

Res. 944) providing for consideration of the bill (H.R. 5143) to provide greater transparency and congressional oversight of international insurance standards setting processes, and for other purposes; providing for proceedings during the period from December 9, 2016, through January 3, 2017; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF VETERANS AFFAIRS EMERGENCY MEDICAL STAFFING RECRUITMENT AND RETENTION ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4150) to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to modify the hours of employment of physicians employed on a full-time basis by the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4150

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Veterans Affairs Emergency Medical Staffing Recruitment and Retention Act”.

SEC. 2. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking “(a) The hours” and inserting “(a)(1) Except as provided in paragraph (2), the hours”; and

(2) by adding at the end the following new paragraph:

“(2)(A) Upon the advance written request of a covered physician, the Secretary may modify the hours of employment for a physician appointed in the Administration under any provision of this chapter on a full-time basis to be more or less than 80 hours in a biweekly pay period, subject to the requirements in subparagraph (B). For the purpose of determining pay, such a physician shall be deemed to have a biweekly schedule of 80 hours of employment.

“(B) A physician with an irregular work schedule established under subparagraph (A) shall be obligated to account for at least 2,080 hours of employment (through performance of work or use of leave or paid time off) in a calendar year.

“(C) The Secretary may prescribe regulations to implement this paragraph, including regulations making adjustments to address the annual hours requirement for physicians who are covered by this paragraph for only a portion of a calendar year.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days in which to revise and extend their remarks and to add extraneous material on H.R. 4150, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4150, as amended, the Department of Veterans Affairs Emergency Medical Staffing Recruitment and Retention Act, would authorize the VA, upon written request, to modify the hours of employment for full-time physicians to be more than or less than 80 hours in a biweekly pay period, as agreed to by the physician and hospital management.

Earlier this year, the VA testified that there are nearly 4,000 physician vacancies across the VA healthcare system. The VA's ability to effectively recruit and retain high-quality medical professionals to care for our veterans is threatened by the Nation's worsening physician shortage, which the Association of American Medical Colleges has stated could grow to just under 100,000 physicians by 2025. In light of this, it is imperative that we provide the VA with every available tool to improve physician recruitment and to make efficient use of the current physician workforce.

Currently, the VA's ability in both regards is hampered by a rigid 80-hour, biweekly work schedule that is at odds with private sector industry standards. Typically, emergency room, ER, providers in non-VA hospitals across the country work flexible schedules to accommodate the irregular hours that emergency medicine demands. However, ER doctors in VA medical facilities are not afforded the opportunity to adopt the flexible schedules that their private sector colleagues enjoy. This bill would correct that discrepancy and improve the VA's ability to recruit and retain ER physicians.

H.R. 4150, as amended, which has my full support, originated as a VA legislative proposal and is sponsored by Congressman RAUL RUIZ of California, who is an emergency medical physician. I am grateful to him for his efforts in addressing this issue, and I urge all of my colleagues to support this needed legislation.

I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4150, as amended, introduced by my very good friend, the gentleman from California (Mr. RUIZ). This legislation will improve the recruitment and retention of medical professionals at the Department of Veterans Affairs.

H.R. 4150, as amended, allows the VA to arrange flexible physician work schedules to allow for the staffing and full implementation of a hospitalist physician system and to accommodate the unusual work schedule require-

ments for emergency medicine physicians. We all recognize the need for flexibility when working the rigorous and irregular hours that are routinely required of emergency medicine doctors. Giving the VA the ability to have flexible working hours that best suit the demand for delivering health care to the veterans who rely on those doctors just makes sense.

The current 80-hour, biweekly pay period limitation for these doctors creates challenges at the VA medical centers to adequately and sensibly staff the emergency rooms. Generally, most healthcare providers work a traditional 40-hour workweek. However, for hospitalists and emergency room physicians, they may need to work more than that in a week to provide safe, quality health care to veterans who seek services at the VA.

