

115TH CONGRESS
1ST SESSION

S. 426

To increase educational assistance provided by the Department of Veterans Affairs for education and training of physician assistants of the Department, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2017

Mr. TESTER (for himself, Ms. BALDWIN, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To increase educational assistance provided by the Department of Veterans Affairs for education and training of physician assistants of the Department, to establish pay grades and require competitive pay for physician assistants 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Grow Our Own Direc-
5 tive: Physician Assistant Employment and Education Act
6 of 2017”.

1 **SEC. 2. PILOT PROGRAM TO PROVIDE EDUCATIONAL AS-**
2 **SISTANCE TO PHYSICIAN ASSISTANTS TO BE**
3 **EMPLOYED AT THE DEPARTMENT OF VET-**
4 **ERANS AFFAIRS.**

5 (a) PILOT PROGRAM.—

6 (1) IN GENERAL.—The Secretary of Veterans
7 Affairs shall carry out a pilot program to be known
8 as the “Grow Our Own Directive” or “G.O.O.D.”
9 pilot program (in this section referred to as the
10 “pilot program”) to provide educational assistance
11 to certain former members of the Armed Forces for
12 education and training as physician assistants of the
13 Department of Veterans Affairs.

14 (2) INFORMATION ON PILOT PROGRAM.—The
15 Secretary shall provide information on the pilot pro-
16 gram to eligible individuals under subsection (b), in-
17 cluding information on application requirements and
18 a list of entities with which the Secretary has
19 partnered under subsection (i).

20 (b) ELIGIBLE INDIVIDUALS.—An individual is eligi-
21 ble to participate in the pilot program if the individual—

22 (1) has medical or military health experience
23 gained while serving as a member of the Armed
24 Forces;

1 (2) has received a certificate, associate degree,
2 baccalaureate degree, master's degree, or postbaccalaureate training in a science relating to health care;

3 (3) has participated in the delivery of health
4 care services or related medical services, including
5 participation in military training relating to the
6 identification, evaluation, treatment, and prevention
7 of diseases and disorders; and

8 (4) does not have a degree of doctor of medicine,
9 doctor of osteopathy, or doctor of dentistry.

10 (c) DURATION.—The pilot program shall be carried
11 out during the five-year period beginning on the date that
12 is 180 days after the date of the enactment of this Act.

13 (d) SELECTION.—

14 (1) IN GENERAL.—The Secretary shall select eligible
15 individuals under subsection (b) to participate
16 in the pilot program.

17 (2) PRIORITY FOR SELECTION.—In selecting individuals
18 to participate in the pilot program under
19 paragraph (1), the Secretary shall give priority to
20 the following individuals:

21 (A) Individuals who participated in the Intermediate
22 Care Technician Pilot Program of
23 the Department that was carried out by the
24

Secretary between January 2011 and February 2015.

(B) Individuals who agree to be employed as a physician assistant for the Veterans Health Administration at a medical facility of the Department located in a community that—

(i) is designated as a medically underserved population under section 330(b)(3)(A) of the Public Health Service Act (42 U.S.C. 254b(b)(3)(A)); and

(ii) is in a State with a per capita population of veterans of more than 9 percent according to the National Center for Veterans Analysis and Statistics and the United States Census Bureau.

(e) EDUCATIONAL ASSISTANCE.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary shall provide educational assistance to individuals participating in the pilot program, including through the use of scholarships, to cover the costs to such individuals of obtaining a master's degree in physician assistant studies or a similar master's degree.

(2) USE OF EXISTING PROGRAMS.—In providing educational assistance under paragraph (1),

1 the Secretary shall use the Department of Veterans
2 Affairs Health Professionals Educational Assistance
3 Program under chapter 76 of title 38, United States
4 Code, and such other educational assistance pro-
5 grams of the Department as the Secretary considers
6 appropriate.

7 (3) USE OF SCHOLARSHIPS.—The Secretary
8 shall provide not fewer than 35 new scholarships
9 under the pilot program to individuals participating
10 in the pilot program during each year in which the
11 pilot program is carried out.

12 (f) PERIOD OF OBLIGATED SERVICE.—

13 (1) IN GENERAL.—The Secretary shall enter
14 into an agreement with each individual participating
15 in the pilot program in which such individual agrees
16 to be employed as a physician assistant for the Vet-
17 erans Health Administration for a period of obli-
18 gated service specified in paragraph (2).

19 (2) PERIOD SPECIFIED.—With respect to each
20 individual participating in the pilot program, the pe-
21 riod of obligated service specified in this paragraph
22 for the individual is—

23 (A) if the individual is participating in the
24 pilot program through a program described in
25 subsection (e)(2) that specifies a period of obli-

gated service, the period specified with respect
to such program; or

(B) if the individual is participating in the
pilot program other than through a program
described in such subsection, or if such program
does not specify a period of obligated service, a
period of three years or such other period as
the Secretary considers appropriate for pur-
poses of the pilot program.

