress disorder.

12 (4) More than 900 soldiers have been evacuated
13 from Iraq since the beginning of Operation Iraqi
14 Freedom because of mental health problems.

15 (5) The stigma associated with mental health
16 treatment remains a significant obstacle to seeking
17 mental health care.

18 (6) Untreated post-traumatic stress disorder
19 and other mental health illnesses have been linked to
20 severe social problems, including alcohol and drug
21 abuse, domestic violence, child abuse, familial dis-
22 integration, and homelessness.

1 **SEC. 3. PRE- AND POST-DEPLOYMENT SCREENING PRO-**
2 **GRAM FOR MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) PRE- AND POST-DEPLOYMENT EVALUATIONS.—

5 Not later than 180 days after the date of the enactment
6 of this Act, the Secretary of Defense shall prescribe in
7 regulations—

8 (1) a requirement that members of the Armed
9 Forces deploying to a combat theater receive a men-
10 tal health evaluation conducted in person by a quali-
11 fied mental health professional before their deploy-
12 ment; and

13 (2) a requirement that members of the Armed
14 Forces returning from service of more than 30 days
15 in a combat theater or who were injured in a combat
16 theater receive a combat stress evaluation conducted
17 in person by a qualified mental health professional
18 within 30 days after the date on which the member
19 returns from the combat theater.

20 (b) MENTAL HEALTH AWARENESS PROGRAM.—

21 (1) PROGRAM.—The Secretary of Defense shall
22 implement a program designed to—

23 (A) raise awareness about mental health
24 issues that members of the Armed Forces and
25 their families may encounter during and after
26 deployment of the member; and

1 (B) reduce the stigma associated with
2 mental health care.

3 (2) IMPLEMENTATION.—The Secretary, pursu-
4 ant to regulations, may enter into arrangements
5 with an accredited college, university, hospital-based,
6 or community-based mental health center to carry
7 out the program under this subsection. The Sec-
8 retary shall ensure that the program is made avail-
9 able in foreign languages if necessary to aid com-
10 prehension among persons to be helped by the pro-
11 gram.

12 (3) DEADLINE.—The Secretary shall carry out
13 this subsection not later than 180 days after the
14 date of the enactment of this Act.

15 (c) HOLD-HARMLESS FOR MENTAL HEALTH TREAT-
16 MENT.—In carrying out any mental health-related pro-
17 gram, the Secretary shall ensure that neither the provision
18 of mental health services nor inquiries about mental health
19 services shall adversely affect an individual's career.

20 **SEC. 4. MENTAL HEALTH AWARENESS FOR DEPENDENTS.**

21 (a) PROGRAM.—Not later than one year after the
22 date of the enactment of this Act, the Secretary of Defense
23 shall develop a program to improve awareness of the avail-
24 ability of mental health services for, and warning signs
25 about mental health problems in, dependents of members

1 of the Armed Forces whose sponsor served or will serve
2 in a combat theater during the previous or next 60 days.

3 (b) MATTERS COVERED.—The program developed
4 under subsection (a) shall be designed to—

5 (1) increase awareness of mental health services
6 available to dependents of members of the Armed
7 Forces on active duty;

8 (2) increase awareness of mental health services
9 available to dependents of Reservists and National
10 Guard members whose sponsors have been activated;
11 and

12 (3) increase awareness of mental health issues
13 that may arise in dependents referred to in para-
14 graphs (1) and (2) whose sponsor is deployed to a
15 combat theater.

16 (c) TOLL-FREE NUMBER.—In carrying out this sec-
17 tion, the Secretary of Defense shall establish a toll-free
18 informational telephone number and website devoted to
19 helping members of the Armed Forces and their depend-
20 ents recognize, and locate treatment providers for, post-
21 traumatic stress disorder and other forms of combat
22 stress.

23 (d) COORDINATION.—The Secretary may permit the
24 Department of Defense to coordinate the program devel-
25 oped under subsection (a) with an accredited college, uni-

1 versity, hospital-based, or community-based mental health
2 center or engage mental health professionals to develop
3 programs to help implement this section.

4 (e) AVAILABILITY IN OTHER LANGUAGES.—The Sec-
5 retary shall ensure that the program developed under sub-
6 section (a) is made available in foreign languages if nec-
7 essary to aid comprehension among persons to be helped
8 by the program.

9 **SEC. 5. IMPROVED COORDINATION BETWEEN THE DEPART-**
10 **MENT OF DEFENSE AND THE DEPARTMENT**
11 **OF VETERANS AFFAIRS.**

12 (a) MEMORANDUM OF UNDERSTANDING.—Not later
13 than 180 days after the date of the enactment of this Act,
14 the Secretary of Defense and the Secretary of Veterans
15 Affairs shall enter into a memorandum of understanding
16 to improve the transition of mental health-related cases
17 from the Department of Defense to the Department of
18 Veterans Affairs.

19 (b) MATTERS COVERED.—The memorandum of un-
20 derstanding under subsection (a) shall specifically include
21 requirements—

22 (1) that the Department of Defense report to
23 the Department of Veterans Affairs any case or sus-
24 pected case of post-traumatic stress disorder, or
25 other disorders or symptoms that result from deploy-

1 ment to a combat theater, in a member of the
2 Armed Forces upon the member's discharge from
3 the Armed Force; and

4 (2) that the Department of Defense report to
5 the Department of Veterans Affairs any disciplinary
6 measures taken against a member of the Armed
7 Forces during or after service in a combat theater
8 upon the member's discharge from the Armed
9 Forces.

10 (c) REPORT.—Not later than one year after the date
11 of the enactment of this Act, the Secretary of Defense
12 shall submit to Congress a report on the implementation
13 of this section.

14 **SEC. 6. CLEARINGHOUSE FOR INFORMATION RELATING TO**
15 **COMBAT STRESS TREATMENT PROFES-**
16 **SIONALS.**

17 Not later than 180 days after the date of the enact-
18 ment of this Act, the Secretary of Defense shall create
19 an information clearinghouse to improve the availability
20 of information about mental health professionals who treat
21 combat stress.

1 **SEC. 7. AVAILABILITY OF MENTAL HEALTH SERVICES**
2 **UNDER TRICARE FOR CERTAIN RESERVE**
3 **MEMBERS AFTER DEACTIVATION.**

4 The Secretary of Defense shall prescribe regulations
5 to provide for the availability of mental health services
6 under the TRICARE program under chapter 55 of title
7 10, United States Code, for an eligible member of a re-
8 serve component of the Armed Forces and the family
9 members of the member, during the 24-month period fol-
10 lowing the date of termination of the member's service in
11 the reserve component. In this section, a member of a re-
12 serve component is eligible if the member was called or
13 ordered to active duty for a period of more than 30 days
14 under a provision of law referred to in section
15 101(a)(13)(B) of title 10, United States Code, and who
16 served continuously on active duty for 90 or more days
17 in a combat zone pursuant to such call or order.

18 **SEC. 8. DEFINITION.**

19 In this Act, the term “qualified mental health profes-
20 sional” means—

- 21 (1) an accredited psychologist, psychiatrist,
22 child psychiatrist, psychiatric nurse, or clinical social
23 worker; or
24 (2) a student seeking a post-graduate degree in
25 one of the following mental health-related fields: psy-

- 1 chiatry, psychology, psychiatric nursing, or clinical
- 2 social work.

