

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3482
OFFERED BY Mr. Barrett

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Veterans Community
3 Care Scheduling Improvement Act”.

4 SEC. 2. SCHEDULING OF APPOINTMENTS UNDER THE VET-
5 ERANS COMMUNITY CARE PROGRAM.

6 (a) **ELECTRONIC PROCESS.**—Subsection (d) of sec-
7 tion 3101 of the Johnny Isakson and David P. Roe, M.D.
8 Veterans Health Care and Benefits Improvement Act of
9 2020 (Public Law 116–315; 38 U.S.C. 1701 note) is
10 amended to read as follows:

11 “(d) **ELECTRONIC PROCESS.**—(1) The Secretary
12 shall implement an electronic process through which a
13 scheduler of the Department, using an information tech-
14 nology system, may schedule an appointment for health
15 care furnished through the Veterans Community Care
16 Program, under section 1703 of this title, by a non-De-
17 partment health care provider.

1 “(2) The electronic process under this subsection
2 shall allow a scheduler, with regards to appointments de-
3 scribed in—

4 “(A) either clause of subparagraph (A) of sub-
5 section (a)(1), to view, search, and sort such ap-
6 pointments by type of care, location, and date; and

7 “(B) clause (ii) of such subparagraph—

8 “(i) to schedule such an appointment;

9 “(ii) to provide referral and authorization
10 documents directly to a non-Department pro-
11 vider; and

12 “(iii) to perform any other function the
13 Secretary determines necessary.

14 “(3) The Secretary shall ensure that the electronic
15 process—

16 “(A) may be modified to allow a scheduler to
17 schedule an appointment for health care furnished
18 by the Secretary through a health care provider of
19 the Department; and

20 “(B) is more cost effective or efficient than the
21 process under subsection (a).

22 “(4) The Secretary shall implement the electronic
23 process through an existing agreement if practicable.

24 “(5) The Secretary shall submit to the Committees
25 on Veterans’ Affairs of the Senate and House of Rep-

1 representatives the following reports regarding the electronic
2 process:

3 “(A) Not later than 30 days after the Secretary
4 makes a determination under subparagraph (D) of
5 paragraph (4), a report regarding the function the
6 Secretary has determined necessary.

7 “(B) Not later than 18 months after the date
8 of the enactment of Veterans Community Care
9 Scheduling Improvement Act, and annually there-
10 after during the following five years, a report re-
11 garding operation of the electronic process during
12 the year preceding the date of the report. Such a re-
13 port shall include the following:

14 “(i) The number of non-Department health
15 care providers that participated in such elec-
16 tronic process.

17 “(ii) The number of appointments with
18 non-Department health care providers sched-
19 uled pursuant to the electronic process,
20 disaggregated by—

21 “(I) category of hospital care or med-
22 ical services provided; and

23 “(II) month.

24 “(iii) A comparison of the average wait
25 time for appointments scheduled through the

1 electronic process and through non-electronic
2 methods.

3 “(iv) The rates at which veterans cancelled
4 appointments scheduled through the electronic
5 process.

6 “(v) The rates at which veterans did not
7 appear for appointments scheduled through the
8 electronic process.”.

9 (b) IMPLEMENTATION.—

10 (1) DATE.—The Secretary of Veterans Affairs
11 shall implement the electronic process under sub-
12 section (d) of section 1703H of such title, as added
13 by this section, not later than two years after the
14 date of the enactment of this Act.

15 (2) REGULATIONS.—Not later than 90 days
16 after the date of the enactment of this Act, the Sec-
17 retary of Veterans Affairs shall prescribe regulations
18 under such section 1703H. Such regulations shall
19 include the following:

20 (A) Procedures for schedulers and other
21 employees of the Department of Veterans Af-
22 fairs involved in the scheduling of appointments
23 described in such section.

1 (B) A directive that employees described in
2 subparagraph (A) use the electronic process to
3 the extent practicable.

4 (C) A directive that employees described in
5 subparagraph (A), when scheduling an appoint-
6 ment for a covered veteran (as such term is
7 used in section 1703 of such title) for health
8 care furnished by the Secretary, inform such
9 covered veteran of available appointments
10 through providers of the Department and
11 through providers under the Veterans Commu-
12 nity Care Program.

13 (D) Procedures for engaging with non-De-
14 partment health care providers in specialized
15 cases.

16 (E) Standards regarding timeliness and ac-
17 curacy.

18 (F) Escalation protocols for scheduling
19 failures or delays.