(g) BREACH.—

(1) LIABILITY.—Except as provided in para-
graph (2), an individual who participates in the pilot
program and fails to satisfy the period of obligated
service under subsection (f) shall be liable to the
United States, in lieu of such obligated service, for
the amount that has been paid or is payable to or
on behalf of the individual under the pilot program,
reduced by the proportion that the number of days
served for completion of the period of obligated serv-
ice bears to the total number of days in the period
of obligated service of such individual.

(2) EXCEPTION.—If an individual is partici-
pating in the pilot program through a program de-
scribed in subsection (e)(2) that specifies a period of
obligated service, the liability of the individual for

1 failing to satisfy the period of obligated service
 2 under subsection (f) shall be determined as specified
 3 with respect to such program.

4 (h) MENTORS.—The Secretary shall ensure that a
 5 physician assistant mentor or mentors are available for in-
 6 dividuals participating in the pilot program at each facility
 7 of the Veterans Health Administration at which a partici-
 8 pant in the pilot program is employed.

9 (i) PARTNERSHIPS.—In carrying out the pilot pro-
 10 gram, the Secretary shall seek to partner with the fol-
 11 lowing:

12 (1) Not fewer than 15 institutions of higher
 13 education that—

14 (A) offer a master's degree program in
 15 physician assistant studies or a similar area of
 16 study that is accredited by the Accreditation
 17 Review Commission on Education for the Phy-
 18 sician Assistant; and

19 (B) agree—

20 (i) to guarantee seats in such master's
 21 degree program for individuals partici-
 22 pating in the pilot program who meet the
 23 entrance requirements for such master's
 24 degree program; and

1 (ii) to provide individuals partici-
2 pating in the pilot program with informa-
3 tion on admissions criteria and the admis-
4 sions process.

5 (2) Other institutions of higher education that
6 offer programs in physician assistant studies or
7 other similar areas of studies that are accredited by
8 the Accreditation Review Commission on Education
9 for the Physician Assistant.

10 (3) The Transition Assistance Program of the
11 Department of Defense.

12 (4) The Veterans' Employment and Training
13 Service of the Department of Labor.

14 (5) Programs carried out under chapter 41 of
15 title 38, United States Code, for the purpose of mar-
16 keting and advertising the pilot program to veterans
17 and members of the Armed Forces who may be in-
18 terested in the pilot program.

19 (j) ADMINISTRATION OF PILOT PROGRAM.—For pur-
20 poses of carrying out the pilot program, the Secretary
21 shall appoint or select within the Office of Physician As-
22 sistant Services of the Veterans Health Administration the
23 following:

24 (1) A Deputy Director for Education and Ca-
25 reer Development of Physician Assistants who—

1 (A) is a physician assistant, a veteran, and
2 employed by the Department as of the date of
3 the enactment of this Act;

4 (B) is responsible for—

5 (i) overseeing the pilot program;

6 (ii) recruiting candidates to partici-
7 pate in the pilot program;

8 (iii) coordinating with individuals par-
9 ticipating in the pilot program and assist-
10 ing those individuals in applying and being
11 admitted to a master's degree program
12 under the pilot program; and

13 (iv) providing information to eligible
14 individuals under subsection (b) with re-
15 spect to the pilot program; and

16 (C) may be employed in the field at a med-
17 ical center of the Department.

18 (2) A Deputy Director of Recruitment and Re-
19 tention who—

20 (A) is a physician assistant, a veteran, and
21 employed by the Department as of the date of
22 the enactment of this Act;

23 (B) is responsible for—

24 (i) identifying and coordinating the
25 needs of the pilot program;

1 (ii) assisting the Secretary in pro-
2 viding mentors under subsection (h) to
3 participants in the pilot program; and

4 (iii) coordinating the staff of facilities
5 of the Veterans Health Administration
6 with respect to identifying employment po-
7 sitions and mentors under subsection (h)
8 for participants in the pilot program; and

9 (C) may be employed in the field at a med-
10 ical center of the Department.

11 (3) A recruiter who—

12 (A) reports directly to the Deputy Director
13 of Recruitment and Retention appointed or se-
14 lected under paragraph (2); and

15 (B) works with the Workforce Manage-
16 ment and Consulting Office and the Healthcare
17 Talent Management Office of the Veterans
18 Health Administration to develop and imple-
19 ment national recruiting strategic plans for the
20 recruitment and retention of physician assist-
21 ants within the Department.

