

D R A F T # 3 of PROPOSED LEGISLATION

**Military Toxic Exposures Comprehensive Research
and Electronic Medical History Act of 2009**

A Bill

To provide and direct funding for research into the effects of toxic exposures experienced by military personnel and hence, on veterans that may have long-term effects on their health and that of their offspring; and to incorporate a veteran's military health/medical history into a lifetime electronic health record.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Toxic Exposures Comprehensive Research and Electronic Medical History Act of 2009."

SEC. 2 FUNDING A COMPREHENSIVE PROGRAM OF RESEARCH INTO TOXIC EXPOSURES ENCOUNTERED BY TROOPS/VETERANS.

- (a) Direct the Secretary of Veterans Affairs to establish a registry for veterans exposed to Agent Orange/dioxin that would replace the current such registry; and to establish other registries for Persian Gulf War, Operations Iraqi Freedom and Enduring Freedom, and the Global War on Terrorism.
- (b) Additionally, establish registries specifically to track birth defects and learning disabilities diagnosed in the children, grandchildren, and great-grandchildren of the veterans of these wars.
- (c) These registries shall be based on protocols to be determined by [??] and real-time tracking, and shall be modeled on the hepatitis C registry of the Department of Veterans Affairs which takes into account where and when a veteran served.
- (d) These registries shall be the basis for research programs into the potential long-term effects on the health of veterans and that of their offspring.

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- (e) These registries shall be funded through the Research and Development accounts of the Department of Veterans Affairs up to \$25 million per year for at least five years following the enactment of this Act, with future funding levels to be determined by the Department in consultation with veterans' stakeholders and the Congress.
- (f) Additionally, Congress shall authorize the Research and Development program of the Department of Veterans Affairs to set aside up to \$10 million to fund research and analyze data from the preserved biological samples from the Air Force "Ranch Hand" Study.

SEC. 3 REPLICATING THE NATIONAL VIETNAM VETERANS READJUSTMENT STUDY.

- (a) Congress shall immediately authorize the expenditure from existing Research and Development accounts on the Department of Veterans Affairs of \$25 million for the replication of the National Vietnam Veterans Readjustment Study to make this a true longitudinal study of the physical and mental health of veterans of the Vietnam War.
- (b) This study shall be conceived as a robust mortality and morbidity study to be contracted with a reputable research institution no later than January 31, 2010.
- (c) The Department of Veterans Affairs shall report to Congress progress on this study every four months until completion of this study.

SEC. 4 MANDATING THE INCLUSION OF A MILITARY HEALTH/MEDICAL HISTORY IN THE COMPUTERIZED ELECTRONIC PATIENT RECORD.

- (a) Questions relating to a patient's military medical/health history shall be a mandatory element in the electronic patient medical treatment system to be developed in concert with the national rollup of this system. Questions shall include but not be limited to the following:
 - (1) Where did the veteran serve?
 - (2) When did the veteran serve?
 - (3) What was the veteran's MOS [Military Occupational Specialty]
 - (4) Did the veteran participate in combat activities?
 - (5) Did the veteran come in contact with blood and other bodily fluids?
 - (6) Was the veteran wounded and if so, what were the nature of these wound?
- (b) Congress shall authorize the necessary funding to implement this in consultation with the Department of Health and Human Services, [the lead agency ?? in this effort].