

114TH CONGRESS
2D SESSION

H. R. 5648

To authorize an individual who is transitioning from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs to continue receiving treatment from such individual's mental health care provider of the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2016

Mr. O'ROURKE (for himself and Mr. JONES) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize an individual who is transitioning from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs to continue receiving treatment from such individual's mental health care provider of the Department of Defense, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mental Health Care
3 Provider Retention Act of 2016”.

4 **SEC. 2. RETENTION OF MENTAL HEALTH CARE PROVIDER.**

5 (a) IN GENERAL.—During the transition from receiv-
6 ing treatment furnished by the Secretary of Defense to
7 treatment furnished by the Secretary of Veterans Affairs,
8 a covered individual may elect to continue receiving treat-
9 ment from such individual’s mental health care provider
10 of the Department of Defense.

11 (b) PRIORITY.—A covered individual shall receive the
12 same level of priority as members of the Armed Forces
13 at the military medical treatment facility at which the cov-
14 ered individual has elected to continue treatment.

15 (c) REIMBURSEMENT OF COSTS.—The Secretary of
16 Veterans Affairs shall reimburse the Secretary of Defense
17 for services rendered pursuant to subsection (a), if such
18 services would have otherwise been furnished by the Sec-
19 retary of Veterans Affairs.

20 (d) DEPARTURE OF MENTAL HEALTH CARE PRO-
21 VIDER.—In the event that the mental health care provider
22 described under subsection (a) departs the military med-
23 ical treatment facility at which the covered individual is
24 receiving treatment, such individual may elect to obtain
25 the services of—

1 (1) a different mental health care provider at
2 the same military medical treatment facility; or

3 (2) a mental health care provider of the De-
4 partment of Veterans Affairs.

5 (e) DEPARTURE OF COVERED INDIVIDUAL.—In the
6 event that the covered individual relocates and is unable
7 to reasonably receive care at the military medical treat-
8 ment facility at which such individual has elected to con-
9 tinue treatment under subsection (a), such individual shall
10 transition to receiving treatment from a mental health
11 care provider of the Department of Veterans Affairs.

12 (f) MEDICAL RECORDS.—The Secretary of Veterans
13 Affairs shall ensure that any mental health care provider
14 of the Department of Defense that furnishes care or serv-
15 ices under this section to a covered individual submits to
16 the Department of Veterans Affairs a copy of any medical
17 record related to the care or services provided to such indi-
18 vidual by such mental health care provider for inclusion
19 in the electronic medical record of such individual main-
20 tained by the Department of Veterans Affairs upon such
21 individual’s transition to receiving treatment from a men-
22 tal health care provider of the Department of Veterans
23 Affairs.

24 (g) DEFINITION OF COVERED INDIVIDUAL.—In this
25 section, the term “covered individual” means an individual

1 who has been diagnosed with a mental health condition
2 and—

3 (1) is enrolling in the patient enrollment system
4 of the Department of Veterans Affairs, established
5 by section 1705 of title 38, United States Code; or

6 (2) has enrolled in the patient enrollment sys-
7 tem of the Department of Veterans Affairs and is
8 still in transition from receiving treatment furnished
9 by the Secretary of Defense, as determined by the
10 Secretary of Veterans Affairs.

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