

115TH CONGRESS 1ST SESSION

### S. 1153

#### AN ACT

To prohibit or suspend certain health care providers from providing non-Department of Veterans Affairs health care services to veterans, 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 Acquiring					
3	Community Care Expect Safe Services Act of 2017" or					
4	the "Veterans ACCESS Act".					
5	SEC. 2. PREVENTION OF CERTAIN HEALTH CARE PRO-					
6	VIDERS FROM PROVIDING NON-DEPARTMENT					
7	HEALTH CARE SERVICES TO VETERANS.					
8	(a) IN GENERAL.—On and after the date that is one					
9	year after the date of the enactment of this Act, the Sec-					
10	retary of Veterans Affairs shall deny or revoke the eligi-					
11	bility of a health care provider to provide non-Department					
12	health care services to veterans if the Secretary determines					
13	that the health care provider—					
14	(1) was removed from employment with the De-					
15	partment of Veterans Affairs due to conduct that					
16	violated a policy of the Department relating to the					
17	delivery of safe and appropriate health care;					
18	(2) violated the requirements of a medical li-					
19	cense of the health care provider;					
20	(3) had a Department credential revoked and					
21	the grounds for such revocation impacts the ability					
22	of the health care provider to deliver safe and appro-					
23	priate health care; or					
24	(4) violated a law for which a term of imprison-					
25	ment of more than one year may be imposed.					

- 1 (b) PERMISSIVE ACTION.—On and after the date that
- 2 is one year after the date of the enactment of this Act,
- 3 the Secretary may deny, revoke, or suspend the eligibility
- 4 of a health care provider to provide non-Department
- 5 health care services if the Secretary has reasonable belief
- 6 that such action is necessary to immediately protect the
- 7 health, safety, or welfare of veterans and—
- 8 (1) the health care provider is under investiga-
- 9 tion by the medical licensing board of a State in
- which the health care provider is licensed or prac-
- 11 tices;
- 12 (2) the health care provider has entered into a
- settlement agreement for a disciplinary charge relat-
- ing to the practice of medicine by the health care
- 15 provider; or
- 16 (3) the Secretary otherwise determines that
- such action is appropriate under the circumstances.
- 18 (c) Suspension.—The Secretary shall suspend the
- 19 eligibility of a health care provider to provide non-Depart-
- 20 ment health care services to veterans if the health care
- 21 provider is suspended from serving as a health care pro-
- 22 vider of the Department.
- 23 (d) Initial Review of Department Employ-
- 24 MENT.—Not later than one year after the date of the en-
- 25 actment of this Act, with respect to each health care pro-

- 1 vider providing non-Department health care services, the
- 2 Secretary shall review the status of each such health care
- 3 provider as an employee of the Department and the his-
- 4 tory of employment of each such health care provider with
- 5 the Department to determine whether the health care pro-
- 6 vider is described in any of subsections (a) through (c).
- 7 (e) Comptroller General Report.—Not later
- 8 than two years after the date of the enactment of this Act,
- 9 the Comptroller General of the United States shall submit
- 10 to Congress a report on the implementation by the Sec-
- 11 retary of this section, including the following:
- 12 (1) The aggregate number of health care pro-
- viders denied or suspended under this section from
- participation in providing non-Department health
- care services.
- 16 (2) An evaluation of any impact on access to
- health care for patients or staffing shortages in pro-
- grams of the Department providing non-Department
- 19 health care services.
- 20 (3) An explanation of the coordination of the
- 21 Department with the medical licensing boards of
- States in implementing this section, the amount of
- 23 involvement of such boards in such implementation,
- and efforts by the Department to address any con-

1	cerns raised by such boards with respect to such im-					
2	plementation.					
3	(4) Such recommendations as the Comptrolle					
4	General considers appropriate regarding harmo-					
5	nizing eligibility criteria between health care pro-					
6	viders of the Department and health care providers					
7	eligible to provide non-Department health care serv-					
8	ices.					
9	(f) Non-Department Health Care Services De-					
10	FINED.—In this section, the term "non-Department					
11	health care services" means services—					
12	(1) provided under subchapter I of chapter 17					
13	of title 38, United States Code, at non-Department					
14	facilities (as defined in section 1701 of such title);					
15	(2) provided under section 101 of the Veterans					
16	Access, Choice, and Accountability Act of 2014					
17	(Public Law 113–146; 38 U.S.C. 1701 note);					
18	(3) purchased through the Medical Community					
19	Care account of the Department; or					
20	(4) purchased with amounts deposited in the					
21	Veterans Choice Fund under section 802 of the Vet-					

- 1 erans Access, Choice, and Accountability Act of
- 2 2014.

Passed the Senate November 9, 2017.

Attest:

Secretary.

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