

113TH CONGRESS
1ST SESSION

S. 1703

To require the provision of information to members of the Armed Forces
on availability of mental health services and related privacy rights.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2013

Ms. MURKOWSKI introduced the following bill; which was read twice and
referred to the Committee on Armed Services

A BILL

To require the provision of information to members of the
Armed Forces on availability of mental health services
and related privacy rights.

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. PROVISION OF INFORMATION TO MEMBERS OF**
4 **THE ARMED FORCES ON AVAILABILITY OF**
5 **MENTAL HEALTH SERVICES AND RELATED**
6 **PRIVACY RIGHTS.**

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

1 **“§ 1090b. Notice to members of the armed forces on**
2 **availability of mental health services and**
3 **privacy rights related to receipt of such**
4 **services**

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

8 “(1) to each officer candidate during initial
9 training;

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

11 “(3) to other members of the armed forces at
12 such times as the Secretary of Defense considers ap-
13 propriate.

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

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

19 “(2) Information on the applicability of Depart-
20 ment of Defense Directive 6025.18 and other regula-
21 tions regarding privacy prescribed pursuant to the
22 Health Insurance Portability and Accountability Act
23 of 1996 (Public Law 104–191) to records regarding
24 a member seeking and receiving mental health serv-
25 ices, including the extent to which—

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

4 “(B) any adverse actions can be taken
5 against the member for seeking and receiving
6 mental health services; and

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

9 “(c) REDUCTION OF PERCEIVED STIGMA.—As pro-
10 vided in section 1090a(b)(1) of this title, in providing in-
11 formation under subsection (a), the Secretary of a military
12 department shall seek to eliminate perceived stigma asso-
13 ciated with seeking and receiving mental health services
14 and to promote the use of mental health services on a
15 basis comparable to the use of other medical and health
16 services.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1090a the following new item:

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

(c) PROVISION OF INFORMATION TO CURRENT MEMBERS.—As soon as practicable after the date of the enactment of this Act, the Secretary of Defense shall ensure that all members of the Armed Forces, including members

1 of the reserve components, serving in the Armed Forces
2 as of that date are provided the information required to
3 be provided to new recruits and officer candidates pursu-
4 ant to section 1090b of title 10, United States Code, as
5 added by subsection (a).

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