20 (3) TRAINING.—Not later than 180 days after
21 the date of the enactment of this Act, the Secretary
22 shall implement a mandatory training program for
23 employees described in paragraph (2) regarding the
24 regulations under paragraph (2).

1 (4) EVALUATION.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall prescribe performance benchmarks and
4 outcome-based metrics for the electronic process
5 under such section, including—

6 (A) time between a referral and a sched-
7 uled appointment;

8 (B) patient satisfaction; and

9 (C) the percentage of appointments sched-
10 uled exclusively through the electronic process.

11 (5) OUTREACH.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary
13 shall plan and carry out an outreach strategy to en-
14 courage non-Department of Veterans Affairs health
15 care providers that participate in the Veterans Com-
16 munity Care Program to participate in the electronic
17 process under such subsection. Such outreach
18 shall—

19 (A) include contacting each such provider
20 during such 90 days;

21 (B) include seeking to enter into an agree-
22 ment with each such provider under which the
23 provider shall participate in the electronic proc-
24 ess;

1 (C) include collaborating with State hos-
2 pital associations and rural health associations
3 to promote such participation;

4 (D) focus on providers in specialties or un-
5 derserved areas, as determined by the Sec-
6 retary; and

7 (E) include the publication, on a publicly
8 accessible website of the Department, informa-
9 tion regarding—

10 (i) details of the electronic process;

11 (ii) how a provider may elect to par-
12 ticipate in the electronic process; and

13 (iii) a point of contact in the Depart-
14 ment regarding the electronic process.

15 (6) OVERSIGHT.—The Secretary shall submit to
16 the Committees on Veterans' Affairs of the Senate
17 and House of Representatives, with regards to the
18 electronic process under such subsection, the fol-
19 lowing:

20 (A) Not later than 30 days after the Sec-
21 retary prescribes regulations under paragraph
22 (2) of this subsection, a copy of such regula-
23 tions.

24 (B) Not later than 30 days after the Sec-
25 retary formulates the plan under paragraph (5)

1 of this subsection, a briefing on the outreach
2 strategy under such paragraph.

3 (C) Not later than 180 days after the date
4 of the enactment of this Act, the benchmarks
5 and metrics prescribed under paragraph (4).

6 (c) CODIFICATION.—

7 (1) IN GENERAL.—Section 3101 of such Act, as
8 amended by subsection (a), is transferred to sub-
9 chapter I of chapter 17 of title 38, United States
10 Code, inserted after section 1703G, and redesign-
11 nated as section 1703H.

12 (2) CONFORMING AMENDMENTS.—Section
13 1703H of such title, as added by this section, is
14 amended—

15 (A) by striking any heading that is not a
16 section heading or subsection heading and con-
17 forming the margins accordingly;

18 (B) by striking “of title 38, United States
19 Code” both places it appears and inserting “of
20 this title”;

21 (C) in subsection (b)(1), by striking “Not
22 later than one year after the date of the enact-
23 ment of this Act, the Secretary” and inserting
24 “The Secretary”;

25 (D) in subsection (c)—

1 (i) in paragraph (1), in the matter
2 preceding subparagraph (A), by striking
3 “Not later than 180 days after the date of
4 the enactment of this Act, the Secretary”
5 and inserting “The Secretary”; and

6 (ii) in paragraph (2), by striking sub-
7 paragraphs (A) and (B) and inserting
8 “The Secretary shall require each medical
9 facility of the Department to use the meth-
10 od or tool described in paragraph (1).”;

11 (E) in the section enumerator, by striking
12 “SEC.” and inserting “§”; and

13 (F) in the section heading—

14 (i) by striking “**PROCESS AND RE-**
15 **QUIREMENTS FOR SCHEDULING AP-**
16 **POINTMENTS FOR HEALTH CARE**
17 **FROM DEPARTMENT OF VETERANS AF-**
18 **FAIRS AND NON-DEPARTMENT**
19 **HEALTH CARE.**” and inserting “**SCHED-**
20 **ULING OF APPOINTMENTS**”; and

21 (ii) by conforming the typeface and
22 typestyle, including capitalization, to the
23 typeface and typestyle used in the section
24 heading of section 1703G of such title.

1 (3) TABLE OF SECTIONS.—The table of sections
2 at the beginning of such chapter is amended by in-
3 serting, after the item relating to section 1703G, the
4 following new item:

“1703H. Scheduling of appointments.”.

5 **SEC. 3. EXTENSION OF CERTAIN LIMITS ON PAYMENT OF**
6 **PENSION.**

7 Section 5503(d)(7) of title 38, United States Code,
8 is amended by striking “November 30, 2031” and insert-
9 ing “May 31, 2032”.

