

113TH CONGRESS
1ST SESSION

H. R. 1729

To direct the Secretary of Defense to provide the service records of veterans to the Secretary of Veterans Affairs in an efficient, electronic format.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2013

Mrs. KIRKPATRICK (for herself and Mr. COFFMAN) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary of Defense to provide the service records of veterans to the Secretary of Veterans Affairs in an efficient, electronic format.

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. SHORT TITLE.**

4 This Act may be cited as the “VA Claims, Oper-
5 ations, and Records Efficiency Act”.

6 **SEC. 2. PROVISION OF SERVICE RECORDS.**

7 (a) IN GENERAL.—In accordance with subsection (b),
8 the Secretary of Defense, in consultation with the Sec-
9 retary of Veterans Affairs, shall make the covered records

1 of each member of the Armed Forces available to the Sec-
2 retary of Veterans Affairs in an electronic format.

3 (b) TIMELINE.—The Secretary of Defense shall en-
4 sure that the covered records of members are made avail-
5 able to the Secretary of Veterans Affairs as follows:

6 (1) With respect to a member of the Armed
7 Forces who was discharged or released from the
8 Armed Forces before the date of the enactment of
9 this Act, not later than 45 days after the date of
10 such discharge or release.

11 (2) With respect to a member of the Armed
12 Forces who is discharged or released from the
13 Armed Forces on or after the date of the enactment
14 of this Act, not later than 21 days after the date of
15 such discharge or release.

16 (c) CERTIFICATION.—For each member of the Armed
17 Forces whose covered records are made available under
18 subsection (a), the Secretary of Defense shall transmit to
19 the Secretary of Veterans Affairs a letter certifying that—

20 (1) the Secretary of Defense thoroughly re-
21 viewed the records of the member;

22 (2) the information provided in the covered
23 records of such member is complete as of the date
24 of the letter;

1 (3) no other information that should be in-
2 cluded in such covered records exist as of such date;
3 and

4 (4) if other information is later discovered—

5 (A) such other information will be added to
6 such covered records; and

7 (B) the Secretary of Defense will notify
8 the Secretary of Veterans Affairs of such addi-
9 tion.

10 (d) SHARING OF PROTECTED HEALTH INFORMA-
11 TION.—For purposes of the regulations promulgated
12 under section 264(e) of the Health Insurance Portability
13 and Accountability Act of 1996 (42 U.S.C. 1320d–2 note),
14 making medical records available to the Secretary of Vet-
15 erans Affairs under subsection (a) shall be treated as a
16 permitted disclosure.

17 (e) COVERED RECORDS DEFINED.—In this section,
18 the term “covered records” means, with respect to a mem-
19 ber of the Armed Forces—

20 (1) service treatment records;

21 (2) accompanying personal records;

22 (3) relevant unit records; and

1 (4) medical records created by reason of treat-
2 ment or services received pursuant to chapter 55 of
3 title 10, United States Code.

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