

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-314, div. A, title VII, § 706(c), Dec. 2, 2002, 116 Stat. 2585, provided that: “The amendments made by this section [amending this section] shall take effect as of December 28, 2001, and as if included in the National Defense Authorization Act for Fiscal Year 2002 [Pub. L. 107-107] as enacted.”

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable only to members of the Coast Guard who are separated after Sept. 30, 1994, see section 542(e) of Pub. L. 103-337, set out as a note under section 1141 of this title.

MENTAL HEALTH CARE TREATMENT THROUGH
TELEMEDICINE

Pub. L. 113-66, div. A, title VII, § 702, Dec. 26, 2013, 127 Stat. 790, provided that:

“(a) PROVISION OF MENTAL HEALTH CARE VIA TELE-MEDICINE.—

“(1) IN GENERAL.—In carrying out the Transitional Assistance Management Program, the Secretary of Defense may extend the coverage of such program for covered individuals for an additional 180 days for mental health care provided through telemedicine.

“(2) REPORT.—If the Secretary extends coverage under paragraph (1), by not later than one year after the date of carrying out such extension, the Secretary shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report that includes the following:

“(A) The rate at which individuals are using the extended coverage provided pursuant to paragraph (1).

“(B) A description of the mental health care provided pursuant to such subsection.

“(C) An analysis of how the Secretary and the Secretary of Veterans Affairs coordinate the continuation of care with respect to veterans who are no longer eligible for the Transitional Assistance Management Program.

“(D) Any other factors the Secretary of Defense determines necessary with respect to extending coverage of the Transitional Assistance Management Program.

“(3) TERMINATION.—The authority of the Secretary to carry out subsection (a) shall terminate on December 31, 2018.

“(b) REPORT ON USE OF TELEMEDICINE.—

“(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act [Dec. 26, 2013], the Secretary shall submit to the congressional defense committees a report on the use of telemedicine to improve the diagnosis and treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

“(2) ELEMENTS.—The report under paragraph (1) shall address the following:

“(A) The current status, as of the date of the report, of telemedicine initiatives within the Department of Defense to diagnose and treat post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

“(B) Plans for integrating telemedicine into the military health care system, including in health care delivery, records management, medical education, public health, and private sector partnerships.

“(C) The status of the integration of the telemedicine initiatives of the Department with the telemedicine initiatives of the Department of Veterans Affairs.

“(D) A description and assessment of challenges to the use of telemedicine as a means of in-home

treatment, outreach in rural areas, and in settings that provide group treatment or therapy in connection with treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions, and a description and assessment of efforts to address such challenges.

“(E) A description of privacy issues related to the use of telemedicine for the treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions, and recommendations for mechanisms to remedy any privacy concerns relating to such use of telemedicine.

“(F) A description of professional licensing issues with respect to licensed medical providers who provide treatment using telemedicine.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means an individual who—

“(A) during the initial 180-day period of being enrolled in the Transitional Assistance Management Program, received any mental health care; or

“(B) during the one-year period preceding separation or discharge from the Armed Forces, received any mental health care.

“(2) The term ‘telemedicine’ means the use by a health care provider of telecommunications to assist in the diagnosis or treatment of a patient’s medical condition.”

TEMPORARY EXTENSION OF TRANSITIONAL HEALTH CARE
BENEFITS

Pub. L. 108-136, div. A, title VII, § 704, Nov. 24, 2003, 117 Stat. 1527, which provided during the period beginning on Nov. 24, 2003, and ending on Dec. 31, 2004, for the extension of transitional health care benefits to 180 days for members separated from active duty, was repealed by Pub. L. 108-375, div. A, title VII, § 706(a)(2)(A), Oct. 28, 2004, 118 Stat. 1983.

