

BILL ANALYSIS

Senate Research Center

S.B. 363
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Veteran Affairs & Military Installations
6/8/2007
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, soldiers who have served on active duty are entitled to two years of care from the Veterans Administration (VA) from the time the soldier leaves military service, unless the injury was incurred or aggravated while on active duty, such as a disability caused by exposure to depleted uranium. However, soldiers seeking such care encounter difficulty in meeting the burden of proof connecting the disability to the service before the Department of Defense and VA. Veterans have also encountered difficulty in obtaining appropriate medical care through the VA Health Care System to treat the effects of exposure to depleted uranium.

S.B. 363 requires the adjutant general and the Texas Veterans Commission to assist a member of the Texas National Guard in obtaining federal government treatment services, including a screening test if there is reason to believe the member has been exposed to depleted uranium during military service. This bill also requires the adjutant general to report on the feasibility of adding pre-deployment training concerning potential exposure to depleted uranium.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 431, Government Code, by adding Section 431.0185, as follows:

Sec. 431.0185. TESTING FOR EXPOSURE TO DEPLETED URANIUM. Defines "depleted uranium," "eligible member," "medically qualified screening test," and "military physician." Requires the adjutant general and the Texas Veterans Commission (TVC) to assist an eligible member of the Texas National Guard (eligible member) to obtain federal government treatment services if the eligible member has been assigned a risk level I, II, or III for depleted uranium exposure by the member's branch of service, if the member has been referred by a military physician, or if the member has reason to believe that the member was exposed to depleted uranium occurred during military service.

SECTION 2. Defines "depleted uranium" and "eligible member." Requires the adjutant general to report in writing on the scope and adequacy of instruction received by eligible members of the national guard on detecting whether their service entails exposure to depleted uranium at any time to the presiding officer of the standing committee in each house with primary jurisdiction over military and veterans matters. Requires the adjutant general to consider certain information in determining the scope and adequacy of the instruction provided to eligible members. Requires the report to include an assessment of the feasibility and cost of adding predeployment instruction concerning potential exposure to depleted uranium and other toxic substances and the precautions recommended while in a combat zone.

SECTION 3. Effective date: September 1, 2007.