

§ 1074n. Annual mental health assessments for members of the armed forces

(a) Mental Health Assessments.—Subject to subsection (c), not less frequently than once each calendar year (and before separation from active duty pursuant to section 1145(a)(5)(A) of this title), the Secretary of Defense shall provide a person-to-person mental health assessment for—

- (1) each member of a regular component of the armed forces; and
- (2) each member of the Selected Reserve of an armed force.

(b) Elements.—The mental health assessments provided pursuant to this section shall—

- (1) be conducted in accordance with the requirements of subsection (c)(1) of section 1074m of this title with respect to a mental health assessment provided pursuant to such section; and
- (2) include a review of the health records of the member that are related to each previous health assessment or other relevant activities of the member while serving in the armed forces, as determined by the Secretary.

(c) Sufficiency of Other Mental Health Assessments.—(1) The Secretary is not required to provide a mental health assessment pursuant to this section to an individual in a calendar year in which the individual has received a mental health assessment pursuant to section 1074m of this title.

- (2) The Secretary may treat periodic health assessments and other person-to-person assessments that are provided to members of the armed forces, including examinations under section 1074f of this title, as meeting the requirements for mental health assessments required under this section if the Secretary determines that such assessments and person-to-person assessments meet the requirements for mental health assessments established by this section.

(d) Privacy Matters.—Any medical or other personal information obtained under this section shall be protected from disclosure or misuse in accordance with the laws on privacy applicable to such information.

(e) Regulations.—The Secretary of Defense shall, in consultation with the other administering Secretaries, prescribe regulations for the administration of this section.

NOTES

Source

(Added Pub. L. 113-291, div. A, title VII, Sec. 701(a)(1), Dec. 19, 2014, 128 Stat. 3408; amended Pub. L. 115-91, div. A, title VII, Sec. 706(b), Dec. 12, 2017, 131 Stat. 1436.)

Amendments

2017—Subsec. (a). Pub. L. 115-91 inserted “(and before separation from active duty pursuant to section 1145(a)(5)(A) of this title)” after “each calendar year” in introductory provisions.

Implementation of Regulations

Pub. L. 113-291, div. A, title VII, Sec. 701(a)(3), Dec. 19, 2014, 128 Stat. 3409, provided that: “Not later than 180 days after the date of the issuance of the regulations prescribed under section 1074n(e) of title 10, United States Code, as added by paragraph (1), the Secretary of Defense shall implement such regulations.”