

115TH CONGRESS  
1ST SESSION

# S. 426

To increase educational assistance provided by the Department of Veterans Affairs for education and training of physician assistants of the Department, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2017

Mr. TESTER (for himself, Ms. BALDWIN, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To increase educational assistance provided by the Department of Veterans Affairs for education and training of physician assistants of the Department, to establish pay grades and require competitive pay for physician assistants of the Department, 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 “Grow Our Own Direc-  
5       tive: Physician Assistant Employment and Education Act  
6       of 2017”.

1 **SEC. 2. PILOT PROGRAM TO PROVIDE EDUCATIONAL AS-**  
2 **SISTANCE TO PHYSICIAN ASSISTANTS TO BE**  
3 **EMPLOYED AT THE DEPARTMENT OF VET-**  
4 **ERANS AFFAIRS.**

5 (a) PILOT PROGRAM.—

6 (1) IN GENERAL.—The Secretary of Veterans  
7 Affairs shall carry out a pilot program to be known  
8 as the “Grow Our Own Directive” or “G.O.O.D.”  
9 pilot program (in this section referred to as the  
10 “pilot program”) to provide educational assistance  
11 to certain former members of the Armed Forces for  
12 education and training as physician assistants of the  
13 Department of Veterans Affairs.

14 (2) INFORMATION ON PILOT PROGRAM.—The  
15 Secretary shall provide information on the pilot pro-  
16 gram to eligible individuals under subsection (b), in-  
17 cluding information on application requirements and  
18 a list of entities with which the Secretary has  
19 partnered under subsection (i).

20 (b) ELIGIBLE INDIVIDUALS.—An individual is eligi-  
21 ble to participate in the pilot program if the individual—

22 (1) has medical or military health experience  
23 gained while serving as a member of the Armed  
24 Forces;

1           (2) has received a certificate, associate degree,  
2           baccalaureate degree, master's degree, or postbaccalaureate  
3           training in a science relating to health care;

4           (3) has participated in the delivery of health  
5           care services or related medical services, including  
6           participation in military training relating to the  
7           identification, evaluation, treatment, and prevention  
8           of diseases and disorders; and

9           (4) does not have a degree of doctor of medicine,  
10          doctor of osteopathy, or doctor of dentistry.

11          (c) DURATION.—The pilot program shall be carried  
12          out during the five-year period beginning on the date that  
13          is 180 days after the date of the enactment of this Act.

14          (d) SELECTION.—

15               (1) IN GENERAL.—The Secretary shall select eligible  
16               individuals under subsection (b) to participate  
17               in the pilot program.

18               (2) PRIORITY FOR SELECTION.—In selecting individuals  
19               to participate in the pilot program under paragraph (1), the  
20               Secretary shall give priority to the following individuals:  
21               the following individuals:

22                       (A) Individuals who participated in the Intermediate  
23                       Care Technician Pilot Program of  
24                       the Department that was carried out by the

1 Secretary between January 2011 and February  
2 2015.

3 (B) Individuals who agree to be employed  
4 as a physician assistant for the Veterans Health  
5 Administration at a medical facility of the De-  
6 partment located in a community that—

7 (i) is designated as a medically under-  
8 served population under section  
9 330(b)(3)(A) of the Public Health Service  
10 Act (42 U.S.C. 254b(b)(3)(A)); and

11 (ii) is in a State with a per capita  
12 population of veterans of more than 9 per-  
13 cent according to the National Center for  
14 Veterans Analysis and Statistics and the  
15 United States Census Bureau.

16 (e) EDUCATIONAL ASSISTANCE.—

17 (1) IN GENERAL.—In carrying out the pilot  
18 program, the Secretary shall provide educational as-  
19 sistance to individuals participating in the pilot pro-  
20 gram, including through the use of scholarships, to  
21 cover the costs to such individuals of obtaining a  
22 master's degree in physician assistant studies or a  
23 similar master's degree.

