

115TH CONGRESS
2D SESSION

S. 2356

To require the Secretary of Veterans Affairs to address staffing and other issues at facilities, including underserved facilities, of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2018

Mr. TESTER (for himself, Mrs. MURRAY, Mr. SANDERS, and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To require the Secretary of Veterans Affairs to address staffing and other issues at facilities, including underserved facilities, of the Department of Veterans Affairs, 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 “Stronger Medical
5 Workforce for Veterans Act”.

1 **SEC. 2. DEVELOPMENT OF CRITERIA FOR DESIGNATION OF**
2 **CERTAIN MEDICAL FACILITIES OF THE DE-**
3 **PARTMENT OF VETERANS AFFAIRS AS UN-**
4 **DERSERVED FACILITIES AND PLAN TO AD-**
5 **DRESS PROBLEM OF UNDERSERVED FACILI-**
6 **TIES.**

7 (a) **IN GENERAL.**—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of Vet-
9 erans Affairs shall develop criteria to designate medical
10 centers, ambulatory care facilities, and community based
11 outpatient clinics of the Department of Veterans Affairs
12 as underserved facilities.

13 (b) **CONSIDERATION.**—Criteria developed under sub-
14 section (a) shall include consideration of the following with
15 respect to a facility:

16 (1) The ratio of veterans to health care pro-
17 viders of the Department of Veterans Affairs for a
18 standardized geographic area surrounding the facil-
19 ity, including a separate ratio for general practi-
20 tioners and specialists.

21 (2) The range of clinical specialties covered by
22 such providers in such area.

23 (3) Whether the local community is medically
24 underserved.

25 (4) The type, number, and age of open consults.

1 (5) Whether the facility is meeting the wait-
2 time goals of the Department.

3 (6) Such other criteria as the Secretary con-
4 siders important in determining which facilities are
5 not adequately serving area veterans.

6 (c) ANALYSIS OF FACILITIES.—Not less frequently
7 than annually, directors of Veterans Integrated Service
8 Networks of the Department shall perform an analysis to
9 determine which facilities within that Veterans Integrated
10 Service Network qualify as underserved facilities pursuant
11 to criteria developed under subsection (a).

12 (d) ANNUAL PLAN TO ADDRESS UNDERSERVED FA-
13 CILITIES.—

14 (1) PLAN REQUIRED.—Not later than one year
15 after the date of the enactment of this Act, and not
16 less frequently than once each year thereafter, the
17 Secretary shall submit to Congress a plan to address
18 the problem of underserved facilities of the Depart-
19 ment, as designated pursuant to criteria developed
20 under subsection (a).

21 (2) CONTENTS.—Each plan submitted under
22 paragraph (1) shall address the following:

23 (A) Increasing personnel or temporary per-
24 sonnel assistance, including mobile deployment
25 teams.

1 (B) Providing special hiring incentives, in-
2 cluding under the Education Debt Reduction
3 Program under subchapter VII of chapter 76 of
4 title 38, United States Code, and recruitment,
5 relocation, and retention incentives.

6 (C) Using direct hiring authority.

7 (D) Improving training opportunities for
8 staff.

9 (E) Such other actions as the Secretary
10 considers appropriate.

11 **SEC. 3. PILOT PROGRAM ON TUITION REIMBURSEMENT**
12 **AND LOAN REPAYMENT FOR HEALTH CARE**
13 **PROVIDERS OF THE DEPARTMENT OF VET-**
14 **ERANS AFFAIRS AT UNDERSERVED FACILI-**
15 **TIES.**

16 (a) IN GENERAL.—Not later than 90 days after the
17 date of the enactment of this Act, the Secretary of Vet-
18 erans Affairs shall commence a pilot program to assess
19 the feasibility and advisability of providing incentives to
20 individuals to work at underserved facilities of the Vet-
21 erans Health Administration by providing tuition reim-
22 bursement and loan repayment to medical students and
23 health care providers who commit to serving in under-
24 served facilities selected under subsection (c).

1 (b) DURATION.—The Secretary shall carry out the
2 pilot program during the six-year period beginning on the
3 date of the commencement of the pilot program.

4 (c) SELECTION OF LOCATIONS.—

5 (1) IN GENERAL.—The Secretary shall select
6 not fewer than three medical centers and seven am-
7 bulatory care facilities or community based out-
8 patient clinics of the Department to participate in
9 the pilot program.

10 (2) RURAL AND HIGHLY RURAL AREAS.—Not
11 fewer than two of the medical centers and five of the
12 ambulatory care facilities or community based out-
13 patient clinics selected under paragraph (1) shall be
14 in States or United States territories that are among
15 the ten States or United States territories with—

16 (A) the highest percentage of land des-
17 igned as highly rural pursuant to the rural-
18 urban commuting area codes set forth by the
19 Department of Agriculture; or

20 (B) the highest percentage of enrolled vet-
21 erans living in rural, highly rural, or insular is-
22 land areas.

