

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. _____
OFFERED BY M. _____

Strike all after the enacting clause and insert the following:

1 **SEC. .**

2 **SECTION 1. SHORT TITLE.**

3 This Act may be cited as the “Improving Oversight
4 of Veterans Community Care Providers Act of 2022”.

5 **SEC. 2. IDENTIFICATION OF HEALTH CARE PROVIDERS**
6 **THAT ARE NOT ELIGIBLE TO PARTICIPATE IN**
7 **VETERANS COMMUNITY CARE PROGRAM.**

8 (a) PLAN.—

9 (1) REQUIREMENT.—Beginning not later than
10 90 days after the date of the enactment of this Act,
11 the Secretary of Veterans Affairs, acting through
12 the Under Secretary for Health, shall carry out a
13 plan to improve the methods by which the Secretary
14 identifies health care providers that are not eligible
15 to participate in the Veterans Community Care Pro-
16 gram.

17 (2) MATTERS INCLUDED.—The plan under
18 paragraph (1) shall include the following:

1 (A) Modifying the standard operating pro-
2 cedures of the Office of Community Care of the
3 Veterans Health Administration regarding the
4 exclusion of health care providers from partici-
5 pating in the Veterans Community Care Pro-
6 gram to require the automated continuous
7 matching of health care providers in the Pro-
8 vider Profile Management System of the Vet-
9 erans Health Administration, or such successor
10 system, with covered data systems using mul-
11 tiple unique identifiers, including taxpayer iden-
12 tification number, national provider identifier,
13 Social Security number, and date of birth.

14 (B) A fraud risk analysis conducted by the
15 Office of Community Care regarding the exclu-
16 sion of health care providers from participating
17 in the Veterans Community Care Program that
18 includes—

19 (i) an assessment of the likelihood and
20 impact of inherent fraud risks relating to
21 the self-certification of State licenses and
22 addresses provided by health care pro-
23 viders;

24 (ii) a determination of the fraud risk
25 tolerance; and

1 (iii) an examination of the suitability
2 of existing fraud controls.

3 (C) Any other matters the Under Sec-
4 retary determines will improve the oversight of
5 health care providers participating in the Vet-
6 erans Community Care Program.

7 (b) CERTIFICATION.—Not later than 270 days after
8 the date of the enactment of this Act, the Secretary shall
9 certify to the Committees on Veterans' Affairs of the
10 House of Representatives and the Senate that the Sec-
11 retary has implemented the plan under subsection (a).

12 (c) REPORTS.—

13 (1) INITIAL REPORT.—Not later than one year
14 after the date of the enactment of this Act, the Sec-
15 retary shall submit to the Committees on Veterans'
16 Affairs of the House of Representatives and the Sen-
17 ate a report that—

18 (A) describes the progress the Under Sec-
19 retary has made in carrying out the plan under
20 subsection (a); and

21 (B) includes recommendations for legisla-
22 tive action to further improve the methods by
23 which the Secretary identifies health care pro-
24 viders that are not eligible to participate in the
25 Veterans Community Care Program.

1 (2) UPDATE.—Not later than two years after
2 the date on which the Secretary submits the report
3 under paragraph (1), the Secretary shall submit to
4 the Committees on Veterans’ Affairs of the House of
5 Representatives and the Senate an update to the re-
6 port.

7 (d) DEFINITIONS.—In this section:

8 (1) The term “covered data systems” means
9 the following:

10 (A) The List of Excluded Individuals/Enti-
11 ties of the Office of Inspector General of the
12 Department of Health and Human Services.

13 (B) The System for Award Management
14 Exclusions list described in part 9 of title 48,
15 Code of Federal Regulations, and part 180 of
16 title 2 of such Code, or successor regulations.

17 (C) The monthly deactivation file of the
18 National Plan and Provider Enumeration Sys-
19 tem of the Centers for Medicare & Medicaid
20 Services.

21 (D) The National Practitioner Data Bank
22 established pursuant to the Health Care Quality
23 Improvement Act of 1986 (42 U.S.C. 11101 et
24 seq.).

1 (2) The term “Veterans Community Care Pro-
2 gram” means the program established under section
3 1703 of title 38, United States Code.