24 (2) USE OF EXISTING PROGRAMS.—In pro-  
25 viding educational assistance under paragraph (1),

1 the Secretary shall use the Department of Veterans  
2 Affairs Health Professionals Educational Assistance  
3 Program under chapter 76 of title 38, United States  
4 Code, and such other educational assistance pro-  
5 grams of the Department as the Secretary considers  
6 appropriate.

7 (3) USE OF SCHOLARSHIPS.—The Secretary  
8 shall provide not fewer than 35 new scholarships  
9 under the pilot program to individuals participating  
10 in the pilot program during each year in which the  
11 pilot program is carried out.

12 (f) PERIOD OF OBLIGATED SERVICE.—

13 (1) IN GENERAL.—The Secretary shall enter  
14 into an agreement with each individual participating  
15 in the pilot program in which such individual agrees  
16 to be employed as a physician assistant for the Vet-  
17 erans Health Administration for a period of obli-  
18 gated service specified in paragraph (2).

19 (2) PERIOD SPECIFIED.—With respect to each  
20 individual participating in the pilot program, the pe-  
21 riod of obligated service specified in this paragraph  
22 for the individual is—

23 (A) if the individual is participating in the  
24 pilot program through a program described in  
25 subsection (e)(2) that specifies a period of obli-

1           gated service, the period specified with respect  
2           to such program; or

3                   (B) if the individual is participating in the  
4           pilot program other than through a program  
5           described in such subsection, or if such program  
6           does not specify a period of obligated service, a  
7           period of three years or such other period as  
8           the Secretary considers appropriate for pur-  
9           poses of the pilot program.

10       (g) BREACH.—

11           (1) LIABILITY.—Except as provided in para-  
12       graph (2), an individual who participates in the pilot  
13       program and fails to satisfy the period of obligated  
14       service under subsection (f) shall be liable to the  
15       United States, in lieu of such obligated service, for  
16       the amount that has been paid or is payable to or  
17       on behalf of the individual under the pilot program,  
18       reduced by the proportion that the number of days  
19       served for completion of the period of obligated serv-  
20       ice bears to the total number of days in the period  
21       of obligated service of such individual.

22           (2) EXCEPTION.—If an individual is partici-  
23       pating in the pilot program through a program de-  
24       scribed in subsection (e)(2) that specifies a period of  
25       obligated service, the liability of the individual for

1 failing to satisfy the period of obligated service  
2 under subsection (f) shall be determined as specified  
3 with respect to such program.

4 (h) MENTORS.—The Secretary shall ensure that a  
5 physician assistant mentor or mentors are available for in-  
6 dividuals participating in the pilot program at each facility  
7 of the Veterans Health Administration at which a partici-  
8 pant in the pilot program is employed.

9 (i) PARTNERSHIPS.—In carrying out the pilot pro-  
10 gram, the Secretary shall seek to partner with the fol-  
11 lowing:

12 (1) Not fewer than 15 institutions of higher  
13 education that—

14 (A) offer a master's degree program in  
15 physician assistant studies or a similar area of  
16 study that is accredited by the Accreditation  
17 Review Commission on Education for the Phy-  
18 sician Assistant; and

19 (B) agree—

20 (i) to guarantee seats in such master's  
21 degree program for individuals partici-  
22 pating in the pilot program who meet the  
23 entrance requirements for such master's  
24 degree program; and

1                   (ii) to provide individuals partici-  
2                   pating in the pilot program with informa-  
3                   tion on admissions criteria and the admis-  
4                   sions process.

5                   (2) Other institutions of higher education that  
6                   offer programs in physician assistant studies or  
7                   other similar areas of studies that are accredited by  
8                   the Accreditation Review Commission on Education  
9                   for the Physician Assistant.

10                  (3) The Transition Assistance Program of the  
11                  Department of Defense.

12                  (4) The Veterans' Employment and Training  
13                  Service of the Department of Labor.

14                  (5) Programs carried out under chapter 41 of  
15                  title 38, United States Code, for the purpose of mar-  
16                  keting and advertising the pilot program to veterans  
17                  and members of the Armed Forces who may be in-  
18                  terested in the pilot program.

