

**AMENDMENT TO H.R. 5620, AS REPORTED**  
**OFFERED BY MR. O'ROURKE OF TEXAS**

Add at the end the following new section:

1 **SEC. 11. RETENTION OF MENTAL HEALTH CARE PROVIDER.**

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

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

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

17 (d) DEPARTURE OF MENTAL HEALTH CARE PRO-  
18 VIDER.—In the event that the mental health care provider  
19 described under subsection (a) departs the military med-  
20 ical treatment facility at which the covered individual is

1 receiving treatment, such individual may elect to obtain  
2 the services of—

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

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

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

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

1 (g) DEFINITION OF COVERED INDIVIDUAL.—In this  
2 section, the term “covered individual” means an individual  
3 who has been diagnosed with a mental health condition  
4 and—

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

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

