

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1848
OFFERED BY MR. ROE OF TENNESSEE**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Veterans Affairs Med-
3 ical Scribe Pilot Act of 2017”.

**4 SEC. 2. DEPARTMENT OF VETERANS AFFAIRS MEDICAL
5 SCRIBE PILOT PROGRAM.**

6 (a) IN GENERAL.—The Secretary of Veterans Affairs
7 shall carry out a two-year pilot program under which the
8 Secretary shall increase the use of medical scribes at De-
9 partment of Veterans Affairs medical centers.

10 (b) LOCATIONS.—The Secretary shall carry out the
11 pilot program at the 10 medical centers of the Department
12 as follows:

13 (1) At least four such medical centers located
14 in rural areas.

15 (2) At least four such medical centers located
16 in urban areas.

1 (3) Two such medical centers located in areas
2 with need for increased access or increased effi-
3 ciency, as determine by the Secretary.

4 (c) MEDICAL SCRIBES.—

5 (1) HIRING.—Under the pilot program the Sec-
6 retary shall—

7 (A) hire 20 new Department of Veterans
8 Affairs term employees as medical scribes; and

9 (B) seek to enter into contracts with ap-
10 propriate entities for the employment of 20 ad-
11 ditional medical scribes.

12 (2) DISTRIBUTION.—The Secretary shall assign
13 four medical scribes to each of the 10 medical cen-
14 ters of the Department where the Secretary carries
15 out the pilot program as follows:

16 (A) Two scribes shall be assigned to each
17 of two physicians.

18 (B) Thirty percent of the scribes shall be
19 employed in the provision of emergency care.

20 (C) Seventy percent of the scribes shall be
21 employed in the provision of speciality care in
22 specialties with the longest patient wait times
23 or lowest efficiency ratings, as determined by
24 the Secretary.

25 (d) REPORTS.—

1 (1) REPORTS TO CONGRESS.—Not later than
2 180 days after the commencement of the pilot pro-
3 gram required under this section, and every 180
4 days thereafter for the duration of the pilot pro-
5 gram, the Secretary of Veterans Affairs shall submit
6 to Congress a report on the pilot program. Each
7 such report shall include each of the following:

8 (A) A separate analysis of each the fol-
9 lowing with respect to medical scribes employed
10 by the Department of Veterans Affairs and
11 medical scribes performing Department of Vet-
12 erans Affairs functions under a contract:

13 (i) Provider efficiency.

14 (ii) Patient satisfaction.

15 (iii) Average wait time.

16 (iv) The number of patients seen per
17 day by each physician or practitioner.

18 (v) The amount of time required to
19 hire and train an employee to perform
20 medical scribe functions under the pilot
21 program.

22 (B) Metrics and data for analyzing the ef-
23 fects of the pilot program, including an evalua-
24 tion of the each of the elements under clauses
25 (i) through (iv) of subparagraph (A) at medical

1 centers who employed scribes under the pilot
2 program for an appropriate period preceding
3 the hiring of such scribes.

4 (2) COMPTROLLER GENERAL REPORT.—Not
5 later than 90 days after the termination of the pilot
6 program under this section, the Comptroller General
7 of the United States shall submit to Congress a re-
8 port on the pilot program. Such report shall include
9 a comparison of the pilot program with similar pro-
10 grams carried out in the private sector.

11 (e) DEFINITIONS.—In this section:

12 (1) The term “medical scribe” means an unli-
13 censed individual hired to enter information into the
14 electronic health record or chart at the direction of
15 a physician or licensed independent practitioner
16 whose responsibilities include the following:

17 (A) Assisting the physician or practitioner
18 in navigating the electronic health record.

19 (B) Responding to various messages as di-
20 rected by the physician or practitioner.

21 (C) Entering information into the elec-
22 tronic health record, as directed by the physi-
23 cian or practitioner.

24 (2) The terms “urban” and “rural” have the
25 meanings given such terms under the rural-urban

1 commuting codes developed by the Secretary of Agri-
2 culture and the Secretary of Health and Human
3 Services.

4 (f) FUNDING.—The pilot program under this section
5 shall be carried out using amounts otherwise authorized
6 to be appropriated for the Department of Veterans Af-
7 fairs. No additional amounts are authorized to be appro-
8 priated to carry out such program.

9 **SEC. 3. PROHIBITION ON SMOKING IN FACILITIES OF THE**
10 **VETERANS HEALTH ADMINISTRATION.**

11 (a) PROHIBITION.—Section 1715 of title 38, United
12 States Code, is amended to read as follows:

13 **“§ 1715. Prohibition on smoking in facilities of the**
14 **Veterans Health Administration**

15 “(a) PROHIBITION.—(1)(A) Except as provided in
16 subparagraph (B), no person may smoke indoors in any
17 facility of the Veterans Health Administration.

18 “(B) In the case of a facility of the Veterans Health
19 Administration that is a community living center, no per-
20 son may smoke indoors in such facility on or after Decem-
21 ber 31, 2018.

22 “(2) No person may smoke outdoors in any facility
23 of the Veterans Health Administration on or after October
24 1, 2021.

25 “(b) DEFINITIONS.—In this section:

1 “(1) The term ‘smoke’ includes the smoking of
2 cigarettes (including e-cigarettes or electronic ciga-
3 rettes), cigars, pipes, and any other combustion of
4 tobacco.

5 “(2) The term ‘facility of the Veterans Health
6 Administration’ means any land or building (includ-
7 ing any medical center, nursing home, domiciliary
8 facility, outpatient clinic, or center that provides re-
9 adjustment counseling) that is—

10 “(A) under the jurisdiction of the Depart-
11 ment of Veterans Affairs;

12 “(B) under the control of the Veterans
13 Health Administration; and

14 “(C) not under the control of the General
15 Services Administration.

16 “(3) The term ‘community living center’ means
17 a facility of the Department that provides nursing
18 home care.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) The table of sections at the beginning of
21 chapter 17 of such title is amended by striking the
22 item relating to section 1715 and inserting the fol-
23 lowing:

 “1715. Prohibition on smoking in facilities of the Veterans Health Administra-
 tion.”.

- 1 (2) Section 526 of the Veterans Health Care
- 2 Act of 1992 (Public Law 102–585) is repealed.
- 3 (c) EFFECTIVE DATE.—This section shall take effect
- 4 90 days after the date of the enactment of this Act.

Amend the title so as to read: “A bill to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, and for other purposes.”.