19                  (j) ADMINISTRATION OF PILOT PROGRAM.—For pur-  
20                  poses of carrying out the pilot program, the Secretary  
21                  shall appoint or select within the Office of Physician As-  
22                  sistant Services of the Veterans Health Administration the  
23                  following:

24                  (1) A Deputy Director for Education and Ca-  
25                  reer Development of Physician Assistants who—

1 (A) is a physician assistant, a veteran, and  
2 employed by the Department as of the date of  
3 the enactment of this Act;

4 (B) is responsible for—

5 (i) overseeing the pilot program;

6 (ii) recruiting candidates to partici-  
7 pate in the pilot program;

8 (iii) coordinating with individuals par-  
9 ticipating in the pilot program and assist-  
10 ing those individuals in applying and being  
11 admitted to a master's degree program  
12 under the pilot program; and

13 (iv) providing information to eligible  
14 individuals under subsection (b) with re-  
15 spect to the pilot program; and

16 (C) may be employed in the field at a med-  
17 ical center of the Department.

18 (2) A Deputy Director of Recruitment and Re-  
19 tention who—

20 (A) is a physician assistant, a veteran, and  
21 employed by the Department as of the date of  
22 the enactment of this Act;

23 (B) is responsible for—

24 (i) identifying and coordinating the  
25 needs of the pilot program;

1 (ii) assisting the Secretary in pro-  
2 viding mentors under subsection (h) to  
3 participants in the pilot program; and

4 (iii) coordinating the staff of facilities  
5 of the Veterans Health Administration  
6 with respect to identifying employment po-  
7 sitions and mentors under subsection (h)  
8 for participants in the pilot program; and

9 (C) may be employed in the field at a med-  
10 ical center of the Department.

11 (3) A recruiter who—

12 (A) reports directly to the Deputy Director  
13 of Recruitment and Retention appointed or se-  
14 lected under paragraph (2); and

15 (B) works with the Workforce Manage-  
16 ment and Consulting Office and the Healthcare  
17 Talent Management Office of the Veterans  
18 Health Administration to develop and imple-  
19 ment national recruiting strategic plans for the  
20 recruitment and retention of physician assist-  
21 ants within the Department.

22 (4) An administrative assistant, compensated at  
23 a rate not less than level GS-6 of the General  
24 Schedule, or equivalent, who assists with administra-  
25 tive duties relating to the pilot program in the Office

1 of Physician Assistant Services and such other du-  
2 ties as determined by the Secretary to ensure that  
3 the Office runs effectively and efficiently.

4 (k) REPORT.—

5 (1) IN GENERAL.—Not later than one year  
6 after the date of the enactment of this Act, the Sec-  
7 retary of Veterans Affairs, in collaboration with the  
8 Secretary of Labor, the Secretary of Defense, and  
9 the Secretary of Health and Human Services, shall  
10 submit to Congress a report on the pilot program.

11 (2) ELEMENTS.—The report required by para-  
12 graph (1) shall include the following:

13 (A) The extent to which the pilot program  
14 is effective in improving the ability of eligible  
15 individuals under subsection (b) to become phy-  
16 sician assistants.

17 (B) An examination of whether the pilot  
18 program is achieving the goals of—

19 (i) enabling individuals to build on  
20 medical skills gained as members of the  
21 Armed Forces by entering into the physi-  
22 cian assistant workforce of the Depart-  
23 ment; and

1 (ii) helping to meet the shortage of  
2 physician assistants employed by the De-  
3 partment.

4 (C) An identification of such modifications  
5 to the pilot program as the Secretary of Vet-  
6 erans Affairs, the Secretary of Labor, the Sec-  
7 retary of Defense, and the Secretary of Health  
8 and Human Services consider necessary to meet  
9 the goals described in subparagraph (B).

10 (D) An assessment of whether the pilot  
11 program could serve as a model for other pro-  
12 grams of the Department to assist individuals  
13 in obtaining certification and employment in  
14 other health care fields.

