

115TH CONGRESS
2D SESSION

S. 3417

To require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 6, 2018

Mr. MERKLEY (for himself, Mr. TILLIS, Mr. WYDEN, Mr. WARNER, Mr. BROWN, and Mrs. SHAHEEN) 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 carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Health Care
3 Staffing Improvement Act”.

4 **SEC. 2. PROGRAM TO INCREASE EFFICIENCY IN THE RE-**
5 **CRUITMENT AND HIRING BY THE DEPART-**
6 **MENT OF VETERANS AFFAIRS OF HEALTH**
7 **CARE WORKERS UNDERGOING SEPARATION**
8 **FROM THE ARMED FORCES.**

9 (a) PROGRAM.—The Secretary of Veterans Affairs
10 shall, in coordination with the Secretary of Defense, carry
11 out a program to recruit individuals who are undergoing
12 separation from the Armed Forces and who served in a
13 health care capacity while serving as a member of the
14 Armed Forces. The program shall be known as the “Docs-
15 to-Doctors Program”.

16 (b) SHARING OF INFORMATION.—

17 (1) SUBMITTAL OF LIST.—For purposes of car-
18 rying out the program, not less frequently than once
19 per year (or a shorter period that the Secretary of
20 Veterans Affairs and the Secretary of Defense may
21 jointly specify), the Secretary of Defense shall sub-
22 mit to the Secretary of Veterans Affairs a list of
23 members of the Armed Forces, including the reserve
24 components, who—

25 (A) served in a health care capacity while
26 serving as a member of the Armed Forces;

1 (B) are undergoing or have undergone sep-
2 aration from the Armed Forces during the pe-
3 riod covered by the list; and

4 (C) will be discharged from the Armed
5 Forces under honorable conditions, as deter-
6 mined by the Secretary of Defense, or have
7 been discharged from the Armed Forces under
8 honorable conditions during the period covered
9 by the list.

10 (2) USE OF OCCUPATIONAL CODES.—Each list
11 submitted under paragraph (1) shall include mem-
12 bers of the Armed Forces who were assigned a Mili-
13 tary Occupational Specialty code, an Air Force Spe-
14 cialty Code, or a United States Navy rating indic-
15 ative of service in a health care capacity.

16 (3) INFORMATION INCLUDED.—Each list sub-
17 mitted under paragraph (1) shall include the fol-
18 lowing information, to the extent such information is
19 available to the Secretary of Defense, with respect to
20 each member of the Armed Forces included in such
21 list:

22 (A) Contact information.

23 (B) Rank upon separation from the Armed
24 Forces.

1 (C) A description of health care experience
2 while serving as a member of the Armed Forces
3 and other relevant health care experience, in-
4 cluding any relevant credential, such as a cer-
5 tificate, certification, or license, including the
6 name of the institution or organization that
7 issued the credential.

8 (4) CONSULTATION WITH SECRETARY OF
9 HOMELAND SECURITY.—In submitting each list
10 under paragraph (1), the Secretary of Defense shall
11 consult with the Secretary of Homeland Security
12 with respect to matters concerning the Coast Guard
13 when it is not operating as a service in the Navy.

14 (c) RESOLUTION OF BARRIERS TO EMPLOYMENT.—

15 (1) IN GENERAL.—In carrying out the program,
16 the Secretary of Veterans Affairs shall, in coordina-
17 tion with the Secretary of Defense, work to resolve
18 any barriers relating to credentialing or to specific
19 hiring rules, procedures, and processes of the De-
20 partment of Veterans Affairs that may delay or pre-
21 vent the hiring of individuals who are undergoing
22 separation from the Armed Forces and who served
23 in a health care capacity while serving as a member
24 of the Armed Forces, including by reconciling dif-
25 ferent credentialing processes and standards between

1 the Department of Veterans Affairs and the Depart-
2 ment of Defense.

3 (2) REPORT.—If the Secretary of Veterans Af-
4 fairs determines that a barrier described in para-
5 graph (1) cannot be resolved under such paragraph,
6 the Secretary shall, not later than 90 days after the
7 discovery of the barrier, submit to Congress a report
8 that includes such recommendations for legislative
9 and administrative action as the Secretary considers
10 appropriate to resolve the barrier, including any bar-
11 rier imposed by a State.

12 (d) TREATMENT OF APPLICATIONS FOR EMPLOY-
13 MENT.—An application for employment in the Depart-
14 ment of Veterans Affairs in a health care capacity received
15 by the Secretary of Veterans Affairs from a member or
16 former member of the Armed Forces who is on a list sub-
17 mitted to the Secretary under subsection (b) shall not be
18 considered an application from outside the work force of
19 the Department for purposes of section 3330 of title 5,
20 United States Code, and section 335.105 of title 5, Code
21 of Federal Regulations (as in effect on the date of the
22 enactment of this Act), if the application is received not
23 later than one year after the separation of the member
24 or former member from the Armed Forces.

1 **SEC. 3. UNIFORM CREDENTIALING STANDARDS FOR CER-**
 2 **TAIN HEALTH CARE PROFESSIONALS OF THE**
 3 **DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Subchapter II of chapter 74 of
 5 title 38, United States Code, is amended by inserting after
 6 section 7423 the following new section:

7 **“§ 7423A. Personnel administration: uniform**
 8 **credentialing process**

9 “(a) UNIFORM PROCESS.—The Secretary shall imple-
 10 ment a uniform credentialing process for employees of the
 11 Veterans Health Administration for each position specified
 12 in section 7421(b) of this title and advanced practice reg-
 13 istered nurses.

14 “(b) RECOGNITION THROUGHOUT ADMINISTRA-
 15 TION.—If an employee of the Administration in a position
 16 described in subsection (a) is credentialed under this sec-
 17 tion for purposes of practicing in a location within the Ad-
 18 ministration, such credential shall be deemed to be suffi-
 19 cient for the employee to practice in any location within
 20 the Administration.

21 “(c) RENEWAL.—(1) Except as provided in para-
 22 graph (2), the Secretary may provide for the renewal of
 23 credentials under this section pursuant to such regulations
 24 as the Secretary may prescribe for such purpose.

1 “(2) Renewal of credentials under this section may
 2 not be required solely because an employee moves from
 3 one facility of the Department to another.

4 “(d) ADVANCED PRACTICE REGISTERED NURSE DE-
 5 FINED.—In this section, the term ‘advanced practice reg-
 6 istered nurse’ has the meaning given that term in section
 7 5509(e)(1) of the Patient Protection and Affordable Care
 8 Act (Public Law 111–148; 42 U.S.C. 1395ww note).”.

9 (b) CLERICAL AMENDMENT.—The table of sections
 10 at the beginning of chapter 74 of such title is amended
 11 by inserting after the item relating to section 7423 the
 12 following new item:

“7423A. Personnel administration; uniform credentialing process.”.

13 (c) EFFECTIVE DATE.—The Secretary of Veterans
 14 Affairs shall implement the uniform credentialing process
 15 required under section 7423A of such title, as added by
 16 subsection (a), not later than one year after the date of
 17 the enactment of this Act.

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