AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. O’ROURKE OF TEXAS

At the end of subtitle B of title VII (page 184, after line 13) add the following:

SEC. 111. ELECTRONIC MEDICAL RECORDS AND PHYSICAL EXAMINATION FOR SEPARATING MEMBERS OF THE ARMED FORCES.

(a) TRANSMITTAL OF ELECTRONIC MEDICAL RECORDS TO SEPARATING MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Section 1142 of title 10, United States Code, is amended—

(A) in subsection (c)—

(i) by striking “In the case” and inserting “(1) In the case”;

(ii) by adding at the end the following new paragraph:

“(2)(A) The Secretary concerned shall provide to each member of the armed forces who is scheduled to be separated from the armed forces a copy of the medical records of the member (including the results of a Physical
Evaluation Board or any other physical examination) in an electronic format.

“(B) To the extent practicable, the Secretary concerned shall ensure that medical records provided to a member of the National Guard under subparagraph (A) include medical records that are—

“(i) in connection with the service of the member in the National Guard, maintained by the Governor of the State, Commonwealth, territory, or possession of the United States, or in the case of the District of Columbia, the Commanding General of the National Guard of the District of Columbia; and

“(ii) provided to the Secretary for purposes of such subparagraph.”; and

(iii) in the heading by striking “TO DEPARTMENT OF VETERANS AFFAIRS”;

and

(B) in the heading by striking “to DEPARTMENT OF VETERANS AFFAIRS”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1142 and inserting the following:

“1142. Preseparation counseling; transmittal of medical records”.
(b) MANDATORY PHYSICAL EXAMINATIONS OF SEPARATING MEMBERS OF THE ARMED FORCES.—Section 1145 of title 10, United States Code, is amended—

(1) in subsection (a)(5)—

(A) by striking "(A) The Secretary" and inserting "The Secretary";

(B) by inserting "comprehensive" after "undergo a"; and

(C) by striking subparagraph (B); and

(2) by adding at the end the following new subsection:

"(f) MANDATORY PHYSICAL EXAMINATIONS FOR MEMBERS NOT OTHERWISE COVERED BY THIS SECTION.—(1) The Secretary concerned shall provide a comprehensive physical examination pursuant to subsection (a)(5) to each member of the armed forces who is scheduled to be separated from the armed forces and does not otherwise receive such an examination under such subsection.

"(2) A member may not be entitled to health care benefits pursuant to subsection (a), (b), or (c) solely by reason of being provided a physical examination under paragraph (1)."."