15 (I) SOURCE OF AMOUNTS.—Not less than \$8,000,000  
16 of the amount necessary to carry out the pilot program  
17 shall be derived from amounts appropriated to the Depart-  
18 ment of Veterans Affairs before the date of the enactment  
19 of this Act.

20 **SEC. 3. MINIMUM NUMBER OF SCHOLARSHIPS FOR PHYSI-**  
21 **CIAN ASSISTANTS UNDER EDUCATION AS-**  
22 **SISTANCE PROGRAMS OF THE DEPARTMENT**  
23 **OF VETERANS AFFAIRS.**

24 (a) HEALTH PROFESSIONAL SCHOLARSHIP PRO-  
25 GRAM.—

1           (1) IN GENERAL.—Subchapter II of chapter 76  
2           of title 38, United States Code, is amended by in-  
3           serting after the item relating to section 7618 the  
4           following new item:

5   **“§ 7618A. Scholarships for education and training to**  
6                           **become physician assistants**

7           “(a) IN GENERAL.—The Secretary shall ensure that  
8           not fewer than 25 new scholarships are awarded each year  
9           to individuals for education and training to become physi-  
10          cian assistants.

11          “(b) NEW SCHOLARSHIP DEFINED.—In this section,  
12          the term ‘new scholarship’ means a scholarship awarded  
13          under the Scholarship Program to an individual who has  
14          not previously received a scholarship under the Scholar-  
15          ship Program.”.

16          (2) CLERICAL AMENDMENT.—Chapter 76 of  
17          such title is amended by inserting after the item re-  
18          lating to section 7618 the following new item:

“7618A. Scholarships for education and training to become physician assist-  
ants.”.

19          (b) EMPLOYEE INCENTIVE SCHOLARSHIP PRO-  
20          GRAM.—

21          (1) IN GENERAL.—Subchapter VI of chapter 76  
22          of title 38, United States Code, is amended by in-  
23          serting after the item relating to section 7675 the  
24          following new item:

1 **“§ 7676. Scholarships for education and training to**  
 2 **become physician assistants**

3 “(a) IN GENERAL.—The Secretary shall ensure that  
 4 not fewer than 25 new scholarships are awarded each year  
 5 to individuals for education and training to become physi-  
 6 cian assistants.

7 “(b) NEW SCHOLARSHIP DEFINED.—In this section,  
 8 the term ‘new scholarship’ means a scholarship awarded  
 9 under the Program to an individual who has not previously  
 10 received a scholarship under the Program.”.

11 (2) CLERICAL AMENDMENT.—Chapter 76 of  
 12 such title is amended by inserting after the item re-  
 13 lating to section 7675 the following new item:

“7676. Scholarships for education and training to become physician assistants.”.

14 (c) EFFECTIVE DATE.—The amendments made by  
 15 this section shall take effect on the date that is 180 days  
 16 after the date of the enactment of this Act.

17 **SEC. 4. ESTABLISHMENT OF STANDARDS FOR THE DEPART-**  
 18 **MENT OF VETERANS AFFAIRS FOR USING**  
 19 **EDUCATIONAL ASSISTANCE PROGRAMS TO**  
 20 **EDUCATE AND HIRE PHYSICIAN ASSISTANTS**  
 21 **AND INCREASE OF AMOUNTS AVAILABLE FOR**  
 22 **PHYSICIAN ASSISTANTS.**

23 (a) ESTABLISHMENT OF STANDARDS.—

24 (1) IN GENERAL.—The Secretary of Veterans  
 25 Affairs shall establish standards described in para-

1 graph (2) to improve the use by the Department of  
2 Veterans Affairs of the Department of Veterans Af-  
3 fairs Health Professionals Educational Assistance  
4 Program under chapter 76 of title 38, United States  
5 Code, and other educational assistance programs of  
6 the Department, including the pilot program under  
7 section 2, to educate and hire physician assistants of  
8 the Department.

