

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3471
OFFERED BY MRS. WALORSKI OF INDIANA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Veterans Mobility
3 Safety Act of 2016”.

**4 SEC. 2. PERSONAL SELECTIONS OF AUTOMOBILES AND
5 ADAPTIVE EQUIPMENT.**

6 Section 3903(b) of title 38, United States Code, is
7 amended—

8 (1) by striking “Except” and inserting “(1) Ex-
9 cept”; and

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

12 “(2) The Secretary shall ensure that to the extent
13 practicable an eligible person who is provided an auto-
14 mobile or other conveyance under this chapter is given the
15 opportunity to make personal selections relating to such
16 automobile or other conveyance.”.

1 **SEC. 3. COMPREHENSIVE POLICY FOR THE AUTOMOBILES**
2 **ADAPTIVE EQUIPMENT PROGRAM.**

3 (a) **COMPREHENSIVE POLICY.**—The Secretary of
4 Veterans Affairs shall develop a comprehensive policy re-
5 garding quality standards for providers who provide modi-
6 fication services to veterans under the automobile adaptive
7 equipment program.

8 (b) **SCOPE.**—The policy developed under subsection
9 (a) shall cover each of the following:

10 (1) The Department of Veterans Affairs-wide
11 management of the automobile adaptive equipment
12 program.

13 (2) The development of standards for safety
14 and quality of equipment and installation of equip-
15 ment through the automobile adaptive equipment
16 program, including with respect to the defined dif-
17 ferentiations in levels of modification complexity.

18 (3) The consistent application of standards for
19 safety and quality of both equipment and installation
20 throughout the Department.

21 (4) The certification of a provider by a third
22 party organization or manufacturer if the Secretary
23 designates the quality standards of such organiza-
24 tion or manufacturer as meeting or exceeding the
25 standards developed under this section.

1 (6) The education and training of personnel of
2 the Department who administer the automobile
3 adaptive equipment program.

4 (7) The compliance of the provider with the
5 Americans with Disabilities Act of 1990 (42 U.S.C.
6 12101 et seq.) when furnishing automobile adaptive
7 equipment at the facility of the provider.

8 (8) The allowance, where technically appro-
9 priate, for veterans to receive modifications at their
10 residence or location of choice.

11 (c) UPDATES.—Not later than one year after the date
12 of the enactment of this Act, the Secretary shall update
13 Veterans Health Administration Handbook 1173.4, or any
14 successor handbook or directive, in accordance with the
15 policy developed under subsection (a). Not less frequently
16 than once every six years thereafter, the Secretary shall
17 update such handbook, or any successor handbook or di-
18 rective.

19 (d) CONSULTATION.—The Secretary shall develop the
20 policy under subsection (a), and revise such policy under
21 subsection (c), in consultation with veterans service orga-
22 nizations, the National Highway Transportation Adminis-
23 tration, industry representatives, manufacturers of auto-
24 mobile adaptive equipment, and other entities with exper-
25 tise in installing, repairing, replacing, or manufacturing

1 mobility equipment or developing mobility accreditation
2 standards for automobile adaptive equipment.

3 (e) CONFLICTS.—In developing and implementing the
4 policy under subsection (a), the Secretary shall—

5 (1) minimize the possibility of conflicts of inter-
6 est, to the extent practicable; and

7 (2) establish procedures that ensure against the
8 use of a certifying entity referred to in subsection
9 (b)(4) that has a financial conflict of interest re-
10 garding the certification of an eligible provider.

11 (f) BIENNIAL REPORT.—

12 (1) IN GENERAL.—Not later than one year
13 after the date on which the Secretary updates Vet-
14 erans Health Administration Handbook 1173.4, or
15 any successor handbook or directive, under sub-
16 section (c), and biennially thereafter through 2022,
17 the Secretary shall submit to the Committees on
18 Veterans' Affairs of the House of Representatives
19 and the Senate a report on the implementation and
20 facility compliance with the policy developed under
21 subsection (a).

22 (2) CONTENTS.—The report required by para-
23 graph (1) shall include the following:

24 (A) A description of the implementation
25 plan for the policy developed under subsection

1 (a) and any revisions to such policy under sub-
2 section (c).

3 (B) A description of the performance
4 measures used to determine the effectiveness of
5 such policy in ensuring the safety of veterans
6 enrolled in the automobile adaptive equipment
7 program.

8 (C) An assessment of safety issues due to
9 improper installations based on a survey of re-
10 cipients of adaptive equipment from the De-
11 partment.

12 (D) An assessment of the adequacy of the
13 adaptive equipment services of the Department
14 based on a survey of recipients of adaptive
15 equipment from the Department.