22 (4) An administrative assistant, compensated at
23 a rate not less than level GS–6 of the General
24 Schedule, or equivalent, who assists with administra-
25 tive duties relating to the pilot program in the Office

1 of Physician Assistant Services and such other du-
2 ties as determined by the Secretary to ensure that
3 the Office runs effectively and efficiently.

4 (k) REPORT.—

5 (1) IN GENERAL.—Not later than one year
6 after the date of the enactment of this Act, the Sec-
7 retary of Veterans Affairs, in collaboration with the
8 Secretary of Labor, the Secretary of Defense, and
9 the Secretary of Health and Human Services, shall
10 submit to Congress a report on the pilot program.

11 (2) ELEMENTS.—The report required by para-
12 graph (1) shall include the following:

13 (A) The extent to which the pilot program
14 is effective in improving the ability of eligible
15 individuals under subsection (b) to become phy-
16 sician assistants.

17 (B) An examination of whether the pilot
18 program is achieving the goals of—

19 (i) enabling individuals to build on
20 medical skills gained as members of the
21 Armed Forces by entering into the physi-
22 cian assistant workforce of the Depart-
23 ment; and

1 (ii) helping to meet the shortage of
 2 physician assistants employed by the De-
 3 partment.

4 (C) An identification of such modifications
 5 to the pilot program as the Secretary of Vet-
 6 erans Affairs, the Secretary of Labor, the Sec-
 7 retary of Defense, and the Secretary of Health
 8 and Human Services consider necessary to meet
 9 the goals described in subparagraph (B).

10 (D) An assessment of whether the pilot
 11 program could serve as a model for other pro-
 12 grams of the Department to assist individuals
 13 in obtaining certification and employment in
 14 other health care fields.

15 (I) SOURCE OF AMOUNTS.—Not less than \$8,000,000
 16 of the amount necessary to carry out the pilot program
 17 shall be derived from amounts appropriated to the Depart-
 18 ment of Veterans Affairs before the date of the enactment
 19 of this Act.

20 **SEC. 3. MINIMUM NUMBER OF SCHOLARSHIPS FOR PHYSI-**
 21 **CIAN ASSISTANTS UNDER EDUCATION AS-**
 22 **SISTANCE PROGRAMS OF THE DEPARTMENT**
 23 **OF VETERANS AFFAIRS.**

24 (a) HEALTH PROFESSIONAL SCHOLARSHIP PRO-
 25 GRAM.—

1 (1) IN GENERAL.—Subchapter II of chapter 76
 2 of title 38, United States Code, is amended by in-
 3 serting after the item relating to section 7618 the
 4 following new item:

5 **“§ 7618A. Scholarships for education and training to**
 6 **become physician assistants**

7 “(a) IN GENERAL.—The Secretary shall ensure that
 8 not fewer than 25 new scholarships are awarded each year
 9 to individuals for education and training to become physi-
 10 cian assistants.

11 “(b) NEW SCHOLARSHIP DEFINED.—In this section,
 12 the term ‘new scholarship’ means a scholarship awarded
 13 under the Scholarship Program to an individual who has
 14 not previously received a scholarship under the Scholar-
 15 ship Program.”.

16 (2) CLERICAL AMENDMENT.—Chapter 76 of
 17 such title is amended by inserting after the item re-
 18 lating to section 7618 the following new item:

“7618A. Scholarships for education and training to become physician assist-
 ants.”.

19 (b) EMPLOYEE INCENTIVE SCHOLARSHIP PRO-
 20 GRAM.—

21 (1) IN GENERAL.—Subchapter VI of chapter 76
 22 of title 38, United States Code, is amended by in-
 23 serting after the item relating to section 7675 the
 24 following new item:

1 **“§ 7676. Scholarships for education and training to**
 2 **become physician assistants**

3 “(a) IN GENERAL.—The Secretary shall ensure that
 4 not fewer than 25 new scholarships are awarded each year
 5 to individuals for education and training to become physi-
 6 cian assistants.

7 “(b) NEW SCHOLARSHIP DEFINED.—In this section,
 8 the term ‘new scholarship’ means a scholarship awarded
 9 under the Program to an individual who has not previously
 10 received a scholarship under the Program.”.

11 (2) CLERICAL AMENDMENT.—Chapter 76 of
 12 such title is amended by inserting after the item re-
 13 lating to section 7675 the following new item:

“7676. Scholarships for education and training to become physician assistants.”.

14 (c) EFFECTIVE DATE.—The amendments made by
 15 this section shall take effect on the date that is 180 days
 16 after the date of the enactment of this Act.

