

113TH CONGRESS
2D SESSION

H. R. 4861

To establish the Commission on Access to Care to undertake a comprehensive evaluation and assessment of access to health care at the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Mr. HECK of Washington (for himself, Ms. DELBENE, and Mr. KILMER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To establish the Commission on Access to Care to undertake a comprehensive evaluation and assessment of access to health care at the Department of Veterans Affairs.

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 “Commission for Our
5 Veterans’ Care Act”.

6 **SEC. 2. COMMISSION ON ACCESS TO CARE.**

7 (a) ESTABLISHMENT OF COMMISSION.—

1 (1) IN GENERAL.—There is established the
2 Commission on Access to Care (in this section re-
3 ferred to as the “Commission”).

4 (2) MEMBERSHIP.—

5 (A) VOTING MEMBERS.—The Commission
6 shall be composed of voting members who are
7 appointed by the President as follows:

8 (i) At least two members who rep-
9 resent an organization recognized by the
10 Secretary of Veterans Affairs for the rep-
11 resentation of veterans under section 5902
12 of title 38, United States Code.

13 (ii) At least one member from among
14 persons who are experts concerning a pub-
15 lic or private hospital system.

16 (iii) At least one member from among
17 persons who are leading experts in the pri-
18 vate insurance industry.

19 (iv) At least two members from
20 among persons who are familiar with the
21 Veterans Health Administration of the De-
22 partment of Veterans Affairs.

23 (B) NONVOTING MEMBERS.—In addition
24 to members appointed under subparagraph (A),
25 the Commission shall be composed of nonvoting

1 members who are appointed by the President as
2 follows:

3 (i) At least two members who rep-
4 resent an organization recognized by the
5 Secretary of Veterans Affairs for the rep-
6 resentation of veterans under section 5902
7 of title 38, United States Code.

8 (ii) At least one member from among
9 persons who are experts in a public or pri-
10 vate hospital system.

11 (iii) At least one member from among
12 persons who are leading experts in the pri-
13 vate insurance industry.

14 (iv) At least two members from
15 among persons who are familiar with the
16 Veterans Health Administration.

17 (C) DATE.—The appointments of members
18 of the Commission shall be made not later than
19 60 days after the date of the enactment of this
20 Act.

21 (3) PERIOD OF APPOINTMENT; VACANCIES.—
22 Members shall be appointed for the life of the Com-
23 mission. Any vacancy in the Commission shall not
24 affect its powers, but shall be filled in the same
25 manner as the original appointment.

1 (4) INITIAL MEETING.—Not later than 15 days
2 after the date on which seven voting members of the
3 Commission have been appointed, the Commission
4 shall hold its first meeting.

5 (5) MEETINGS.—The Commission shall meet at
6 the call of the Chairperson.

7 (6) QUORUM.—A majority of the members of
8 the Commission shall constitute a quorum, but a
9 lesser number of members may hold hearings.

10 (7) CHAIRPERSON AND VICE CHAIRPERSON.—
11 The Commission shall select a Chairperson and Vice
12 Chairperson from among its members.

13 (b) DUTIES OF COMMISSION.—

14 (1) EVALUATION AND ASSESSMENT.—The Com-
15 mission shall undertake a comprehensive evaluation
16 and assessment of access to health care at the De-
17 partment of Veterans Affairs.

18 (2) MATTERS EVALUATED AND ASSESSED.—
19 The matters evaluated and assessed by the Commis-
20 sion shall include the following:

21 (A) The appropriateness of current stand-
22 ards of the Department of Veterans Affairs
23 concerning access to health care.

24 (B) The measurement of such standards.

1 (C) The appropriateness of performance
2 standards and incentives in relation to stand-
3 ards described in subparagraph (A).

4 (D) Staffing levels throughout the Vet-
5 erans Health Administration and whether they
6 are sufficient to meet current demand for
7 health care from the Administration.

8 (3) REPORTS.—The Commission shall submit
9 to the President, through the Secretary of Veterans
10 Affairs, reports as follows:

11 (A) Not later than 90 days after the date
12 of the initial meeting of the Commission, an in-
13 terim report on—

14 (i) the findings of the Commission
15 with respect to the evaluation and assess-
16 ment required by this subsection; and

17 (ii) such recommendations as the
18 Commission may have for legislative or ad-
19 ministrative action to improve access to
20 health care through the Veterans Health
21 Administration.

22 (B) Not later than 180 days after the date
23 of the initial meeting of the Commission, a final
24 report on—

1 (i) the findings of the Commission
2 with respect to the evaluation and assess-
3 ment required by this subsection; and

4 (ii) such recommendations as the
5 Commission may have for legislative or ad-
6 ministrative action to improve access to
7 health care through the Veterans Health
8 Administration.