23 (3) STATES.—Facilities selected under para-
24 graph (1) shall be located in not fewer than eight
25 different States.

1 (d) USE OF AMOUNTS.—Of the amounts used to pro-
2 vide tuition reimbursement or loan repayment under the
3 pilot program—

4 (1) one-half shall be used to provide tuition re-
5 imbursement or loan repayment for individuals prac-
6 ticing in a general practice position; and

7 (2) one-half shall be used to provide tuition re-
8 imbursement or loan repayment for individuals prac-
9 ticing—

10 (A) in a specialist position; or

11 (B) in an occupation, other than a position
12 described in paragraph (1), included in the
13 most recent staffing shortage determination of
14 the Department under section 7412 of title 38,
15 United States Code.

16 (e) TUITION REIMBURSEMENT.—Under the pilot pro-
17 gram, the Secretary may provide to an individual attend-
18 ing medical school and seeking a degree as a Doctor of
19 Medicine or a Doctor of Osteopathic Medicine full tuition
20 reimbursement in exchange for a five-year commitment to
21 serve at an underserved facility selected under subsection
22 (c).

23 (f) STUDENT LOAN REPAYMENT.—Under the pilot
24 program, in exchange for a three-year commitment to

1 serve at an underserved facility selected under subsection
2 (c), the Secretary may provide—

3 (1) to an individual currently serving as a
4 health care provider at an underserved facility, an
5 amount not to exceed \$30,000 to apply to any re-
6 maining student loan debt of the individual; and

7 (2) to an individual other than an individual de-
8 scribed in paragraph (1), an amount not to exceed
9 \$50,000 to apply to any remaining student loan debt
10 of the individual.

11 (g) BREACH.—An individual who participates in the
12 pilot program and fails to satisfy a period of obligated
13 service under subsection (e) or (f) shall be liable to the
14 United States, in lieu of such obligated service, for the
15 amount that has been paid or is payable to or on behalf
16 of the individual under the pilot program, reduced by the
17 proportion that the number of days served for completion
18 of the period of obligated service bears to the total number
19 of days in the period of obligated service of such indi-
20 vidual.

21 (h) EXPEDITED HIRING.—The Secretary shall ensure
22 that the hiring of individuals to serve in the Department
23 under the pilot program is conducted in an expedited man-
24 ner.

1 (i) CONTINUATION IN PILOT PROGRAM.—An indi-
2 vidual participating in the pilot program in an occupation
3 included in a staffing shortage determination of the De-
4 partment under section 7412 of title 38, United States
5 Code, may continue participating in the pilot program not-
6 withstanding that the occupation is no longer included in
7 such determination under such section.

8 (j) ANNUAL REPORT.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act, and not
11 less frequently than once each year thereafter, the
12 Secretary shall submit to Congress a report on the
13 pilot program.

14 (2) CONTENTS.—Each report submitted under
15 paragraph (1) shall include the following:

16 (A) The number of participants, including
17 the number receiving tuition reimbursement
18 and student loan repayment.

19 (B) The number of facilities where partici-
20 pants are located.

21 (C) The number of individuals who have
22 applied to participate in the pilot program.

23 (D) A list of the five most common occupa-
24 tions of the participants in the pilot program,
25 other than general practice.

1 (k) DEFINITIONS.—In this section:

2 (1) ENROLLED VETERAN.—The term “enrolled
3 veteran” means a veteran who is enrolled in the sys-
4 tem of annual patient enrollment established and op-
5 erated under section 1705(a) of title 38, United
6 States Code.

7 (2) UNDERSERVED FACILITY.—The term “un-
8 derserved facility” means a medical center, ambula-
9 tory care facility, or community based outpatient
10 clinic of the Department of Veterans Affairs des-
11 ignated by the Secretary of Veterans Affairs pursu-
12 ant to criteria developed under section 2.

13 **SEC. 4. REPORT ON WORKFORCE VACANCIES WITHIN THE**
14 **VETERANS HEALTH ADMINISTRATION.**

15 (a) IN GENERAL.—Not later than 120 days after the
16 date of the enactment of this Act, the Secretary of Vet-
17 erans Affairs shall submit to the Committee on Veterans’
18 Affairs of the Senate and the Committee on Veterans’ Af-
19 fairs of the House of Representatives a report on vacancies
20 within the Veterans Health Administration.

