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

Add at the end the following new section:

SEC. 11. RETENTION OF MENTAL HEALTH CARE PROVIDER.

(a) IN GENERAL.—During the transition from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs, a covered individual may elect to continue receiving treatment from such individual’s mental health care provider of the Department of Defense.

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

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

(d) DEPARTURE OF MENTAL HEALTH CARE PROVIDER.—In the event that the mental health care provider described under subsection (a) departs the military medical treatment facility at which the covered individual is
receiving treatment, such individual may elect to obtain
the services of—

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

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

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

(f) MEDICAL RECORDS.—The Secretary of Veterans
Affairs shall ensure that any mental health care provider
of the Department of Defense that furnishes care or serv-
ices under this section to a covered individual submits to
the Department of Veterans Affairs a copy of any medical
record related to the care or services provided to such indi-
vidual by such mental health care provider for inclusion
in the electronic medical record of such individual main-
tained by the Department of Veterans Affairs upon such
individual’s transition to receiving treatment from a men-
tal health care provider of the Department of Veterans
Affairs.
(g) Definition of Covered Individual.—In this section, the term “covered individual” means an individual who has been diagnosed with a mental health condition and—

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

(2) has enrolled in the patient enrollment system of the Department of Veterans Affairs and is still in transition from receiving treatment furnished by the Secretary of Defense, as determined by the Secretary of Veterans Affairs.