

113TH CONGRESS
1ST SESSION

H. R. 1464

To amend title 10, United States Code, to provide notice to members of the Armed Forces, beginning with recruit basic training and the initial training of officer candidates, regarding the availability of mental health services, to help eliminate perceived stigma associated with seeking and receiving mental health services, and to clarify the extent to which information regarding a member seeking and receiving mental health services may be disclosed.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2013

Mr. CARSON of Indiana (for himself, Mr. RANGEL, Ms. WILSON of Florida, Mr. CONYERS, Ms. MOORE, Mr. BUCSHON, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide notice to members of the Armed Forces, beginning with recruit basic training and the initial training of officer candidates, regarding the availability of mental health services, to help eliminate perceived stigma associated with seeking and receiving mental health services, and to clarify the extent to which information regarding a member seeking and receiving mental health services may be disclosed.

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 Mental Health
5 Empowerment Act”.

6 **SEC. 2. PROVISION OF INFORMATION TO MEMBERS OF THE**
7 **ARMED FORCES ON AVAILABILITY OF MEN-**
8 **TAL HEALTH SERVICES AND RELATED PRI-**
9 **VACY RIGHTS.**

10 (a) IN GENERAL.—Chapter 55 of title 10, United
11 States Code, is amended by inserting after section 1090a
12 the following new section:

13 **“§ 1090b. Notice to members of the armed forces of**
14 **the availability of mental health services**
15 **and privacy rights related to receipt of**
16 **such services**

17 “(a) PROVISION OF INFORMATION REQUIRED.—The
18 Secretaries of the military departments shall ensure that
19 the information described in subsection (b) is provided—

20 “(1) to each officer candidate during initial
21 training;

22 “(2) to each recruit during basic training; and

23 “(3) to other members of the armed forces at
24 such times as the Secretary of Defense considers ap-
25 propriate.

1 “(b) REQUIRED INFORMATION.—The information re-
2 quired to be provided under subsection (a) shall include
3 at a minimum the following:

4 “(1) Information regarding the availability of
5 mental health services under this chapter.

6 “(2) Information on the applicability of Depart-
7 ment of Defense Directive 6025.18 and other regula-
8 tions regarding privacy prescribed pursuant to the
9 Health Insurance Portability and Accountability Act
10 of 1996 (Public Law 104–191) to records regarding
11 a member seeking and receiving mental health serv-
12 ices, including the extent to which—

13 “(A) any such records can be shared with
14 promotion boards, commanding officers, and
15 other members of the armed forces;

16 “(B) any adverse actions can be taken
17 against the member for seeking and receiving
18 mental health services; and

19 “(C) a diagnosis of a mental health condi-
20 tion can result in negative personnel action.

21 “(c) REDUCTION OF PERCEIVED STIGMA.—As pro-
22 vided in section 1090a(b)(1) of this title, in providing in-
23 formation under subsection (a), the Secretary of a military
24 department shall seek to eliminate perceived stigma asso-
25 ciated with seeking and receiving mental health services

1 and to promote the use of mental health services on a
2 basis comparable to the use of other medical and health
3 services.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by inserting
6 after the item relating to section 1090a the following new
7 item:

“1090b. Notice to members of the armed forces of the availability of mental
health services and privacy rights related to receipt of such
services.”.

8 (c) PROVISION OF INFORMATION TO CURRENT MEM-
9 BERS.—As soon as practicable after the date of the enact-
10 ment of this Act, the Secretary of Defense shall ensure
11 that all members of the Armed Forces, including members
12 of the reserve components, serving in the Armed Forces
13 as of that date are provided the information required to
14 be provided to new recruits and officer candidates pursu-
15 ant to section 1090b of title 10, United States Code, as
16 added by subsection (a).

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