

118TH CONGRESS
1ST SESSION

H. R. 228

To amend title 10, United States Code, to include a single comprehensive disability examination as part of the required Department of Defense physical examination for separating members of the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. WITTMAN 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 amend title 10, United States Code, to include a single comprehensive disability examination as part of the required Department of Defense physical examination for separating members of the Armed Forces, 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. SHORT TITLE.**

4 This Act may be cited as the “Veterans Affairs
5 Transfer of Information and Sharing of Disability Exam-
6 ination Procedures With DOD Doctors Act”.

1 **SEC. 2. INCLUSION OF SINGLE COMPREHENSIVE DIS-**
2 **ABILITY EXAMINATION AS PART OF RE-**
3 **QUIRED DEPARTMENT OF DEFENSE PHYS-**
4 **ICAL EXAMINATION FOR SEPARATING MEM-**
5 **BERS OF THE ARMED FORCES.**

6 Section 1145(a)(5) of title 10, United States Code,
7 is amended by adding at the end the following new sub-
8 paragraphs:

9 “(E) If a member of the armed forces who is required
10 to receive a physical examination under subparagraph (A)
11 has or is believed to have a medical condition that will
12 or may make the member eligible for disability compensa-
13 tion and benefits from the Department of Veterans Af-
14 fairs, the physical examination shall be performed by a
15 health care provider who is certified by the Secretary of
16 Veterans Affairs to determine such eligibility. If such a
17 condition is discovered during the physical examination
18 and the health care provider performing the examination
19 is not certified by the Secretary of Veterans Affairs, the
20 examination shall be completed by a health care provider
21 certified by the Secretary of Veterans Affairs.

22 “(F) An eligibility determination made as part of a
23 physical examination under subparagraph (C) shall be
24 binding on the Department of Veterans Affairs and be
25 used as the basis for assigning a disability rating for the
26 separating member.”.

1 **SEC. 3. DEPARTMENT OF DEFENSE AND DEPARTMENT OF**
2 **VETERANS AFFAIRS JOINT RECORDKEEPING**
3 **SYSTEM.**

4 The Secretary of Veterans Affairs and the Secretary
5 of Defense shall jointly establish a system to be used by
6 both the Department of Defense and the Department of
7 Veterans Affairs to establish and maintain the medical
8 and personnel records of members of the Armed Forces
9 and veterans. Such system shall provide for data sharing
10 between the Department of Defense and the Department
11 of Veterans Affairs.

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