17 **SEC. 4. ESTABLISHMENT OF STANDARDS FOR THE DEPART-**
 18 **MENT OF VETERANS AFFAIRS FOR USING**
 19 **EDUCATIONAL ASSISTANCE PROGRAMS TO**
 20 **EDUCATE AND HIRE PHYSICIAN ASSISTANTS**
 21 **AND INCREASE OF AMOUNTS AVAILABLE FOR**
 22 **PHYSICIAN ASSISTANTS.**

23 (a) ESTABLISHMENT OF STANDARDS.—

24 (1) IN GENERAL.—The Secretary of Veterans
 25 Affairs shall establish standards described in para-

1 graph (2) to improve the use by the Department of
2 Veterans Affairs of the Department of Veterans Af-
3 fairs Health Professionals Educational Assistance
4 Program under chapter 76 of title 38, United States
5 Code, and other educational assistance programs of
6 the Department, including the pilot program under
7 section 2, to educate and hire physician assistants of
8 the Department.

9 (2) STANDARDS DESCRIBED.—The standards
10 described in this subsection are the following:

11 (A) Holding directors of medical centers of
12 the Department accountable for failure to use
13 the educational assistance programs described
14 in paragraph (1) and other incentives—

15 (i) to advance employees of the De-
16 partment in their education as physician
17 assistants; and

18 (ii) to improve recruitment and reten-
19 tion of physician assistants.

20 (B) Ensuring that the Department of Vet-
21 erans Affairs Education Debt Reduction Pro-
22 gram under subchapter VII of chapter 76 of
23 such title is available for participants in the
24 pilot program under section 2 to fill vacant phy-

1 sician assistant positions at the Department, in-
2 cluding by—

3 (i) including in all vacancy announce-
4 ments for physician assistant positions a
5 statement regarding the availability of the
6 Education Debt Reduction Program; and

7 (ii) informing applicants to physician
8 assistant positions of their eligibility for
9 the Education Debt Reduction Program.

10 (C) Monitoring compliance with the appli-
11 cation process for educational assistance pro-
12 grams described in paragraph (1) to ensure
13 that such programs are being fully utilized to
14 carry out this section.

15 (D) Creating programs, including through
16 the use of the Department of Veterans Affairs
17 Employee Incentive Scholarship Program under
18 subchapter VI of chapter 76 of such title, to en-
19 courage employees of the Department to apply
20 to accredited physician assistant programs.

21 (b) INCREASE OF AMOUNTS.—To the maximum ex-
22 tent practicable, for each year during the five-year period
23 beginning on the date of the enactment of this Act, the
24 Secretary shall increase (as compared to the previous
25 year) the scholarship amounts provided to individuals

1 under subchapters II and VI of chapter 76 of title 38,
 2 United States Code, and any other relevant educational
 3 assistance programs of the Department of Veterans Af-
 4 fairs, for courses of education or training to become physi-
 5 cian assistants of the Department.

6 (c) REGULATIONS.—The Secretary shall prescribe
 7 such regulations as the Secretary considers appropriate to
 8 carry out this section.

9 **SEC. 5. PAY GRADES FOR PHYSICIAN ASSISTANTS OF THE**
 10 **DEPARTMENT OF VETERANS AFFAIRS AND**
 11 **COMPETITIVE PAY REQUIREMENTS.**

12 (a) ESTABLISHMENT OF PAY GRADES.—Section
 13 7404(b) of title 38, United States Code, is amended by
 14 adding at the end the following:

“PHYSICIAN ASSISTANT SCHEDULE
 “Physician Assistant IV.
 “Physician Assistant III.
 “Physician Assistant II.
 “Physician Assistant I.”.

15 (b) COMPETITIVE PAY.—Section 7451(a)(2) of such
 16 title is amended—

17 (1) by redesignating subparagraph (B) as sub-
 18 paragraph (C);

19 (2) by inserting after subparagraph (A) the fol-
 20 lowing new subparagraph (B):

21 “(B) Physician assistant.”; and

22 (3) in subparagraph (C), as redesignated by
 23 paragraph (1), by striking “and registered nurse”

1 and inserting “registered nurse, and physician as-
2 sistant”.

3 (c) NATIONAL STRATEGIC PLAN.—

4 (1) IN GENERAL.—The Secretary of Veterans
5 Affairs shall implement a national strategic plan for
6 the retention and recruitment of physician assistants
7 of the Department of Veterans Affairs that includes
8 the establishment and adoption of standards for the
9 provision of competitive pay to physician assistants
10 of the Department in comparison to the pay of phy-
11 sician assistants in the private sector.

12 (2) REPORT.—Not later than one year after the
13 date of the enactment of this Act, the Secretary
14 shall submit to the Committee on Veterans’ Affairs
15 of the Senate and the Committee on Veterans’ Af-
16 fairs of the House of Representatives a report on the
17 implementation of the national strategic plan under
18 paragraph (1).

○