

AMENDMENT TO H.R. 1538
OFFERED BY MR. HUNTER

Strike section 10 and insert the following new section:

1 **SEC. 10. IMPROVED TRANSITION OF MEMBERS OF THE**
2 **ARMED FORCES TO DEPARTMENT OF VET-**
3 **ERANS AFFAIRS UPON RETIREMENT OR SEP-**
4 **ARATION.**

5 (a) TRANSITION OF MEMBERS SEPARATED OR RE-
6 TIRED.—

7 (1) TRANSITION PROCESS.—Chapter 58 of title
8 10, United States Code, is amended by inserting
9 after section 1142 the following new section:

10 **“§ 1142a. Process for transition of members to health**
11 **care and physical disability systems of**
12 **Department of Veterans Affairs**

13 “(a) TRANSITION PLAN.—(1) The Secretary of De-
14 fense shall ensure that each member of the armed forces
15 who is being separated or retired under chapter 61 of this
16 title receives a written transition plan that—

17 “(A) specifies the recommended schedule and
18 milestones for the transition of the member from
19 military service; and

1 “(B) provides for a coordinated transition of
2 the member from the Department of Defense dis-
3 ability system to the Department of Veterans Af-
4 fairs.

5 “(2) A member being separated or retired under
6 chapter 61 of this title shall receive the transition plan
7 before the separation or retirement date of the member.

8 “(3) The transition plan for a member under this
9 subsection shall include information and guidance de-
10 signed to assist the member in understanding and meeting
11 the schedule and milestones for the member’s transition.

12 “(b) FORMAL TRANSITION PROCESS.—(1) The Sec-
13 retary of Defense, in cooperation with the Secretary of
14 Veterans Affairs, shall establish a formal process for the
15 transmittal to the Secretary of Veterans Affairs of the
16 records and other information described in paragraph (2)
17 as part of the separation or retirement of a member of
18 the armed forces under chapter 61 of this title.

19 “(2) The records and other information to be trans-
20 mitted under paragraph (1) with respect to a member
21 shall include, at a minimum, the following:

22 “(A) The member’s address and contact infor-
23 mation.

24 “(B) The member’s DD–214 discharge form,
25 which shall be transmitted electronically.

1 “(C) A copy of the member’s service record, in-
2 cluding medical records and any results of a Phys-
3 ical Evaluation Board.

4 “(D) Whether the member is entitled to transi-
5 tional health care, a conversion health policy, or
6 other health benefits through the Department of De-
7 fense under section 1145 of this title.

8 “(E) Any requests by the member for assist-
9 ance in enrolling in, or completed applications for
10 enrollment in, the health care system of the Depart-
11 ment of Veterans Affairs for health care benefits for
12 which the member may be eligible under laws admin-
13 istered by the Secretary of Veterans Affairs.

14 “(F) Any requests by the member for assist-
15 ance in applying for, or completed applications for,
16 compensation and vocational rehabilitation benefits
17 to which the member may be entitled under laws ad-
18 ministered by the Secretary of Veterans Affairs, if
19 the member is being medically separated or is being
20 retired under chapter 61 of this title.

21 “(3) The transmittal of information under paragraph
22 (1) may be subject to the consent of the member, as re-
23 quired by statute.

24 “(c) MEETING.—(1) The formal process required by
25 subsection (b) for the transmittal of records and other in-

1 formation with respect to a member shall include a meet-
2 ing between representatives of the Secretary concerned
3 and the Secretary of Veterans Affairs, which shall take
4 place at a location designated by the Secretaries. The
5 member shall be informed of the meeting at least 30 days
6 in advance of the meeting, except that the member may
7 waive the notice requirement in order to accelerate trans-
8 mission of the member's records and other information to
9 the Department of Veterans Affairs.

10 “(2) A member shall be given an opportunity to sub-
11 mit a written statement for consideration by the Secretary
12 of Veterans Affairs.

