

110TH CONGRESS
2D SESSION

H. R. 5622

To direct the Secretary of Veterans Affairs to carry out a pilot program to establish standards of access to care for veterans seeking health care from certain Department of Veterans Affairs medical facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2008

Ms. GINNY BROWN-WAITE of Florida introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to carry out a pilot program to establish standards of access to care for veterans seeking health care from certain Department of Veterans Affairs medical facilities, 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 “Veterans Timely Ac-
5 cess to Health Care Act”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS PILOT PRO-**
2 **GRAM ON ACCESS TO MEDICAL CARE.**

3 (a) PILOT PROGRAM.—During the five-year period
4 beginning on the date of the enactment of this Act, the
5 Secretary of Veterans Affairs shall conduct a pilot pro-
6 gram under which the Secretary shall ensure that for each
7 veteran seeking primary care from a covered medical facil-
8 ity, the standard for access to care, determined from the
9 date on which the veteran contacts the Department seek-
10 ing an appointment until the date on which a visit with
11 a primary-care provider is completed, is 30 days.

12 (b) COVERED FACILITY.—For purposes of the pilot
13 program under this section, a covered medical facility is
14 a medical facility of the Department of Veterans Affairs
15 in Veterans Integrated Service Network 8.

16 (c) REVIEW OF PERFORMANCE.—The Secretary shall
17 periodically review the performance of covered medical fa-
18 cilities compared to the standard established under sub-
19 section (a). The Secretary shall submit to the Committees
20 on Veterans' Affairs of the Senate and House of Rep-
21 resentatives an annual report providing an assessment of
22 the Department's performance in meeting that standard.

23 (d) PROVISION OF CARE AT NON-DEPARTMENT FA-
24 CILITIES.—

25 (1) PROVISION OF CARE.—Effective on the first
26 day of the first fiscal year beginning after the date

1 of the enactment of this section, in a case in which
2 the Secretary is unable to meet the standard for ac-
3 cess to care under subsection (a) with respect to a
4 veteran enrolled in the patient enrollment system of
5 the Department of Veterans Affairs under section
6 1705, of title 38, United States Code, the Secretary
7 shall use the authority of section 1703(a) of that
8 title to furnish health care and services for that vet-
9 eran in a non-Department facility. In any such
10 case—

11 (A) payments by the Secretary may not ex-
12 ceed the reimbursement rate for similar out-
13 patient services paid by the Secretary of Health
14 and Human Services under part B of the medi-
15 care program (as defined in section
16 1781(d)(4)(A) of that title); and

17 (B) the non-Department facility may not
18 bill the veteran for any difference between the
19 facility's billed charges and the amount paid by
20 the Secretary under paragraph (1).

21 (2) VETERAN CHOICE TO RECEIVE CARE AT DE-
22 PARTMENT FACILITY.—A veteran for whom the Sec-
23 retary furnishes health care or services at a non-De-
24 partment facility under paragraph (1) may, after 30
25 days of receiving such care or services at the non-

1 Department facility, choose to receive such care or
2 services from a Department facility, if available. If
3 a veteran so chooses, the veteran shall submit to the
4 Secretary notice in writing of that choice.

5 (e) CONTINUITY OF CARE.—For the purpose of pro-
6 viding for continuity of care, the Secretary shall develop
7 a form to be used by veterans to authorize the Secretary
8 to obtain any records created in connection with the vet-
9 eran’s receipt of care from a non-Department facility.

10 (f) QUARTERLY REPORTS.—

11 (1) REQUIREMENT.—Not later than 60 days
12 after the end of a calendar-year quarter, the Sec-
13 retary of Veterans Affairs shall submit to the Com-
14 mittees on Veterans’ Affairs of the Senate and
15 House of Representatives a report for that calendar-
16 year quarter on the experience of the Department
17 during the quarter covered by the report with re-
18 spect to waiting times for veterans seeking appoint-
19 ments at a covered facility.

20 (2) CONTENTS.—Each report under subpara-
21 graph (A) shall include—

22 (A) the total number of veterans waiting
23 by the following categories:

24 (i) Those waiting under 30 days for
25 scheduled appointments.

1 (ii) Those waiting over 30 days but
2 less than 60 days.

3 (iii) Those waiting over 60 days but
4 less than 4 months.

5 (iv) Those waiting over 4 months but
6 who cannot be scheduled within 6 months.

7 (v) Any remaining veterans who can-
8 not be scheduled, with the reasons there-
9 for.

10 (B) For each category set forth in sub-
11 paragraph (A), distinctions between—

12 (i) waiting times for primary care and
13 specialty care; and

14 (ii) waiting times for veterans who are
15 newly enrolled versus those who were en-
16 rolled before October 1, 2001.

17 (C) The number of veterans who have en-
18 rolled in the Department of Veterans Affairs
19 health care system but have not since such en-
20 rollment sought care at a Department medical
21 facility.

22 (g) TERMINATION.—The authority to conduct a pilot
23 program under this section shall terminate on the date

1 that is five years after the date of the enactment of this
2 Act.

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