

113TH CONGRESS  
2D SESSION

# S. 2217

To amend title 10, United States Code, to enhance the participation of mental health professionals in boards for the correction of military records and boards for the review of the discharge or dismissal of members of the Armed Forces.

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## IN THE SENATE OF THE UNITED STATES

APRIL 7, 2014

Mr. TESTER (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. WALSH) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to enhance the participation of mental health professionals in boards for the correction of military records and boards for the review of the discharge or dismissal of members of the Armed Forces.

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       Review Board Improvement Act”.

1 **SEC. 2. ENHANCEMENT OF PARTICIPATION OF MENTAL**  
2 **HEALTH PROFESSIONALS IN BOARDS FOR**  
3 **CORRECTION OF MILITARY RECORDS AND**  
4 **BOARDS FOR REVIEW OF DISCHARGE OR DIS-**  
5 **MISSAL OF MEMBERS OF THE ARMED**  
6 **FORCES.**

7 (a) BOARDS FOR CORRECTION OF MILITARY  
8 RECORDS.—Section 1552 of title 10, United States Code,  
9 is amended—

10 (1) by redesignating subsection (g) as sub-  
11 section (h); and

12 (2) by inserting after subsection (f) the fol-  
13 lowing new subsection (g):

14 “(g) Any medical advisory opinion issued to a board  
15 established under subsection (a)(1) with respect to a mem-  
16 ber or former member of the armed forces who was diag-  
17 nosed while serving in the armed forces as experiencing  
18 a mental health disorder shall include the opinion of a clin-  
19 ical psychologist or psychiatrist if the request for correc-  
20 tion of records concerned relates to a mental health dis-  
21 order.”.

22 (b) BOARDS FOR REVIEW OF DISCHARGE OR DIS-  
23 MISSAL.—

24 (1) REVIEW FOR CERTAIN FORMER MEMBERS  
25 WITH PTSD OR TBI.—Subsection (d)(1) of section  
26 1553 of such title is amended by striking “physician,

1 clinical psychologist, or psychiatrist” the second  
 2 place it appears and inserting “clinical psychologist  
 3 or psychiatrist, or a physician with training on men-  
 4 tal health issues connected with post traumatic  
 5 stress disorder or traumatic brain injury (as applica-  
 6 ble)”.

7 (2) REVIEW FOR CERTAIN FORMER MEMBERS  
 8 WITH MENTAL HEALTH DIAGNOSES.—Such section  
 9 is further amended by adding at the end the fol-  
 10 lowing new subsection:

11 “(e) In the case of a former member of the armed  
 12 forces (other than a former member covered by subsection  
 13 (d)) who was diagnosed while serving in the armed forces  
 14 as experiencing a mental health disorder, a board estab-  
 15 lished under this section to review the former member’s  
 16 discharge or dismissal shall include a member who is a  
 17 clinical psychologist or psychiatrist, or a physician with  
 18 special training on mental health disorders.”.

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