Pub. L. 108-106, title I, § 1117, Nov. 6, 2003, 117 Stat. 1218, which provided during the period beginning on Nov. 6, 2003, and ending on Sept. 30, 2004, for the extension of transitional health care benefits to 180 days for members separated from active duty, was repealed by Pub. L. 108-375, div. A, title VII, § 706(a)(2)(B), Oct. 28, 2004, 118 Stat. 1983.

APPLICATION OF AMENDMENTS BY PUB. L. 102-484 TO
EXISTING CONTRACTS

For provisions relating to the application of the amendments by section 4407 of Pub. L. 102-484 to conversion health policies provided under subsec. (b) of this section and in effect on Oct. 23, 1992, see section 4407(c) of Pub. L. 102-484, set out as a note under section 1086a of this title.

TRANSITIONAL PROVISION

Pub. L. 102-484, div. D, title XLIV, § 4408(b), Oct. 23, 1992, 106 Stat. 2712, provided that: “The Secretary of Defense shall provide a period for the enrollment for health benefits coverage under this section [enacting section 1078a of this title and provisions set out as notes under this section and section 1086a of this title] by members and former members of the Armed Services for whom the availability of transitional health care under section 1145(a) of title 10, United States Code, expires before the October 1, 1994, implementation date of section 1078a of such title, as added by subsection (a).”

TERMINATION OF APPLICABILITY OF OTHER CONVERSION
HEALTH POLICIES

For provisions prohibiting purchase of, and allowing cancellation of, conversion health policies under subsec. (b) of this section on or after Oct. 1, 1994, see section 4408(c) of Pub. L. 102-484, set out as a note under section 1086a of this title.

§ 1146. Commissary and exchange benefits

(a) MEMBERS INVOLUNTARILY SEPARATED FROM ACTIVE DUTY.—The Secretary of Defense shall

prescribe regulations to allow a member of the armed forces who is involuntarily separated from active duty during the period beginning on October 1, 2007, and ending on December 31, 2018, to continue to use commissary and exchange stores during the two-year period beginning on the date of the involuntary separation of the member in the same manner as a member on active duty. The Secretary concerned shall implement this provision for Coast Guard members involuntarily separated during the same period.

(b) MEMBERS INVOLUNTARILY SEPARATED FROM SELECTED RESERVE.—The Secretary of Defense shall prescribe regulations to allow a member of the Selected Reserve of the Ready Reserve who is involuntarily separated from the Selected Reserve as a result of the exercise of the force shaping authority of the Secretary concerned under section 647 of this title or other force shaping authority during the period beginning on October 1, 2007, and ending on December 31, 2018, to continue to use commissary and exchange stores during the two-year period beginning on the date of the involuntary separation of the member in the same manner as a member on active duty. The Secretary concerned shall implement this provision for Coast Guard members involuntarily separated during the same period when the Coast Guard is not operating as a service in the Navy.

(c) MEMBERS RECEIVING SOLE SURVIVORSHIP DISCHARGE.—A member of the armed forces who receives a sole survivorship discharge (as defined in section 1174(i) of this title) is entitled to continue to use commissary and exchange stores and morale, welfare, and recreational facilities in the same manner as a member on active duty during the two-year period beginning on the later of the following dates:

- (1) The date of the separation of the member.
- (2) The date on which the member is first notified of the member's entitlement to benefits under this section.

(Added Pub. L. 101-510, div. A, title V, §502(a)(1), Nov. 5, 1990, 104 Stat. 1556; amended Pub. L. 103-160, div. A, title V, §561(i), Nov. 30, 1993, 107 Stat. 1668; Pub. L. 103-337, div. A, title V, §542(a)(5), Oct. 5, 1994, 108 Stat. 2768; Pub. L. 105-261, div. A, title V, §561(i), Oct. 17, 1998, 112 Stat. 2026; Pub. L. 106-398, §1 [[div. A], title V, §571(i)], Oct. 30, 2000, 114 Stat. 1654, 1654A-135; Pub. L. 110-181, div. A, title VI, §651, Jan. 28, 2008, 122 Stat. 162; Pub. L. 110-317, §5, Aug. 29, 2008, 122 Stat. 3528; Pub. L. 111-383, div. A, title X, §1075(b)(16), Jan. 7, 2011, 124 Stat. 4369; Pub. L. 112-239, div. A, title VI, §631, title X, §1076(f)(16), Jan. 2, 2013, 126 Stat. 1781, 1952.)

