

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1804
OFFERED BY MR. HUELSKAMP OF KANSAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Veterans Account-
3 ability Act of 2013”.

**4 SEC. 2. SEMIANNUAL REPORTS TO CONGRESS ON COST OF
5 CERTAIN TRAVEL.**

6 (a) IN GENERAL.—Subchapter I of chapter 5 of title
7 38, United States Code, is amended by adding at the end
8 the following new section:

**9 “§ 518. Semiannual reports to Congress on cost of cer-
10 tain travel**

11 “(a) SEMIANNUAL REPORTS.—Not later than June
12 30, 2014, and not later than 60 days after each 180-day
13 period thereafter, the Secretary shall submit to the Com-
14 mittee on Veterans’ Affairs of the House of Representa-
15 tives and the Committee on Veterans’ Affairs of the Sen-
16 ate a semiannual report on covered travel made during
17 the 180-day period covered by the report.

1 “(b) MATTERS INCLUDED.—Each report under sub-
2 section (a) shall include the following:

3 “(1) With respect to each instance of covered
4 travel made during the period covered by the re-
5 port—

6 “(A) the purpose of such travel;

7 “(B) the destination;

8 “(C) the name and title of each employee
9 included on such travel;

10 “(D) the duration of such travel;

11 “(E) the total cost to the Department of
12 such travel; and

13 “(F) with respect to covered travel de-
14 scribed in subsection (d)(2), the identity of the
15 person or entity that paid or reimbursed for
16 such travel.

17 “(2) The final costs to the Department with re-
18 spect to all covered travel made during the period
19 covered by the report, including costs relating to—

20 “(A) transportation, including fares for
21 travel by air, rail, bus, ferry, cruise ship, taxi,
22 mass transit, or other mode of transportation;

23 “(B) expenses or reimbursements relating
24 to operating and maintaining a car, including
25 the costs of fuel and mileage;

1 “(C) passport and visa fees;

2 “(D) lodging;

3 “(E) per diem payments;

4 “(F) baggage charges;

5 “(G) computer rental fees;

6 “(H) rental of halls, auditoriums, or other

7 spaces;

8 “(I) entertainment;

9 “(J) contractors;

10 “(K) registration fees; and

11 “(L) promotional items.

12 “(c) DUPLICATIVE INFORMATION.—Each report
13 under subsection (a) shall include the information de-
14 scribed in subsection (b) regardless of whether such infor-
15 mation is also included in a report under section 517 of
16 this title.

17 “(d) COVERED TRAVEL DEFINED.—In this section,
18 the term ‘covered travel’ means travel made by an em-
19 ployee of the Department of Veterans Affairs, including
20 an employee who is stationed in a foreign country, on offi-
21 cial business to any of the following locations:

22 “(1) If the Department or other element of the
23 Federal Government pays for such travel, a location
24 outside of—

25 “(A) the several States;

1 “(B) the District of Columbia;

2 “(C) a territory, commonwealth, or posses-
3 sion of the United States;

4 “(D) Indian lands (as defined in section
5 4(4) of the Indian Gaming Regulatory Act (25
6 U.S.C. 2703(4))); or

7 “(E) the territorial waters of the United
8 States.

9 “(2) If any person or entity other than the Fed-
10 eral Government pays (or reimburses) for such trav-
11 el, any location, regardless of whether the location is
12 inside or outside of the United States.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such chapter is amended by adding
15 after the item relating to section 517 the following new
16 item:

“518. Semiannual reports to Congress on cost of certain travel.”.

17 **SEC. 3. REPORT OF INFECTIOUS DISEASE AT MEDICAL FA-**
18 **CILITIES OF DEPARTMENT OF VETERANS AF-**
19 **FAIRS.**

20 (a) IN GENERAL.—Section 7311 of title 38, United
21 States Code, is amended by adding at the end the fol-
22 lowing new subsection:

23 “(f)(1) The Secretary shall report to the appropriate
24 entity each case of a notifiable infectious disease or condi-
25 tion that is diagnosed at a medical facility of the Depart-

1 ment of Veterans Affairs in accordance with the laws of
2 the State in which the facility is located.

3 “(2) In addition to reporting each case of a notifiable
4 infectious disease or condition at a medical facility of the
5 Department pursuant to paragraph (1), the Secretary
6 shall report each such case that is classified as a health-
7 care-associated infection sentinel event to the accrediting
8 organization of such facility.

