

Suspend the Rules And Pass the Bill, H.R. 3234, with Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

114TH CONGRESS
1ST SESSION

H. R. 3234

To amend title 38, United States Code, to establish within the Department of Veterans Affairs an Office of Failing Medical Center Recovery, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2015

Mrs. ROBY introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish within the Department of Veterans Affairs an Office of Failing Medical Center Recovery, 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 “VA Medical Center
5 Recovery Act”.

1 **SEC. 2. EVALUATION AND IMPROVEMENT OF MEDICAL**
2 **CENTERS.**

3 (a) UNDERPERFORMING MEDICAL CENTERS.—

4 (1) IN GENERAL.—Chapter 73 of title 38,
5 United States Code, is amended by inserting after
6 section 7311A the following new section:

7 **“§ 7311B. Evaluation and improvement of medical**
8 **centers**

9 “(a) IDENTIFICATION OF UNDERPERFORMING MED-
10 ICAL CENTERS.—(1) Not later than 15 days after the end
11 of each fiscal quarter, the Secretary shall publish in the
12 Federal Register and on a publically available, searchable
13 Internet website of the Department a compilation of key
14 health metrics for each medical center of the Department.

15 “(2) On a semiannual basis, the Secretary shall de-
16 termine, under the key health metrics, whether each med-
17 ical center of the Department is satisfactory or underper-
18 forming.

19 “(b) RAPID DEPLOYMENT TEAMS.—(1) Not later
20 than 30 days after the date on which the Secretary identi-
21 fies a medical center as an underperforming medical cen-
22 ter under subsection (a)(2), the Secretary shall deploy a
23 rapid deployment team to the medical center to ensure
24 that the medical center achieves satisfactory performance
25 as quickly as practicable.

1 “(2) Each rapid deployment team deployed to an
2 underperforming medical center under paragraph (1)
3 shall—

4 “(A) identify the areas of the medical center
5 that require improvement, including with respect to
6 the procedures of the medical center, inefficiencies of
7 the medical center, and whether the medical center
8 follows directives and best practices;

9 “(B) establish a remediation plan to improve
10 the performance of the medical center;

11 “(C) review and assesses the status of any—

12 “(i) disciplinary actions taken at the med-
13 ical center;

14 “(ii) recommendations made by the Inspec-
15 tor General of the Department applicable to the
16 medical center; and

17 “(iii) findings made by the Comptroller
18 General of the United States applicable to the
19 medical center; and

20 “(D) provide training to the director and staff
21 of the medical center with respect to carrying out
22 such improvements.

23 “(3) The Secretary shall ensure that—

1 “(A) the director of each underperforming med-
2 ical center carries out the remediation plan under
3 paragraph (2)(B); and

4 “(B) the rapid deployment team has access to
5 all facilities and all electronic systems, records, re-
6 ports, audits, reviews, documents, papers, or other
7 materials the rapid deployment team determines
8 necessary to carry out this subsection.

9 “(4) Each rapid deployment team deployed to an
10 underperforming medical center under paragraph (1) shall
11 consist of—

12 “(A) subject matter experts with experience
13 in—

14 “(i) customer service training;

15 “(ii) increasing the efficiency of organiza-
16 tions;

17 “(iii) clinical care specific to the areas in
18 which the underperforming medical center re-
19 quires improvement; and

20 “(iv) any other areas that the Secretary
21 determines appropriate to improve the under-
22 performing medical center; and

23 “(B) an employee of the Office of the Inspector
24 General of the Department.

1 “(5) To the extent practicable, each rapid deployment
2 team shall include process improvement subject matter ex-
3 perts from the Veterans Experience Office of the Depart-
4 ment.

5 “(6) The Secretary shall determine the duration of
6 the deployment of a rapid deployment team under para-
7 graph (1).

8 “(c) INVESTIGATIONS AND WHISTLEBLOWER PRO-
9 TECTIONS.—(1) The Inspector General of the Department
10 shall prioritize investigations relating to underperforming
11 medical centers.

12 “(2) The Office of Accountability Review shall
13 prioritize investigations of whistleblower retaliation relat-
14 ing to underperforming medical centers.

15 “(d) QUARTERLY REPORTS.—On a quarterly basis,
16 the Secretary shall submit to Congress a report that in-
17 cludes, with respect to the quarter covered by the report—

18 “(1) each identification of an underperforming
19 medical center made by the Secretary;

20 “(2) the actions taken by the Secretary and
21 rapid deployment teams with respect to improving
22 underperforming medical centers; and

23 “(3) an update on any progress made by each
24 underperforming medical center, including whether
25 the underperforming medical center is carrying out

1 the remediation plan pursuant to subsection
2 (b)(3)(A).

3 “(e) RELATIONSHIP TO QUALITY ASSURANCE AND
4 NATIONAL QUALITY MANAGEMENT OFFICER.—The re-
5 quirements of this section are in addition to any require-
6 ments under sections 7311 and 7311A of this title.

7 “(f) DEFINITIONS.—In this section:

8 “(1) The term ‘underperforming medical center’
9 means a medical center of the Department that the
10 Secretary determines is underperforming under sub-
11 section (a)(2).

12 “(2) The term ‘key health metrics’ means the
13 following:

14 “(A) The Strategic Analytics Improvement
15 and Learning (commonly referred to as ‘SAIL’)
16 data used by the Department (or such suc-
17 cessor data metric).

18 “(B) An evaluation system established by
19 the Secretary based on the total data described
20 in subparagraph (A) to determine whether the
21 performance of a medical center is satisfactory
22 or underperforming and requires remediation
23 pursuant to this section.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 73 of such title is

1 amended by adding after the item relating to section
2 7311A the following new item:

“7311B. Evaluation and improvement of medical centers”.

3 (b) INITIAL KEY HEALTH METRICS PUBLICATION.—
4 The Secretary shall publish the initial key health metrics
5 under section 7311B(a)(1) of title 38, United States Code,
6 as added by subsection (a)(1), by not later than 90 days
7 after the date of the enactment of this Act.

8 (c) INITIAL IDENTIFICATION OF AN UNDERPER-
9 FORMING MEDICAL CENTER.—The Secretary shall make
10 the initial identifications under section 7311B(a)(2) of
11 title 38, United States Code, as added by subsection
12 (a)(1), by not later than 180 days after the date of the
13 enactment of this Act.

14 **SEC. 3. STANDARDIZED TRAINING FOR NURSES.**

15 (a) TRAINING.—The Secretary of Veterans Affairs
16 shall seek to enter into partnerships with recognized
17 schools of nursing to provide undergraduate nursing stu-
18 dents enrolled in such schools with standardized training
19 with respect to the following:

- 20 (1) The culture of the military and veterans.
- 21 (2) Post-traumatic stress disorder.
- 22 (3) Traumatic brain injury.
- 23 (4) Amputation and assistive devices.
- 24 (5) Environmental, chemical, and toxic expo-
25 sure.

- 1 (6) Substance use disorders.
- 2 (7) Military sexual trauma.
- 3 (8) Suicide.
- 4 (9) Homelessness.
- 5 (10) Serious illness at the end of life.
- 6 (11) Benefits, services, and resources for vet-
- 7 erans that are administered by the Federal Govern-
- 8 ment.
- 9 (b) DEVELOPMENT.—In developing the training
- 10 under subsection (a), the Secretary shall consult with ap-
- 11 propriate accrediting bodies, schools of nursing, and in-
- 12 dustry leaders.

Amend the title so as to read: “A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to evaluate the ability of each medical center of the Department to provide quality health care to veterans, to ensure that the Secretary improves such medical centers that are underperforming, and for other purposes.”.