

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3482
OFFERED BY Ms. BUDZINSKI**

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 by the Department or through the Veterans
16 Community Care Program, under section 1703 of this
17 title, by a non-Department 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 allows a scheduler to schedule an appointment for
16 health care furnished by the Secretary through a health
17 care provider of the Department.

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

20 “(5) The Secretary shall submit to the Committees
21 on Veterans’ Affairs of the Senate and House of Rep-
22 resentatives the following regarding the electronic process:

23 “(A) Not later than 90 days after the Secretary
24 makes a determination under subparagraph (B)(iii)

1 of paragraph (2), a briefing regarding the functions
2 the Secretary has determined necessary.

3 “(B) Not later than six months after the date
4 of the enactment of Veterans Community Care
5 Scheduling Improvement Act, and semiannually
6 thereafter during the following three years, a report
7 regarding operation of the electronic process during
8 both the semiannual period preceding the date of the
9 report and the cumulative period since the date of
10 the enactment of such Act. Such a report shall in-
11 clude the following for each such period:

12 “(i) The number of non-Department health
13 care providers that participated in such elec-
14 tronic process, disaggregated by—

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

17 “(II) medical center of the Depart-
18 ment;

19 “(ii) The number of appointments sched-
20 uled pursuant to the electronic process,
21 disaggregated by—

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

24 “(II) medical center of the Depart-
25 ment; and

1 “(III) month.

2 “(iii) A comparison of the average wait
3 time for appointments scheduled through the
4 electronic process and through non-electronic
5 methods, disaggregated by medical center of the
6 Department.

7 “(iv) The rates at which veterans cancelled
8 appointments scheduled through the electronic
9 process.

10 “(v) The rates at which veterans did not
11 appear for appointments scheduled through the
12 electronic process.”.

13 (b) IMPLEMENTATION.—

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

19 (2) GUIDELINES.—Not later than 90 days after
20 the date of the enactment of this Act, the Secretary
21 of Veterans Affairs shall establish guidelines. Such
22 guidelines shall include the following:

23 (A) Procedures for schedulers and other
24 employees of the Department involved in the

1 scheduling of appointments described in such
2 section.

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

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

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

18 (E) Standards regarding timeliness and ac-
19 curacy.

20 (F) Escalation protocols for scheduling
21 failures or delays.

22 (3) TRAINING.—Not later than 180 days after
23 the date of the enactment of this Act, the Secretary
24 shall implement a mandatory training program for

1 employees described in paragraph (2) regarding the
2 guidelines under paragraph (2).

3 (4) EVALUATION.—Not later than 60 days after
4 the date of the enactment of this Act, the Secretary
5 shall prescribe performance benchmarks and out-
6 come-based metrics for the electronic process under
7 such section, including—

8 (A) time between a referral and a sched-
9 uled appointment;

10 (B) patient satisfaction; and

11 (C) the percentage of appointments sched-
12 uled exclusively through the electronic process.

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

21 (A) include contacting each such provider
22 during such 90 days;

23 (B) include seeking to enter into an agree-
24 ment with each such provider under which the

1 provider shall participate in the electronic proc-
2 ess;

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

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

9 (E) include the publication, on a publicly
10 accessible website of the Department, of infor-
11 mation regarding—

12 (i) details of the electronic process;

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

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

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

22 (A) Not later than 30 days after the Sec-
23 retary establishes guidelines under paragraph
24 (2) of this subsection, a copy of such guidelines.

1 (B) Not later than 30 days after the Sec-
2 retary formulates the plan under paragraph (5)
3 of this subsection, a briefing on the outreach
4 strategy under such paragraph.

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

8 (c) EXPANSION.—Not later than 90 days after the
9 date of the enactment of this Act, the Secretary shall sub-
10 mit to the Committees on Veterans' Affairs of the Senate
11 and House of Representatives a plan to integrate the
12 scheduling of appointments for health care furnished
13 through health care providers of the Department of Vet-
14 erans Affairs into the electronic process under subsection
15 (d) of section 1703H of such title. Such plan shall include
16 the following elements:

17 (1) A timeline to implement such plan.

18 (2) Estimated costs to carry out such plan.

19 (3) Changes to policies and procedures of the
20 Department the Secretary determines necessary to
21 implement such plan.

22 (d) CODIFICATION.—

23 (1) IN GENERAL.—Section 3101 of such Act, as
24 amended by subsection (a), is transferred to sub-
25 chapter I of chapter 17 of title 38, United States

1 Code, inserted after section 1703G, and redesignig-
2 nated as section 1703H.

3 (2) CONFORMING AMENDMENTS.—Section
4 1703H of such title, as added by this section, is
5 amended—

6 (A) by striking any heading that is not a
7 section heading or subsection heading and con-
8 forming the margins accordingly;

9 (B) by striking “of title 38, United States
10 Code” both places it appears and inserting “of
11 this title”;

12 (C) in subsection (b)(1), by striking “Not
13 later than one year after the date of the enact-
14 ment of this Act, the Secretary” and inserting
15 “The Secretary”;

16 (D) in subsection (c)—

17 (i) in paragraph (1), in the matter
18 preceding subparagraph (A), by striking
19 “Not later than 180 days after the date of
20 the enactment of this Act, the Secretary”
21 and inserting “The Secretary”; and

22 (ii) in paragraph (2), by striking sub-
23 paragraphs (A) and (B) and inserting
24 “The Secretary shall require each medical

1 facility of the Department to use the meth-
2 od or tool described in paragraph (1).”;

3 (E) in the section enumerator, by striking
4 “**SEC.**” and inserting “**§**”; and

5 (F) in the section heading—

6 (i) by striking “**PROCESS AND RE-**
7 **QUIREMENTS FOR SCHEDULING AP-**
8 **POINTMENTS FOR HEALTH CARE**
9 **FROM DEPARTMENT OF VETERANS AF-**
10 **FAIRS AND NON-DEPARTMENT**
11 **HEALTH CARE.**” and inserting “**SCHED-**
12 **ULING OF APPOINTMENTS**”; and

13 (ii) by conforming the typeface and
14 typestyle, including capitalization, to the
15 typeface and typestyle used in the section
16 heading of section 1703G of such title.

17 (3) **TABLE OF SECTIONS.**—The table of sections
18 at the beginning of such chapter is amended by in-
19 sserting, after the item relating to section 1703G, the
20 following new item:

“1703H. Scheduling of appointments.”.