13 “(d) TIME FOR TRANSMITTAL OF RECORDS.—The
14 Secretary concerned shall provide for the transmittal to
15 the Department of Veterans Affairs of records and other
16 information with respect to a member at the earliest prac-
17 ticable date. In no case should the transmittal occur later
18 than the date of the separation or retirement of the mem-
19 ber.

20 “(e) ARMED FORCES.—In this section, the term
21 ‘armed forces’ means the Army, Navy, Air Force, and Ma-
22 rine Corps.”.

23 (2) TABLE OF SECTIONS.—The table of sections
24 at the beginning of such chapter is amended by in-

1 serting after the item relating to section 1142 the
2 following new item:

 “1142a. Process for transition of members to health care and physical disability
 systems of Department of Veterans Affairs.”.

3 (b) UNIFORM SEPARATION AND EVALUATION PHYS-
4 ICAL.—Section 1145 of such title is amended—

5 (1) by redesignating subsections (d) and (e) as
6 subsection (e) and (f), respectively; and

7 (2) by inserting after subsection (c) the fol-
8 lowing new subsection:

9 “(d) UNIFORM SEPARATION AND EVALUATION PHYS-
10 ICAL.—The joint separation and evaluation physical, as
11 described in DD-2808 and DD-2696, shall be used by the
12 Secretary of Defense in connection with the medical sepa-
13 ration or retirement of all members of the armed forces,
14 including members separated or retired under chapter 61
15 of this title. The Secretary of Veterans Affairs shall adopt
16 the same separation and evaluation physical for use by the
17 Department of Veterans Affairs.”.

18 (c) INTEROPERABILITY OF MEDICAL INFORMATION
19 SYSTEMS AND BI-DIRECTIONAL ACCESS.—The Secretary
20 of Defense and the Secretary of Veterans Affairs shall es-
21 tablish and implement a single medical information system
22 for the Department of Defense and the Department of
23 Veterans Affairs for the purpose of ensuring the complete

1 interoperability and bi-directional, real-time exchange of
2 critical medical information.

3 (d) CO-LOCATION OF VA BENEFIT TEAMS.—

4 (1) CO-LOCATION.—The Secretary of Defense
5 and the Secretary of Veterans Affairs shall jointly
6 determine the optimal locations for the deployment
7 of Department of Veterans Affairs benefits team to
8 support recovering servicemembers assigned to mili-
9 tary medical treatment facilities, medical-related
10 support facilities, and community-based health care
11 organizations.

12 (2) MILITARY MEDICAL TREATMENT FACILITY
13 DEFINED.—In this subsection, the term “medical-re-
14 lated support facility” has the meaning given that
15 term in subsection (b) of section 490 of title 10,
16 United States Code, as added by section 12(a) of
17 this Act.

18 (e) REPEAL OF SUPERSEDED CHAPTER 61 MEDICAL
19 RECORD TRANSMITTAL REQUIREMENT.—

20 (1) REPEAL.—Section 1142 of such title is
21 amended by striking subsection (c).

22 (2) SECTION HEADING.—The heading of such
23 section is amended to read as follows:

1 **“§ 1142. Preseparation counseling”.**

2 (3) TABLE OF SECTIONS.—The table of sections
3 at the beginning of chapter 58 of such title is
4 amended by striking the item relating to section
5 1142 and inserting the following new item:

“1142. Preseparation counseling.”.

6 (f) EFFECTIVE DATES.—Section 1142a of title 10,
7 United States Code, as added by subsection (a), and sub-
8 section (d) of section 1145 of such title, as added by sub-
9 section (b), shall apply with respect to members of the
10 Armed Forces who are separated or retired from the
11 Armed Forces on or after the first day of the eighth month
12 beginning after the date of the enactment of this Act. The
13 requirements of subsections (c) and (d), and the amend-
14 ments made by subsection (e), shall take effect on the first
15 day of such eighth month.