Ensuring access to care for veterans has been a major focus of this committee's, and this bill will help to eliminate the access barrier and provide a more efficient and effective way to ensure that the emergency rooms across the VA healthcare system are ready to take care of our veterans. Importantly, the bill also includes protections for physicians by requiring their consent before they can move to the flexible schedule.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I, too, am strongly in favor of this bill. I don't know where Dr. RUIZ was with regard to this 40-hour week, but I wish he had been around when I was in training and in practice because it would have been a joy to have worked just 40 hours. This particular bill allows the flexibility that every other hospital in the world has for staffing, and this is with the consent of the physicians and the hospital. It just makes sense.

I am so glad that Dr. RUIZ brought this up. As a practicing ER physician, he knows about this, and he knows exactly what it is.

I appreciate Dr. RUIZ bringing this up and making the committee aware of it. This will become a new law.

Mr. Speaker, I reserve the balance of my time.

□ 1600

Mr. TAKANO. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. RUIZ), my good friend who is an emergency room physician and a member of the Veterans' Affairs Committee.

Mr. RUIZ. I would like to thank the chairman and the ranking member.

Mr. Speaker, I would say to the gentleman from Tennessee (Mr. ROE) that I too had 100-, 120-hour workweeks and months; and I was the scut, of course, during my internships and residency; so I understand the words that you have spoken.

I rise in support of my bill, H.R. 4150, the Department of Veterans Affairs

Emergency Medical Staffing Recruitment and Retention Act.

The point is this, and it is very simple: the VA needs to provide high-quality care that is veteran-centered. That is why I introduced this bill which works to address the difficulty of recruiting and retaining the best physicians to work within the VA healthcare system.

The problem is that, by law, the VA is beholden to the bureaucratic OPM's 80-biweekly requirement for full-time physicians. This does not fit with the current practice of physicians in many specialties, including emergency medicine and hospital medicine. These specialties typically require more flexible, often irregular working hours—some weeks they work less; some weeks they work the triple amount—but it needs to fit their schedule in order for them to provide the best care that they can for the patient.

Also, for instance, in emergency departments, it has been studied that the most dangerous time for a patient is during shift changes when a patient's care is transferred to another doctor. It all depends on the quality of the transfer, discussing what happened, and the follow-up that the second doctor is going to do. Therefore, emergency physicians prefer to work 12-hour shifts in order to minimize that transfer, and many emergency physicians work beyond their 12 hours in order to not transfer and just close the patient's case.

So this bill would give the VA the flexibility it needs to schedule physicians in a manner similar to that scene in the private sector while remaining OPM-compliant.

This bill will provide VA medical centers with the ability to implement flexible physician work schedules that can accommodate hospitalists' and emergency physicians' schedules and practices.

Our veterans deserve high-quality care. Attracting the best and brightest physicians to practice at the VA is a critical step in that direction.

And like my other bills up for consideration today as part of other legislation on the floor—the Veterans Access to Speedy Review Act, the Veterans' Survivors Claims Processing Automation Act—this bill works to ensure that the VA works for veterans, to make sure that it is about serving the veteran.

Let's pass this bill, Mr. Speaker, and take another step towards providing the highest quality care for those who have given the ultimate sacrifice to our Nation.

I thank the chairman once again, and I thank the ranking member for his efforts in getting this to the floor today.

Mr. ROE of Tennessee. Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, before I close, I want to just add how proud I am that we got this bill over the finish line, working together with the majority, working together with the stakeholders.

I want to give special words of gratitude to the staff in my office and the staff on the Veterans' Affairs Committee for working extra hours to get this bill done.

This makes enormous sense to do, and it should have been done sooner, but I am very glad we could get it done in this Congress.

I look very much forward to working with Dr. ROE in the next Congress to do similar bills and bills of greater magnitude in the future.

Mr. Speaker, I strongly support this legislation. I urge my colleagues to join me in passing H.R. 4150, as amended.

I yield back the balance of my time. Mr. ROE of Tennessee. Mr. Speaker, I too encourage all Members to support H.R. 4150.

I also want to thank both the staff of the minority and the majority for their incredible work. Alex Large, who is on staff in my office, has worked very hard on many of these bills.

This is a time around our country where many of our young men and women are stationed in harm's way away from their families at the holidays. I too have done that, and I just appreciate very much the sacrifice that these men and women make for us each and every day. Let's not forget that there are people out there in some very dangerous places right now, as we speak, who are protecting our freedoms.

