

110TH CONGRESS
1ST SESSION

H. R. 2258

To direct the Secretary of Defense to ensure that every member of the Armed Forces undergoes a medical examination prior to separation or discharge, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2007

Mr. WELCH of Vermont introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Defense to ensure that every member of the Armed Forces undergoes a medical examination prior to separation or discharge, 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. MEDICAL EXAMINATIONS FOR MEMBERS OF**
4 **THE ARMED FORCES BEFORE THEIR SEPARA-**
5 **TION OR DISCHARGE.**

6 (a) **MEDICAL EXAMINATIONS REQUIRED.**—The Sec-
7 retary of Defense shall ensure that every member of the

1 Armed Forces (including members of reserve components)
2 who has served in the Global War on Terror—

3 (1) undergoes a physical examination before the
4 separation or discharge of the member from the
5 Armed Forces to determine the member's medical
6 condition at the time of the separation or discharge;
7 or

8 (2) is provided reimbursement for receiving
9 such a physical examination from a licensed physi-
10 cian within 45 days after separation or discharge.

11 (b) FORM FOR MEDICAL EXAMINATION.—The Sec-
12 retary of Defense and the Secretary of Veterans Affairs
13 shall ensure that the Department of Defense and the De-
14 partment of Veterans Affairs use the same form for med-
15 ical examinations of members of the Armed Forces and
16 veterans, respectively, so that the Department of Veterans
17 Affairs has the information it needs (without any further
18 medical examination or validation) for making a deter-
19 mination with respect to a claim for disability compensa-
20 tion or other purposes.

21 (c) TRANSMITTAL OF SERVICE RECORDS AND MED-
22 ICAL INFORMATION TO DEPARTMENT OF VETERANS AF-
23 FAIRS.—Subsection (c) of section 1142 of title 10, United
24 States Code, is amended to read as follows:

1 “(c) TRANSMITTAL OF SERVICE RECORDS AND MED-
2 ICAL INFORMATION TO DEPARTMENT OF VETERANS AF-
3 FAIRS.—

4 “(1) MEDICAL INFORMATION.—Subject to the
5 consent of a member who is being separated or dis-
6 charged from the armed forces, the Secretary con-
7 cerned shall ensure that a copy of the member’s
8 service medical record (including the results of any
9 separation medical examination provided the mem-
10 ber or the results of the member’s appearance before
11 a physical evaluation board) is transmitted to the
12 Secretary of Veterans Affairs in an electronic format
13 within 60 days of the separation or retirement.

14 “(2) SERVICE RECORDS.—Subject to the con-
15 sent of a member who is being separated or dis-
16 charged from the armed forces, the Secretary con-
17 cerned also shall ensure that a copy of the member’s
18 service record, including the member’s DD–214 dis-
19 charge form, is transmitted to the Secretary of Vet-
20 erans Affairs within 60 days of the separation or re-
21 tirement. To the extent practicable, the information
22 shall be provided to the Secretary of Veterans Af-
23 fairs in an electronic format.”.

24 “(d) GLOBAL WAR ON TERROR.—In this section, the
25 term “Global War on Terror” means the period beginning

1 on September 11, 2001, and ending on the date thereafter
2 prescribed by Presidential proclamation or by law.

3 **SEC. 2. USE OF MEDICAL EXAMINATIONS PROVIDED TO**
4 **VETERANS BEFORE THEIR SEPARATION OR**
5 **DISCHARGE FROM THE ARMED FORCES FOR**
6 **DETERMINATION OF COMPENSATION BENE-**
7 **FITS.**

8 Section 5103A(d) of title 38, United States Code, is
9 amended by adding at the end the following new para-
10 graph:

11 “(3) The Secretary shall treat an examination pro-
12 vided to a veteran by the Secretary of Defense prior to
13 such veteran’s separation or discharge from the Armed
14 Forces as an examination provided by the Secretary under
15 paragraph (1), and shall use the results of such an exam-
16 ination provided by the Secretary of Defense for purposes
17 of making a determination with respect to a claim for dis-
18 ability compensation.”.

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