9 (2) STANDARDS DESCRIBED.—The standards  
10 described in this subsection are the following:

11 (A) Holding directors of medical centers of  
12 the Department accountable for failure to use  
13 the educational assistance programs described  
14 in paragraph (1) and other incentives—

15 (i) to advance employees of the De-  
16 partment in their education as physician  
17 assistants; and

18 (ii) to improve recruitment and reten-  
19 tion of physician assistants.

20 (B) Ensuring that the Department of Vet-  
21 erans Affairs Education Debt Reduction Pro-  
22 gram under subchapter VII of chapter 76 of  
23 such title is available for participants in the  
24 pilot program under section 2 to fill vacant phy-

1           sician assistant positions at the Department, in-  
2           cluding by—

3                   (i) including in all vacancy announce-  
4                   ments for physician assistant positions a  
5                   statement regarding the availability of the  
6                   Education Debt Reduction Program; and

7                   (ii) informing applicants to physician  
8                   assistant positions of their eligibility for  
9                   the Education Debt Reduction Program.

10           (C) Monitoring compliance with the appli-  
11           cation process for educational assistance pro-  
12           grams described in paragraph (1) to ensure  
13           that such programs are being fully utilized to  
14           carry out this section.

15           (D) Creating programs, including through  
16           the use of the Department of Veterans Affairs  
17           Employee Incentive Scholarship Program under  
18           subchapter VI of chapter 76 of such title, to en-  
19           courage employees of the Department to apply  
20           to accredited physician assistant programs.

21           (b) INCREASE OF AMOUNTS.—To the maximum ex-  
22           tent practicable, for each year during the five-year period  
23           beginning on the date of the enactment of this Act, the  
24           Secretary shall increase (as compared to the previous  
25           year) the scholarship amounts provided to individuals

1 under subchapters II and VI of chapter 76 of title 38,  
 2 United States Code, and any other relevant educational  
 3 assistance programs of the Department of Veterans Af-  
 4 fairs, for courses of education or training to become physi-  
 5 cian assistants of the Department.

6 (c) REGULATIONS.—The Secretary shall prescribe  
 7 such regulations as the Secretary considers appropriate to  
 8 carry out this section.

9 **SEC. 5. PAY GRADES FOR PHYSICIAN ASSISTANTS OF THE**  
 10 **DEPARTMENT OF VETERANS AFFAIRS AND**  
 11 **COMPETITIVE PAY REQUIREMENTS.**

12 (a) ESTABLISHMENT OF PAY GRADES.—Section  
 13 7404(b) of title 38, United States Code, is amended by  
 14 adding at the end the following:

“PHYSICIAN ASSISTANT SCHEDULE  
 “Physician Assistant IV.  
 “Physician Assistant III.  
 “Physician Assistant II.  
 “Physician Assistant I.”.

15 (b) COMPETITIVE PAY.—Section 7451(a)(2) of such  
 16 title is amended—

17 (1) by redesignating subparagraph (B) as sub-  
 18 paragraph (C);

19 (2) by inserting after subparagraph (A) the fol-  
 20 lowing new subparagraph (B):

21 “(B) Physician assistant.”; and

22 (3) in subparagraph (C), as redesignated by  
 23 paragraph (1), by striking “and registered nurse”

1 and inserting “registered nurse, and physician as-  
2 sistant”.

3 (c) NATIONAL STRATEGIC PLAN.—

4 (1) IN GENERAL.—The Secretary of Veterans  
5 Affairs shall implement a national strategic plan for  
6 the retention and recruitment of physician assistants  
7 of the Department of Veterans Affairs that includes  
8 the establishment and adoption of standards for the  
9 provision of competitive pay to physician assistants  
10 of the Department in comparison to the pay of phy-  
11 sician assistants in the private sector.

12 (2) REPORT.—Not later than one year after the  
13 date of the enactment of this Act, the Secretary  
14 shall submit to the Committee on Veterans’ Affairs  
15 of the Senate and the Committee on Veterans’ Af-  
16 fairs of the House of Representatives a report on the  
17 implementation of the national strategic plan under  
18 paragraph (1).

○