9 (c) POWERS OF THE COMMISSION.—

10 (1) HEARINGS.—The Commission may hold
11 such hearings, sit and act at such times and places,
12 take such testimony, and receive such evidence as
13 the Commission considers advisable to carry out this
14 section.

15 (2) INFORMATION FROM FEDERAL AGENCIES.—
16 The Commission may secure directly from any Fed-
17 eral department or agency such information as the
18 Commission considers necessary to carry out this
19 section. Upon request of the Chairperson of the
20 Commission, the head of such department or agency
21 shall furnish such information to the Commission.

22 (d) COMMISSION PERSONNEL MATTERS.—

23 (1) COMPENSATION OF MEMBERS.—Each mem-
24 ber of the Commission who is not an officer or em-
25 ployee of the Federal Government shall be com-

1 compensated at a rate equal to the daily equivalent of
2 the annual rate of basic pay prescribed for level IV
3 of the Executive Schedule under section 5315 of title
4 5, United States Code, for each day (including travel
5 time) during which such member is engaged in the
6 performance of the duties of the Commission. All
7 members of the Commission who are officers or em-
8 ployees of the United States shall serve without com-
9 pensation in addition to that received for their serv-
10 ices as officers or employees of the United States.

11 (2) TRAVEL EXPENSES.—The members of the
12 Commission shall be allowed travel expenses, includ-
13 ing per diem in lieu of subsistence, at rates author-
14 ized for employees of agencies under subchapter I of
15 chapter 57 of title 5, United States Code, while
16 away from their homes or regular places of business
17 in the performance of services for the Commission.

18 (3) STAFF.—

19 (A) IN GENERAL.—The Chairperson of the
20 Commission may, without regard to the civil
21 service laws and regulations, appoint and termi-
22 nate an executive director and such other addi-
23 tional personnel as may be necessary to enable
24 the Commission to perform its duties. The em-

1 ployment of an executive director shall be sub-
2 ject to confirmation by the Commission.

3 (B) COMPENSATION.—The Chairperson of
4 the Commission may fix the compensation of
5 the executive director and other personnel with-
6 out regard to chapter 51 and subchapter III of
7 chapter 53 of title 5, United States Code, relat-
8 ing to classification of positions and General
9 Schedule pay rates, except that the rate of pay
10 for the executive director and other personnel
11 may not exceed the rate payable for level V of
12 the Executive Schedule under section 5316 of
13 such title.

14 (4) DETAIL OF GOVERNMENT EMPLOYEES.—
15 Any Federal Government employee may be detailed
16 to the Commission without reimbursement, and such
17 detail shall be without interruption or loss of civil
18 service status or privilege.

19 (5) PROCUREMENT OF TEMPORARY AND INTER-
20 MITTENT SERVICES.—The Chairperson of the Com-
21 mission may procure temporary and intermittent
22 services under section 3109(b) of title 5, United
23 States Code, at rates for individuals which do not
24 exceed the daily equivalent of the annual rate of

1 basic pay prescribed for level V of the Executive
2 Schedule under section 5316 of such title.

3 (e) TERMINATION OF THE COMMISSION.—The Com-
4 mission shall terminate 30 days after the date on which
5 the Commission submits its report under subsection
6 (b)(3)(B).

7 (f) FUNDING.—The Secretary of Veterans Affairs
8 shall make available to the Commission from amounts ap-
9 propriated or otherwise made available to the Secretary
10 such amounts as the Secretary and the Chairperson of the
11 Commission jointly consider appropriate for the Commis-
12 sion to perform its duties under this section.

13 (g) EXECUTIVE ACTION.—

14 (1) ACTION ON RECOMMENDATIONS.—The
15 President shall require the Secretary of Veterans Af-
16 fairs and such other heads of relevant Federal de-
17 partments and agencies to implement each rec-
18 ommendation set forth in a report submitted under
19 subsection (b)(3) that the President—

20 (A) considers feasible and advisable; and

21 (B) determines can be implemented with-
22 out further legislative action.

23 (2) REPORTS.—Not later than 60 days after
24 the date on which the President receives a report
25 under subsection (b)(3), the President shall submit

1 to the Committee on Veterans' Affairs of the Senate
2 and the Committee on Veterans' Affairs of the
3 House of Representatives and such other committees
4 of Congress as the President considers appropriate
5 a report setting forth the following:

6 (A) An assessment of the feasibility and
7 advisability of each recommendation contained
8 in the report received by the President.

9 (B) For each recommendation assessed as
10 feasible and advisable under subparagraph (A)
11 the following:

12 (i) Whether such recommendation re-
13 quires legislative action.

14 (ii) If such recommendation requires
15 legislative action, a recommendation con-
16 cerning such legislative action.

17 (iii) A description of any administra-
18 tive action already taken to carry out such
19 recommendation.

20 (iv) A description of any administra-
21 tive action the President intends to be
22 taken to carry out such recommendation
23 and by whom.

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