9 “(3)(A) If the Secretary fails to report a case of a
10 notifiable infectious disease or condition at a medical facil-
11 ity of the Department in accordance with State law pursu-
12 ant to paragraph (1), the Secretary shall—

13 “(i) take any remedial action required under
14 the laws of the State to correct such failure; and

15 “(ii) if the Secretary does not correct such fail-
16 ure pursuant to clause (i), pay to the State an
17 amount equal to the amount that a medical facility
18 not owned by the Federal Government that is lo-
19 cated in the same State would pay as a penalty to
20 such State for such failure.

21 “(B) The State may file a civil action against the Sec-
22 retary in the United States district court for the district
23 in which the medical facility is located to recover from the
24 United States the amount described in subparagraph
25 (A)(ii).

1 “(C) A civil action under subparagraph (B) may not
2 be commenced later than two years after the cause of ac-
3 tion accrues.

4 “(4)(A) In any case in which the Inspector General
5 of the Department suspects that a director of a Veterans
6 Integrated Service Network has failed to comply with an
7 applicable provision of this subsection, the Inspector Gen-
8 eral shall conduct an investigation to determine whether
9 such director failed to comply with an applicable provision
10 of this section.

11 “(B) If the Inspector General determines under sub-
12 paragraph (A) that a director has failed to comply with
13 a provision of this subsection, the Secretary shall suspend
14 such director for such period as the Secretary considers
15 appropriate under subchapter I or subchapter II of chap-
16 ter 75 of title 5, as the case may be. In addition to such
17 suspension, the Secretary may impose such other adminis-
18 trative disciplinary action on the director as the Secretary
19 considers appropriate and for which the Secretary is oth-
20 erwise authorized.

21 “(5) The Secretary shall—

22 “(A) maintain records of each notifiable infec-
23 tious disease or condition reported pursuant to para-
24 graph (1); and

1 “(B) submit to the Committees on Veterans’
2 Affairs of the House of Representatives and the Sen-
3 ate a notification of each such notifiable infectious
4 disease or condition.

5 “(6) In this subsection, the term ‘notifiable infectious
6 disease or condition’ means any infectious disease or con-
7 dition that is—

8 “(A) on the list of nationally notifiable diseases
9 or conditions published by the Council of State and
10 Territorial Epidemiologists and the Centers for Dis-
11 ease Control and Prevention; or

12 “(B) covered by a provision of law of a State
13 that requires the reporting of infectious diseases or
14 conditions.”.

15 (b) **EFFECTIVE DATE.**—The reporting requirement
16 under section 7311(f) of title 38, United States Code, as
17 added by subsection (a), shall apply with respect to a case
18 of a notifiable infectious disease or condition diagnosed at
19 a medical facility of the Department of Veterans Affairs
20 on or after the date that is 60 days after the date of the
21 enactment of this Act.

22 **SEC. 4. PROHIBITION OF VISUAL RECORDING WITHOUT IN-**
23 **FORMED CONSENT.**

24 Section 7331 of title 38, United States Code, is
25 amended—

1 (1) by striking “The Secretary, upon” and in-
2 serting “(a) IN GENERAL.—The Secretary, upon”;
3 and

4 (2) by adding at the end the following new sub-
5 section:

6 “(b) VISUAL RECORDING.—(1) The Secretary shall
7 prescribe regulations establishing procedures to ensure
8 that, except as provided by paragraph (2), any visual re-
9 cording made by the Secretary of a patient during the
10 course of furnishing care under this title is carried out
11 only with the full and informed consent of the patient or,
12 in appropriate cases, a representative thereof.

13 “(2) The Secretary may waive the requirement for
14 informed consent under paragraph (1) with respect to the
15 visual recording of a patient if such recording is made—

16 “(A) pursuant to a determination by a physi-
17 cian or psychologist that such recording is medically
18 necessary or necessary for the safety of the patient;

19 “(B) pursuant to a warrant or order of a court
20 of competent jurisdiction; or

21 “(C) in a public setting where a person would
22 not have a reasonable expectation to privacy, such as
23 a waiting room or hallway, and such recording is for
24 general security purposes not particularized to the
25 patient.

1 “(3) In this subsection, the term ‘visual recording’
2 means the recording or transmission of images or video,
3 but does not include—

4 “(A) medical imaging, including such imaging
5 produced by radiographic procedures, nuclear medi-
6 cine, endoscopy, ultrasound, or other similar proce-
7 dures; or

8 “(B) images, video, and other clinical informa-
9 tion transmitted for the purposes of providing treat-
10 ment through telehealth and telemedicine tech-
11 nologies.”.

Amend the title so as to read: “A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress semiannual reports on the cost of certain travel made by employees of the Department of Veterans Affairs, and for other purposes.”.

