

114TH CONGRESS  
1ST SESSION

# S. 646

To amend title 10, United States Code, to provide an individual with a mental health screening before the individual enlists in the Armed Forces or is commissioned as an officer in the Armed Forces, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 3, 2015

Mr. PORTMAN (for himself and Mr. HEINRICH) 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 provide an individual with a mental health screening before the individual enlists in the Armed Forces or is commissioned as an officer in the Armed Forces, 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 “Medical Evaluation  
5 Parity for Servicemembers Act of 2015”.

1 **SEC. 2. PRELIMINARY MENTAL HEALTH SCREENINGS FOR**  
2 **INDIVIDUALS BECOMING MEMBERS OF THE**  
3 **ARMED FORCES.**

4 (a) IN GENERAL.—Chapter 31 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7 **“§ 520d. Preliminary mental health screenings**

8 “(a) PROVISION OF MENTAL HEALTH SCREENING.—  
9 Before any individual enlists in an armed force or is com-  
10 missioned as an officer in an armed force, the Secretary  
11 concerned shall provide the individual with a mental health  
12 screening.

13 “(b) USE OF SCREENING.—(1) The Secretary shall  
14 use the results of a mental screening conducted under sub-  
15 section (a) as a baseline for any subsequent mental health  
16 examinations of the individual, including such examina-  
17 tions provided under sections 1074f and 1074m of this  
18 title.

19 “(2) The Secretary may not consider the results of  
20 a mental health screening conducted under subsection (a)  
21 in determining the promotion of a member of the armed  
22 forces.

23 “(c) APPLICATION OF PRIVACY LAWS.—With respect  
24 to applicable laws and regulations relating to the privacy  
25 of information, the Secretary shall treat a mental health  
26 screening conducted under subsection (a) in the same

1 manner as the medical records of a member of the armed  
2 forces.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of such chapter is amended by adding  
5 after the item relating to section 520c the following new  
6 item:

“520d. Preliminary mental health screenings.”.

7 (c) REPORTS.—

8 (1) INITIAL REPORT.—

9 (A) IN GENERAL.—Not later than 180  
10 days after the date of the enactment of this  
11 Act, the National Institute of Mental Health of  
12 the National Institutes of Health shall submit  
13 to Congress and the Secretary of Defense a re-  
14 port on preliminary mental health screenings of  
15 members of the Armed Forces.

16 (B) MATTERS INCLUDED.—The report  
17 under subparagraph (A) shall include the fol-  
18 lowing:

19 (i) Recommendations with respect to  
20 establishing a preliminary mental health  
21 screening of members of the Armed Forces  
22 to bring mental health screenings to parity  
23 with physical screenings of members.

24 (ii) Recommendations with respect to  
25 the composition of the mental health

1 screening, evidenced-based best practices,  
2 and how to track changes in mental health  
3 screenings relating to traumatic brain inju-  
4 ries, post-traumatic stress disorder, and  
5 other conditions.

6 (C) COORDINATION.—The National Insti-  
7 tute of Mental Health shall carry out subpara-  
8 graph (A) in coordination with the Secretary of  
9 Veterans Affairs, the Secretary of Health and  
10 Human Services, the surgeons general of the  
11 military departments, and other relevant ex-  
12 perts.

13 (2) REPORTS ON EFFICACY OF SCREENINGS.—

14 (A) SECRETARY OF DEFENSE.—Not later  
15 than one year after the date on which the Sec-  
16 retary of Defense begins providing preliminary  
17 mental health screenings under section 520d(a)  
18 of title 10, United States Code, as added by  
19 subsection (a), the Secretary shall submit to  
20 Congress a report on the efficacy of such pre-  
21 liminary mental health screenings.

22 (B) COMPTROLLER GENERAL.—Not later  
23 than one year after the submittal of the report  
24 under subparagraph (A), the Comptroller Gen-  
25 eral of the United States shall submit to Con-

1           gress a report on the efficacy of the preliminary  
2           mental health screenings described in such sub-  
3           paragraph.

4           (C) MATTERS INCLUDED.—The reports re-  
5           quired by subparagraphs (A) and (B) shall in-  
6           clude the following:

7                   (i) An evaluation of the evidence-  
8                   based best practices used by the Secretary  
9                   in composing and conducting preliminary  
10                  mental health screenings of members of  
11                  the Armed Forces under such section  
12                  520d(a).

13                   (ii) An evaluation of the evidence-  
14                   based best practices used by the Secretary  
15                   in tracking changes in mental health  
16                   screenings relating to traumatic brain inju-  
17                   ries, post-traumatic stress disorder, and  
18                   other conditions among members of the  
19                   Armed Forces.

20           (d) IMPLEMENTATION OF PRELIMINARY MENTAL  
21           HEALTH SCREENING.—The Secretary of Defense may not  
22           provide a preliminary mental health screening under sec-  
23           tion 520d(a) of title 10, United States Code, as added by  
24           subsection (a), until the Secretary receives and evaluates  
25           the initial report required by subsection (c)(1).

1 **SEC. 3. REPORT ON EFFICACY OF PHYSICAL EXAMINA-**  
2 **TIONS FOR CERTAIN MEMBERS OF THE**  
3 **ARMED FORCES UPON SEPARATION FROM**  
4 **ACTIVE DUTY.**

5 (a) **IN GENERAL.**—Not later than 180 days after the  
6 date of the enactment of this Act, the Secretary of Defense  
7 shall submit to Congress a report on the efficacy of the  
8 mental health components of the physical examinations  
9 provided under paragraph (5) of section 1145(a) of title  
10 10, United States Code, to members of the Armed Forces  
11 who are separated from active duty as described in para-  
12 graph (2) of such section.

13 (b) **EVALUATION OF EFFECTIVENESS.**—The report  
14 required by subsection (a) shall include an evaluation of  
15 the effectiveness of the physical examinations described in  
16 such subsection in—

17 (1) identifying members of the Armed Forces  
18 with traumatic brain injury, post-traumatic stress  
19 disorder, and other mental health conditions; and

20 (2) ensuring that health care is provided for  
21 such members.

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