16 (E) An assessment of the training provided
17 to the personnel of the Department with respect
18 to administering the program.

19 (F) An assessment of the certified pro-
20 viders of the Department of adaptive equipment
21 with respect to meeting the minimum standards
22 developed under subsection (b)(2).

23 (g) DEFINITIONS.—In this section:

24 (1) The term “automobile adaptive equipment
25 program” means the program administered by the

1 Secretary of Veterans Affairs pursuant to chapter
2 39 of title 38, United States Code.

3 (2) The term “veterans service organization”
4 means any organization recognized by the Secretary
5 for the representation of veterans under section
6 5902 of title 38, United States Code.

7 **SEC. 4. APPOINTMENT OF LICENSED HEARING AID SPE-**
8 **CIALISTS IN VETERANS HEALTH ADMINIS-**
9 **TRATION.**

10 (a) LICENSED HEARING AID SPECIALISTS.—

11 (1) APPOINTMENT.—Section 7401(3) of title
12 38, United States Code, is amended by inserting “li-
13 censed hearing aid specialists,” after “Audiol-
14 ogists,”.

15 (2) QUALIFICATIONS.—Section 7402(b)(14) of
16 such title is amended by inserting “hearing aid spe-
17 cialist” after “dental technologist”.

18 (b) HANDBOOK.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary shall up-
20 date and reissue the handbook of the Veteran Health Ad-
21 ministration numbered 1170.02 and titled “VHA Audi-
22 ology and Speech-Language Pathology Services” to reflect
23 the requirements made by this section or the amendments
24 under this section. Such updates shall include—

1 (1) a requirement that a hearing aid specialist
2 may only perform hearing services consistent with
3 the hearing aid specialist's State license related to
4 the practice of fitting and dispensing hearing aids
5 without excluding other qualified professionals, in-
6 cluding audiologists, from rendering services in over-
7 lapping practice areas;

8 (2) a requirement that services provided to vet-
9 erans by hearing aid specialists shall be provided as
10 part of the non-medical treatment plan developed by
11 an audiologist; and

12 (3) a requirement that the medical facilities of
13 the Department of Veterans Affairs ensure veterans
14 have access to the full range of professional services
15 provided by an audiologist.

16 (c) CONSULTATION.—In determining the qualifica-
17 tions required for hearing aid specialists and in carrying
18 out subsection (b), the Secretary shall consult with vet-
19 erans service organizations, audiologists,
20 otolaryngologists, hearing aid specialists, and other stake-
21 holder and industry groups as the Secretary determines
22 appropriate.

23 (d) ANNUAL REPORT.—

24 (1) IN GENERAL.—Not later than one year
25 after the date of the enactment of this Act, and an-

1 nually thereafter during the five-year period begin-
2 ning on the date of the enactment of this Act, the
3 Secretary of Veterans Affairs shall submit to Con-
4 gress a report on the following:

5 (A) Timely access of veterans to hearing
6 health services through the Department of Vet-
7 erans Affairs.

8 (B) Contracting policies of the Department
9 with respect to providing hearing health serv-
10 ices to veterans in facilities that are not facili-
11 ties of the Department.

12 (2) **TIMELY ACCESS TO SERVICES.**—Each re-
13 port shall, with respect to the matter specified in
14 paragraph (1)(A) for the one-year period preceding
15 the submittal of such report, include the following:

16 (A) The staffing levels of audiologists,
17 hearing aid specialists, and health technicians
18 in audiology in the Veterans Health Adminis-
19 tration.

20 (B) A description of the metrics used by
21 the Secretary in measuring performance with
22 respect to appointments and care relating to
23 hearing health.

24 (C) The average time that a veteran waits
25 to receive an appointment, beginning on the

1 date on which the veteran makes the request,
2 for the following:

3 (i) A disability rating evaluation for a
4 hearing-related disability.

5 (ii) A hearing aid evaluation.

6 (iii) Dispensing of hearing aids.

7 (iv) Any follow-up hearing health ap-
8 pointment.

9 (D) The percentage of veterans whose total
10 wait time for appointments described in sub-
11 paragraph (C), including an initial and follow-
12 up appointment, if applicable, is more than 30
13 days.

14 (3) CONTRACTING POLICIES.—Each report
15 shall, with respect to the matter specified in para-
16 graph (1)(B) for the one-year period preceding the
17 submittal of such report, include the following:

18 (A) The number of veterans that the Sec-
19 retary refers to non-Department audiologists
20 for hearing health care appointments.

21 (B) The number of veterans that the Sec-
22 retary refers to non-Department hearing aid
23 specialists for follow-up appointments for a
24 hearing aid evaluation, the dispensing of hear-

1 ing aids, or any other purpose relating to hear-
2 ing health.