21 (b) ELEMENTS.—The report required by subsection
22 (a) shall include the following:

23 (1) With respect to vacancies of personnel ap-
24 pointed under section 7401 of title 38, United States
25 Code—

1 (A) the total number of such vacancies;

2 (B) the number of such vacancies
3 disaggregated by occupation, State, Veterans
4 Integrated Service Network, medical facility,
5 and the central office of the Department of Vet-
6 erans Affairs; and

7 (C) a description of the plans of the Sec-
8 retary to fill such vacancies, including a
9 timeline for filling such vacancies, and an as-
10 sessment of whether the Secretary requires ad-
11 ditional hiring authorities to expedite the hiring
12 process.

13 (2) With respect to vacancies of human re-
14 source specialists of the Veterans Health Adminis-
15 tration—

16 (A) the total number of such vacancies;

17 (B) the number of such vacancies
18 disaggregated by State and medical facility; and

19 (C) a description of the plans of the Sec-
20 retary to fill such vacancies, including a
21 timeline for filling such vacancies, and an as-
22 sessment of whether the Secretary requires ad-
23 ditional hiring authorities to expedite the hiring
24 process.

1 (3) A description of any impediments to filling
2 the vacancies described in paragraphs (1) and (2)
3 and any actions the Secretary intends to take to ad-
4 dress such impediments.

5 (4) An update on the implementation by the
6 Secretary of—

7 (A) the Veterans Health Administration
8 Workforce and Succession Strategic Plan for
9 2016;

10 (B) the recommendation by the Office of
11 the Inspector General of the Department that
12 the Under Secretary for Health develop staffing
13 models for critical need occupations of the Vet-
14 erans Health Administration, as determined by
15 the Secretary; and

16 (C) the recommendation by the Office of
17 the Inspector General that the Under Secretary
18 for Health establish milestones and timetables
19 for further development, piloting, and imple-
20 mentation of staffing models for critical need
21 occupations of the Veterans Health Administra-
22 tion, as determined by the Secretary.

1 **SEC. 5. ASSIGNMENT TO DEPARTMENT OF VETERANS AF-**
2 **FAIRS OF COMMISSIONED OFFICERS OF THE**
3 **REGULAR CORPS OF THE PUBLIC HEALTH**
4 **SERVICE.**

5 (a) ASSIGNMENT.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Veterans Affairs and the Surgeon General
9 shall enter into a memorandum of understanding for
10 the assignment of not fewer than 500 commissioned
11 officers of the Regular Corps of the Public Health
12 Service to the Department of Veterans Affairs.

13 (2) MANNER OF ASSIGNMENT.—Assignments
14 under paragraph (1) shall be made in the same
15 manner in which assignments are made to other
16 Federal agencies.

17 (b) REIMBURSEMENT.—The Secretary shall reim-
18 burse the Surgeon General for such expenses as the Sur-
19 geon General may incur in assigning commissioned offi-
20 cers pursuant to a memorandum of understanding entered
21 into under subsection (a).

22 (c) REPORT.—

23 (1) IN GENERAL.—Not later than one year
24 after the date of the enactment of this Act, the Sec-
25 retary and the Surgeon General shall each submit to
26 the Committee on Veterans' Affairs of the Senate

1 and the Committee on Veterans' Affairs of the
2 House of Representatives a report on the memo-
3 randum of understanding entered into under sub-
4 section (a) and the commissioned officers assigned
5 pursuant to such memorandum of understanding.

6 (2) CONTENTS.—The report required by para-
7 graph (1) shall include the following:

8 (A) The numbers, grades, and specialties
9 of commissioned officers assigned pursuant to
10 the memorandum of understanding entered into
11 under subsection (a).

12 (B) A description of any problems encoun-
13 tered in such assignment.

14 **SEC. 6. INCLUSION OF VET CENTER EMPLOYEES IN EDU-**
15 **CATION DEBT REDUCTION PROGRAM OF DE-**
16 **PARTMENT OF VETERANS AFFAIRS.**

17 (a) IN GENERAL.—The Secretary of Veterans Affairs
18 shall ensure that clinical staff working at Vet Centers are
19 eligible to participate in the education debt reduction pro-
20 gram of the Department of Veterans Affairs under sub-
21 chapter VII of chapter 76 of title 38, United States Code.

22 (b) REPORT.—Not later than one year after the date
23 of the enactment of this Act, the Secretary shall submit
24 to the Committee on Veterans' Affairs of the Senate and
25 the Committee on Veterans' Affairs of the House of Rep-

1 representatives a report on the number of participants in the
2 education debt reduction program of the Department
3 under such subchapter who work at Vet Centers.

4 (c) VET CENTER DEFINED.—In this section, the
5 term “Vet Center” has the meaning given that term in
6 section 1712A(h) of title 38, United States Code.

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