

119TH CONGRESS
1ST SESSION

S. _____

To require the Secretary of Defense and the Secretary of Veterans Affairs to permit supplementation of health records of deceased veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. WELCH introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Defense and the Secretary of Veterans Affairs to permit supplementation of health records of deceased veterans, 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 “Health Records En-
5 hancement Act”.

6 **SEC. 2. SUPPLEMENTATION OF HEALTH RECORDS OF DE-**
7 **CEASED VETERANS.**

8 (a) IN GENERAL.—Not later than one year after the
9 date of the enactment of this Act, the Secretary of Defense

1 and the Secretary of Veterans Affairs shall jointly take
2 actions necessary to ensure that the health records of the
3 Department of Defense and the Department of Veterans
4 Affairs may be updated with observed health conditions
5 and other relevant health information of a deceased en-
6 rollee by—

7 (1) an individual designated by such deceased
8 enrollee; or

9 (2) if no such individual is designated, an im-
10 mediate family member of such deceased enrollee.

11 (b) DESIGNATION.—The Secretary of Defense and
12 the Secretary of Veterans Affairs shall jointly provide for
13 a process by which an individual may make a designation
14 for purposes of subsection (a)(1).

15 (c) NO MODIFICATION OF HEALTH INFORMATION.—
16 Any update under subsection (a) shall supplement infor-
17 mation contained in the health records of a deceased en-
18 rollee and shall not modify information contained in such
19 records.

20 (d) DEFINITIONS.—In this section:

21 (1) IMMEDIATE FAMILY MEMBER.—The term
22 “immediate family member”, with respect to a de-
23 ceased enrollee, means—

24 (A) the spouse, parent, brother, sister, or
25 adult child of the individual; or

1 (B) an adult person to whom the indi-
2 vidual stands in loco parentis.

3 (2) DECEASED ENROLLEE.—The term “de-
4 ceased enrollee” means any individual who, at the
5 time of his or her death—

6 (A) was enrolled in the patient enrollment
7 system of the Department of Veterans Affairs
8 established and operated under section 1705(a)
9 of title 38, United States Code; or

10 (B) was entitled to care under the
11 TRICARE program, as defined in section 1072
12 of title 10, United States Code.