

111TH CONGRESS  
1ST SESSION

# H. R. 2058

To require mental health screenings for members of the Armed Forces who are deployed in connection with a contingency operation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2009

Mr. REHBERG (for himself and Mr. THOMPSON of California) 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

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## A BILL

To require mental health screenings for members of the Armed Forces who are deployed in connection with a contingency operation, 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 “Post-Deployment  
5       Health Assessment Act of 2009”.

1 **SEC. 2. MENTAL HEALTH SCREENINGS FOR MEMBERS OF**  
2 **THE ARMED FORCES DEPLOYED IN CONNEC-**  
3 **TION WITH A CONTINGENCY OPERATION.**

4 (a) MENTAL HEALTH SCREENINGS.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of the enactment of this Act, the Sec-  
7 retary of Defense shall issue guidance for the provi-  
8 sion of an in-person mental health screening for  
9 each member of the Armed Forces who is deployed  
10 in connection with a contingency operation as fol-  
11 lows:

12 (A) At a time during the period beginning  
13 180 days before the date of deployment in con-  
14 nection with the contingency operation and end-  
15 ing 90 days before the date of deployment in  
16 connection with the contingency operation.

17 (B) At a time during the period beginning  
18 90 days after the date of redeployment from the  
19 contingency operation and ending 180 days  
20 after the date of redeployment from the contin-  
21 gency operation.

22 (C) Subject to subsection (d), not later  
23 than each of 6 months, 12 months, and 18  
24 months after the screening provided under sub-  
25 paragraph (B).

1           (2) EXCLUSION OF CERTAIN MEMBERS.—A  
2           mental health screening is not required for a mem-  
3           bers of the Armed Forces under subparagraphs (B)  
4           and (C) of paragraph (1) if the Secretary determines  
5           that the member was not subjected or exposed to  
6           combat stress during deployment in the contingency  
7           operation concerned.

8           (b) PURPOSE.—The purpose of the mental health  
9           screenings provided pursuant to this section shall be to  
10          identify post-traumatic stress disorder, suicidal ten-  
11          dencies, and other behavioral health issues identified  
12          among members of the Armed Forces described in sub-  
13          section (a) in order to determine which such members are  
14          in need of additional care and treatment for such health  
15          issues.

16          (c) ELEMENTS.—

17               (1) IN GENERAL.—The mental health  
18               screenings provided pursuant to this section shall—

19                       (A) be performed by personnel trained and  
20                       certified to perform such screenings in accord-  
21                       ance with such criteria as the Secretary of De-  
22                       fense shall establish; and

23                       (B) include an in-person dialogue between  
24                       members of the Armed Forces described in sub-  
25                       section (a) and personnel described by para-

1 graph (1) on such matters as the Secretary  
2 shall specify in order that the screenings  
3 achieve the purpose specified in subsection (b)  
4 for such screenings.

5 (2) TREATMENT OF CURRENT ASSESSMENTS  
6 AND SCREENINGS.—The Secretary may treat peri-  
7 odic health assessments and other in-person  
8 screenings that are provided to members of the  
9 Armed Forces as of the date of the enactment of  
10 this Act as meeting the requirements for mental  
11 health screenings required under this section if the  
12 Secretary determines that such assessments and in-  
13 person screenings meet the requirements for mental  
14 health screenings established by this section.

15 (d) CESSATION OF SCREENINGS.—No mental health  
16 screening is required to be provided an individual under  
17 subsection (a)(1)(C) after the individual's discharge or re-  
18 lease from the Armed Forces.

19 (e) SHARING OF INFORMATION.—

20 (1) IN GENERAL.—The Secretary of Defense  
21 shall share with the Secretary of Veterans Affairs  
22 such information on members of the Armed Forces  
23 that is derived from confidential mental health  
24 screenings, including mental health screenings pro-  
25 vided pursuant to this section and health assess-

1       ments and other in-person screenings provided be-  
2       fore the date of the enactment of this Act, as the  
3       Secretary of Defense and the Secretary of Veterans  
4       Affairs jointly consider appropriate to ensure con-  
5       tinuity of mental health care and treatment of mem-  
6       bers of the Armed Forces during their transition  
7       from health care and treatment provided by the De-  
8       partment of Defense to health care and treatment  
9       provided by the Department of Veterans Affairs.

10           (2) PROTOCOLS.—Any sharing of information  
11       under paragraph (1) shall occur pursuant to a pro-  
12       tocol jointly established by the Secretary of Defense  
13       and the Secretary of Veterans Affairs for purposes  
14       of this subsection. Any such protocol shall be con-  
15       sistent with the following:

16           (A) Applicable provisions of the Wounded  
17       Warrior Act (title XVI of Public Law 110–181;  
18       10 U.S.C. 1071 note), including in particular,  
19       section 1614 of that Act (122 Stat. 443; 10  
20       U.S.C. 1071 note).

21           (B) Section 1720F of title 38, United  
22       States Code.

23       (f) CONTINGENCY OPERATION DEFINED.—In this  
24       section, the term “contingency operation” has the mean-

1 ing given that term in section 101(a)(13) of title 10,  
2 United States Code.

3 (g) REPORTS.—

4 (1) REPORT ON GUIDANCE.—Upon the issuance  
5 of the guidance required by subsection (a), the Sec-  
6 retary of Defense shall submit to Congress a report  
7 describing the guidance.

8 (2) REPORT ON IMPLEMENTATION OF GUID-  
9 ANCE.—Not later than one year after the date of the  
10 issuance of the guidance required by subsection (a),  
11 the Secretary shall submit to Congress a report on  
12 the implementation of the guidance by the military  
13 departments. The report shall include an evidence-  
14 based assessment of the effectiveness of the mental  
15 health screenings provided pursuant to the guidance  
16 in achieving the purpose specified in subsection (b)  
17 for such screenings.

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