

113TH CONGRESS
1ST SESSION

S. 1751

To improve authorities for performance of medical disabilities examinations by contract physicians for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2013

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

A BILL

To improve authorities for performance of medical disabilities examinations by contract physicians for benefits under laws administered by the Secretary 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. IMPROVEMENTS TO AUTHORITY FOR PER-**
4 **FORMANCE OF MEDICAL DISABILITIES EX-**
5 **AMINATIONS BY CONTRACT PHYSICIAN.**

6 (a) EXTENSION OF TEMPORARY AUTHORITY.—Sub-
7 section (c) of section 704 of the Veterans Benefits Act
8 of 2003 (38 U.S.C. 5101 note) is amended by striking

1 “December 31, 2013” and inserting “December 31,
2 2016”.

3 (b) LICENSURE OF CONTRACT PHYSICIANS.—

4 (1) TEMPORARY AUTHORITY.—Such section
5 704 is further amended—

6 (A) by redesignating subsection (d) as sub-
7 section (e); and

8 (B) by inserting after subsection (c) the
9 following new subsection (d):

10 “(d) LICENSURE OF CONTRACT PHYSICIANS.—

11 “(1) IN GENERAL.—Notwithstanding any law
12 regarding the licensure of physicians, a physician de-
13 scribed in paragraph (2) may conduct an examina-
14 tion pursuant to a contract entered into under sub-
15 section (b) at any location in any State, the District
16 of Columbia, or a Commonwealth, territory, or pos-
17 session of the United States, so long as the examina-
18 tion is within the scope of the authorized duties
19 under such contract.

20 “(2) PHYSICIAN DESCRIBED.—A physician de-
21 scribed in this paragraph is a physician who—

22 “(A) has a current license to practice the
23 health care profession of the physician; and

1 “(B) is performing authorized duties for
2 the Department of Veterans Affairs pursuant to
3 a contract entered into under subsection (b).”.

4 (2) PILOT PROGRAM.—Section 504 of the Vet-
5 erans’ Benefits Improvement Act of 1996 (38
6 U.S.C. 5101 note) is amended—

7 (A) by redesignating subsections (c) and
8 (d) as subsections (d) and (e), respectively; and

9 (B) by inserting after subsection (b) the
10 following new subsection (c):

11 “(c) LICENSURE OF CONTRACT PHYSICIANS.—

12 “(1) IN GENERAL.—Notwithstanding any law
13 regarding the licensure of physicians, a physician de-
14 scribed in paragraph (2) may conduct an examina-
15 tion pursuant to a contract entered into under sub-
16 section (a) at any location in any State, the District
17 of Columbia, or a Commonwealth, territory, or pos-
18 session of the United States, so long as the examina-
19 tion is within the scope of the authorized duties
20 under such contract.

21 “(2) PHYSICIAN DESCRIBED.—A physician de-
22 scribed in this paragraph is a physician who—

23 “(A) has a current license to practice the
24 health care profession of the physician; and

1 “(B) is performing authorized duties for
 2 the Department of Veterans Affairs pursuant to
 3 a contract entered into under subsection (a).”.

4 (c) EXPANSION OF PILOT PROGRAM.—Subsection (b)
 5 of such section 504 is amended to read as follows:

6 “(b) LOCATIONS.—

7 “(1) NUMBER.—The Secretary may carry out
 8 the pilot program under this section through not
 9 more than 15 regional offices of the Department of
 10 Veterans Affairs.

11 “(2) SELECTION.—The Secretary shall select
 12 the regional offices under paragraph (1) by ana-
 13 lyzing appropriate data to determine the regional of-
 14 fices that require support. Such appropriate data
 15 shall include—

16 “(A) the number of backlogged claims;

17 “(B) the total pending case workload;

18 “(C) the length of time cases have been
 19 pending;

20 “(D) the accuracy of completed cases;

21 “(E) the overall timeliness of completed
 22 cases;

23 “(F) the availability and workload of the
 24 examination units and physicians of the medical
 25 centers in the regional office; and

1 “(G) any other data the Secretary deter-
2 mines appropriate.

3 “(3) ANNUAL ANALYSIS.—The Secretary shall
4 carry out the data analysis of the regional offices
5 under paragraph (2) during each year in which the
6 program under this section is carried out to deter-
7 mine the regional offices selected under paragraph
8 (1) for such year.”.

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