AMENDMENTS

2013—Subsec. (a). Pub. L. 112-239, §631(a)(1), (b)(1), substituted “2018” for “2012” and “The Secretary concerned” for “The Secretary of Transportation”.

Subsec. (b). Pub. L. 112-239, §1076(f)(16), inserted “when the Coast Guard is not operating as a service in the Navy” before period at end.

Pub. L. 112-239, §631(a)(2), (b)(2), substituted “2018” for “2012” and “The Secretary concerned” for “The Secretary of Homeland Security”.

2011—Subsec. (a). Pub. L. 111-383, §1075(b)(16)(A), struck out “(a) BENEFITS FOR MEMBERS INVOLUNTARILY SEPARATED.—” before “The Secretary”.

Subsec. (b). Pub. L. 111-383, §1075(b)(16)(B), redesignated subsec. (b) relating to benefits for members receiving sole survivorship discharge as (c).

Subsec. (c). Pub. L. 111-383, §1075(b)(16)(B), (C), redesignated subsec. (b) relating to benefits for members receiving sole survivorship discharge as (c), struck out “Benefits for” before “Members” in heading, and substituted “armed forces” for “Armed Forces” in introductory provisions and “the member’s entitlement” for “the members entitlement” in par. (2).

2008—Pub. L. 110-317 substituted “(a) BENEFITS FOR MEMBERS INVOLUNTARILY SEPARATED.—The Secretary of Defense” for “The Secretary of Defense” and added subsec. (b) relating to benefits for members receiving sole survivorship discharge.

Pub. L. 110-181 inserted “(a) MEMBERS INVOLUNTARILY SEPARATED FROM ACTIVE DUTY.—” before “The Secretary of Defense”, substituted “October 1, 2007, and ending on December 31, 2012” for “October 1, 1990, and ending on December 31, 2001” in first sentence and “the same period” for “the period beginning on October 1, 1994, and ending on December 31, 2001” in second sentence, and added subsec. (b) relating to members involuntarily separated from the Selected Reserve.

2000—Pub. L. 106-398 substituted “December 31, 2001” for “September 30, 2001” in two places.

1998—Pub. L. 105-261 substituted “during the period beginning on October 1, 1990, and ending on September 30, 2001” for “during the nine-year period beginning on October 1, 1990” and “during the period beginning on October 1, 1994, and ending on September 30, 2001” for “during the five-year period beginning on October 1, 1994”.

1994—Pub. L. 103-337 inserted at end “The Secretary of Transportation shall implement this provision for Coast Guard members involuntarily separated during the five-year period beginning October 1, 1994.”

1993—Pub. L. 103-160 substituted “nine-year period” for “five-year period”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-317 applicable with respect to any sole survivorship discharge granted after Sept. 11, 2001, see section 10 of Pub. L. 110-317, set out as a note under section 2108 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable only to members of the Coast Guard who are separated after Sept. 30, 1994, see section 542(e) of Pub. L. 103-337, set out as a note under section 1141 of this title.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1147. Use of military family housing

(a) TRANSITION FOR INVOLUNTARILY SEPARATED MEMBERS.—(1) The Secretary of a military department may, pursuant to regulations prescribed by the Secretary of Defense, permit individuals who are involuntarily separated during the period beginning on October 1, 2012, and ending on December 31, 2018, to continue for not more than 180 days after the date of such separation to reside (along with other members of the individual’s household) in military family housing provided or leased by the Department of Defense to such individual as a member of the armed forces.