With that, it is indeed a pleasure to work on this committee because it is a bipartisan committee, and I think that the committee is laser-focused on doing what is right for veterans.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 4150, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6394, by the yeas and nays;
H. Res. 939, by the yeas and nays;
H.R. 6416, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

IMPROVING BROADBAND ACCESS FOR VETERANS ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the mo-

tion to suspend the rules and pass the bill (H.R. 6394) to require the Federal Communications Commission to submit to Congress a report on promoting broadband Internet access service for veterans, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATTA) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 411, nays 4, not voting 18, as follows:

[Roll No. 604]

YEAS—411

Abraham	Costello (PA)	Griffith
Adams	Courtney	Grijalva
Aderholt	Cramer	Guinta
Aguilar	Crawford	Guthrie
Allen	Crenshaw	Gutiérrez
Amodel	Crowley	Hanabusa
Ashford	Cuellar	Hanna
Babin	Culberson	Hardy
Barletta	Cummings	Harper
Barr	Curbelo (FL)	Harris
Barton	Davidson	Hartzler
Beatty	Davis (CA)	Hastings
Becerra	Davis, Danny	Heck (NV)
Benishek	Davis, Rodney	Hensarling
Bera	DeFazio	Herrera Beutler
Beyer	DeGette	Hice, Jody B.
Bilirakis	Delaney	Higgins
Bishop (GA)	DeLauro	Hill
Bishop (MI)	DelBene	Himes
Bishop (UT)	Denham	Hinojosa
Black	Dent	Holding
Blackburn	DeSantis	Honda
Blum	DeSaulnier	Hoyer
Blumenauer	DesJarlais	Hudson
Bonamici	Deutch	Huelskamp
Bost	Diaz-Balart	Huffman
Boustany	Dingell	Huizenga (MI)
Boyle, Brendan	Doggett	Hultgren
F.	Dold	Hunter
Brady (PA)	Donovan	Hurd (TX)
Brady (TX)	Doyle, Michael	Hurt (VA)
Brat	F.	Issa
Bridenstine	Duckworth	Jackson Lee
Brooks (AL)	Duffy	Jeffries
Brooks (IN)	Duncan (SC)	Jenkins (KS)
Brownley (CA)	Duncan (TN)	Jenkins (WV)
Buchanan	Edwards	Johnson (GA)
Buck	Ellison	Johnson (OH)
Bucshon	Ellmers (NC)	Johnson, E. B.
Burgess	Emmer (MN)	Johnson, Sam
Bustos	Engel	Jones
Butterfield	Eshoo	Jordan
Byrne	Esty	Joyce
Calvert	Evans	Kaptur
Capps	Farenthold	Katko
Capuano	Farr	Keating
Cárdenas	Fincher	Kelly (IL)
Carney	Fitzpatrick	Kelly (MS)
Carson (IN)	Fleischmann	Kelly (PA)
Carter (GA)	Fleming	Kennedy
Carter (TX)	Flores	Kildee
Cartwright	Fortenberry	Killmer
Castro (TX)	Foster	Kind
Chabot	Fox	King (IA)
Chaffetz	Frankel (FL)	King (NY)
Chu, Judy	Franks (AZ)	Kinzinger (IL)
Cicilline	Frelinghuysen	Kline
Clark (MA)	Fudge	Knight
Clarke (NY)	Gabbard	Kuster
Clay	Galleo	Labrador
Cleaver	Garamendi	LaHood
Clyburn	Garrett	LaMalfa
Coffman	Gibbs	Lamborn
Cohen	Gibson	Lance
Cole	Gohmert	Langevin
Collins (GA)	Goodlatte	Larsen (WA)
Collins (NY)	Gosar	Larson (CT)
Comer	Gowdy	Latta
Comstock	Graham	Lawrence
Conaway	Graves (GA)	Levin
Connolly	Graves (LA)	Lewis
Conyers	Graves (MO)	Lieu, Ted
Cook	Grayson	Lipinski
Cooper	Green, Al	LoBiondo
Costa	Green, Gene	Loeb sack