

[DISCUSSION DRAFT]

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title 10, United States Code, to provide for eating disorders treatment for members and certain former members of the uniformed services, and dependents of such members, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. MOULTON introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 10, United States Code, to provide for eating disorders treatment for members and certain former members of the uniformed services, and dependents of such members, 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 “Supporting Eating  
5 Disorders Recovery through Vital Expansion Act” or the  
6 “SERVE Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Eating disorders affect approximately  
4 30,000,000 Americans, including individuals from  
5 every age, gender, body size, race, and socioeconomic  
6 status.

7 (2) Eating disorders include anorexia nervosa,  
8 bulimia nervosa, binge-eating disorder, and avoidant/  
9 restrictive intake disorder.

10 (3) Eating disorders result in the highest mor-  
11 tality rate of any psychiatric illness, and the suicide  
12 rate for individuals with such disorders is 23 percent  
13 higher than the suicide rate for the general popu-  
14 lation.

15 (4) Studies indicate that there is a higher prev-  
16 alence of eating disorders among members of the  
17 Armed Forces and veterans than among the general  
18 population.

19 (5) Family members of members of the Armed  
20 Forces have a higher prevalence of eating disorders  
21 than the general population, with 20 percent of chil-  
22 dren of members of the Armed Forces found at-risk  
23 of developing an eating disorder.

1 **SEC. 3. EATING DISORDERS TREATMENT FOR DEPEND-**  
2 **ENTS.**

3 Section 1077 of title 10, United States Code, is  
4 amended—

5 (1) in subsection (a)(5), by inserting “, includ-  
6 ing, in accordance with subsection (i), eating dis-  
7 orders” after “chronic conditions”; and

8 (2) by adding at the end the following new sub-  
9 section:

10 “(i)(1) The provision of health care services for an  
11 eating disorder under subsection (a)(5) shall include the  
12 following:

13 “(A) Services provided in a freestanding resi-  
14 dential facility.

15 “(B) Partial hospitalization services.

16 “(C) Intensive outpatient services.

17 “(2) A dependent may be provided health care serv-  
18 ices for an eating disorder if such dependent has not at-  
19 tained the age of 23.

20 “(3) In this section, the term ‘eating disorder’ has  
21 the meaning given that term in the Diagnostic and Statis-  
22 tical Manual of Mental Disorders, 5th Edition (or suc-  
23 cessor edition), published by the American Psychiatric As-  
24 sociation.”.

1 **SEC. 4. IDENTIFICATION AND TREATMENT OF EATING DIS-**  
2 **ORDERS FOR MEMBERS OF THE ARMED**  
3 **FORCES.**

4 Section 1090 of title 10, United States Code, is  
5 amended—

6 (1) by striking “The Secretary of Defense” and  
7 inserting the following:

8 “(a) IDENTIFICATION AND TREATMENT OF EATING  
9 DISORDERS AND DRUG AND ALCOHOL DEPENDENCE.—  
10 The Secretary of Defense”;

11 (2) by inserting “have an eating disorder or”  
12 before “are dependent on drugs or alcohol”; and

13 (3) by adding at the end the following new sub-  
14 sections:

15 “(b) FACILITIES AVAILABLE TO INDIVIDUALS WITH  
16 EATING DISORDERS.—For purposes of this section, ‘nec-  
17 essary facilities’ described in subsection (a) shall include  
18 freestanding facilities [organized primarily for the treat-  
19 ment of eating disorders?].

20 “(c) EATING DISORDER DEFINED.—In this section,  
21 the term ‘eating disorder’ has the meaning given that term  
22 in section 1077(i)(3).”.

23 **SEC. 5. MENTAL HEALTH EARLY IDENTIFICATION TRAIN-**  
24 **ING.**

25 Section 1090a of title 10, United States Code, is  
26 amended—

1 (1) in subsection (b)—

2 (A) by striking “and” at the end of para-  
3 graph (1);

4 (B) by striking the period and inserting “;  
5 and” at the end of paragraph (2); and

6 (C) by adding at the end the following new  
7 paragraph:

8 “(3) encourage commanders and supervisory  
9 personnel to undertake mental health early identi-  
10 fication training.”; and

11 (2) in subsection (e), by adding at the end the  
12 following new paragraph:

13 “(4) The term ‘mental health early identifica-  
14 tion training’ means a training designed to educate  
15 the trainee on—

16 “(A) warning signs and symptoms of men-  
17 tal health illness, including an eating disorder;  
18 and

19 “(B) how to refer an individual for mental  
20 health treatment.

【What does the ‘as determined by the Department’  
refer to in your suggested text in the email? By ‘Depart-  
ment’ do you mean DoD?】

1 **SEC. 6. EXPEDITED ACCESS TO MENTAL HEALTH CARE.**

2 (a) FACILITIES PROVIDING MENTAL HEALTH SERV-  
3 ICES.—Chapter 55 of title 10, United States Code, is  
4 amended by inserting after section 1095g the following  
5 new section:

6 **“§ 1095h. Expedited approval of certain facilities pro-  
7 viding mental health services**

8 “The Secretary shall promulgate regulations to estab-  
9 lish that a facility may receive expedited **[***authorization/*  
10 Is this the correct term for facilities (as opposed to pro-  
11 viders)?**]** to provide services under this chapter if—

12 “(1) such facility is **[**affiliated with a facility or  
13 provider authorized to provide services under this  
14 chapter (the TRICARE program)? Is that the pol-  
15 icy?**]**; and

16 “(2) such facility only provides mental health  
17 services.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 at the beginning of such chapter is amended by inserting  
20 after the item relating to section 1095g the following new  
21 item:

“1095h. Expedited approval of certain facilities providing mental health care.”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall take effect **[**to be supplied**]**.