

113TH CONGRESS
1ST SESSION

S. 875

To amend title 38, United States Code, to require the reporting of cases of infectious diseases at facilities of the Veterans Health Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2013

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to require the reporting of cases of infectious diseases at facilities of the Veterans Health Administration, 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 “Department of Vet-
5 erans Affairs Disease Reporting and Oversight Act of
6 2013”.

1 **SEC. 2. REQUIREMENT THAT VETERANS HEALTH ADMINIS-**
2 **TRATION REPORT CASES OF INFECTIOUS DIS-**
3 **EASES AT FACILITIES OF THE ADMINISTRA-**
4 **TION.**

5 (a) IN GENERAL.—Subchapter II of chapter 73 of
6 title 38, United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 7330B. Reporting of infectious diseases**

9 “(a) REPORTING.—(1) Except as provided in para-
10 graph (2), not later than 24 hours after the director of
11 a Veterans Integrated Service Network confirms the pres-
12 ence of a notifiable infectious disease at a facility under
13 the jurisdiction of the director, the director shall submit
14 notice of such presence to the following:

15 “(A) The Central Office of the Department.

16 “(B) The Director of the Centers for Disease
17 Control and Prevention.

18 “(C) The State in which the facility is located
19 and if the State has an agency or department that
20 handles matters relating to such notifiable infectious
21 disease, the head of such agency or department.

22 “(D) The county in which the facility is located
23 and if the county has an agency or department that
24 handles matters relating to such notifiable infectious
25 disease, the head of such agency or department.

1 “(E) For each individual who has contracted
2 the notifiable infectious disease at the facility or is
3 at risk of contracting such notifiable infectious dis-
4 ease—

5 “(i) the individual and the individual’s next
6 of kin;

7 “(ii) the individual’s primary health care
8 provider; and

9 “(iii) the county in which the individual re-
10 sides and if the county has an agency or de-
11 partment that handles matters relating to such
12 notifiable infectious disease, the head of such
13 agency or department.

14 “(F) Each employee of the Department who is
15 employed at such facility.

16 “(2) If the State in which a facility described in para-
17 graph (1) is located requires that a notifiable infectious
18 disease confirmed at such facility be reported to the State
19 more quickly than required under paragraph (1) or re-
20 quires that a suspected presence of a notifiable infectious
21 disease at such facility be reported before waiting for con-
22 firmation of such presence, the director concerned shall
23 comply with such State requirement.

1 “(3) Not later than 24 hours after submitting a no-
2 tice under paragraph (1), the director concerned shall con-
3 firm that such notice is received.

4 “(b) NOTIFIABLE INFECTIOUS DISEASE.—For pur-
5 poses of this section, a notifiable infectious disease is any
6 infectious disease that is—

7 “(1) on the list of nationally notifiable diseases
8 published by the Council of State and Territorial
9 Epidemiologists and the Centers for Disease Control
10 and Prevention; or

11 “(2) covered by a provision of law of a State
12 that requires the reporting of infectious diseases.

13 “(c) PLAN TO PREVENT SPREAD.—(1) Not later
14 than seven days after the director of a Veterans Integrated
15 Service Network confirms the presence of a notifiable in-
16 fectious disease at a facility under the jurisdiction of such
17 director, the director shall develop and implement an ac-
18 tion plan to manage and control the potential spread of
19 the notifiable infectious disease.

20 “(2) The plan developed and implemented under
21 paragraph (1) shall also provide details on the role of
22 partnering Federal, State, and local government entities
23 in the management and control of the potential spread of
24 the notifiable infectious disease.

1 “(d) RECORDKEEPING.—The director of each Vet-
2 erans Integrated Service Network shall keep records of
3 each notice submitted under subsection (a)(1) for a period
4 of not less than 10 years.

5 “(e) ANNUAL REPORTS BY INSPECTOR GENERAL.—
6 Not less frequently than once each year, the Inspector
7 General of the Department shall submit to Congress a re-
8 port on the compliance of the directors of the Veterans
9 Integrated Service Networks with the requirements of this
10 section.

11 “(f) ENFORCEMENT AND DISCIPLINARY ACTION.—
12 (1) In any case in which the Inspector General of the De-
13 partment suspects that a director of a Veterans Integrated
14 Service Network has failed to comply with an applicable
15 provision of this section, the Inspector General shall con-
16 duct an investigation to determine whether such director
17 failed to comply with an applicable provision of this sec-
18 tion.

19 “(2) If the Inspector General determines under para-
20 graph (1) that a director has failed to comply with a provi-
21 sion of this section, the Secretary shall suspend such direc-
22 tor for such period as the Secretary considers appropriate
23 under subchapter I or subchapter II of chapter 75 of title
24 5, as the case may be.

1 “(3) Paragraph (2) shall not be construed to prevent
2 the Secretary from imposing, in addition to suspension
3 under paragraph (2), such other disciplinary action on the
4 director as the Secretary considers appropriate and for
5 which the Secretary is otherwise authorized.”.

6 (b) INTERNAL COMMUNICATION.—Not later than
7 180 days after the date of the enactment of this Act, the
8 Under Secretary for Health of the Veterans Health Ad-
9 ministration shall issue a directive to the Pathology Team,
10 the Infection Prevention Team, and the Facilities Manage-
11 ment Team of the Veterans Health Administration and
12 such other groups within the Administration as the Under
13 Secretary considers appropriate on the actions that should
14 be taken in any case in which a notifiable infectious dis-
15 ease (as such term is used in section 7330B of title 38,
16 United States Code, as added by subsection (a)) is discov-
17 ered in a facility of the Veterans Health Administration.

18 (c) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of chapter 73 of such title is amended
20 by inserting after the item relating to section 7330A the
21 following new item:

“7330B. Reporting of infectious diseases.”.

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