

Suspend the Rules and Pass the Bill, H.R. 7277, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
2^D SESSION

H. R. 7277

To improve the methods by which the Secretary of Veterans Affairs identifies health care providers that are not eligible to participate in the Veterans Community Care Program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2022

Mr. PAPPAS (for himself and Mr. MANN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To improve the methods by which the Secretary of Veterans Affairs identifies health care providers that are not eligible to participate in the Veterans Community Care Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. IDENTIFICATION OF HEALTH CARE PROVIDERS**
2 **THAT ARE NOT ELIGIBLE TO PARTICIPATE IN**
3 **VETERANS COMMUNITY CARE PROGRAM.**

4 (a) PLAN.—

5 (1) REQUIREMENT.—Beginning not later than
6 90 days after the date of the enactment of this Act,
7 the Secretary of Veterans Affairs, acting through
8 the Under Secretary for Health, shall carry out a
9 plan to improve the methods by which the Secretary
10 identifies health care providers that are not eligible
11 to participate in the Veterans Community Care Pro-
12 gram.

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

15 (A) Modifying the standard operating pro-
16 cedures of the Office of Community Care of the
17 Veterans Health Administration regarding the
18 exclusion of health care providers from partici-
19 pating in the Veterans Community Care Pro-
20 gram to require the automated continuous
21 matching of health care providers in the Pro-
22 vider Profile Management System of the Vet-
23 erans Health Administration, or such successor
24 system, with covered data systems using mul-
25 tiple unique identifiers, including taxpayer iden-

1 tification number, national provider identifier,
2 Social Security number, and date of birth.

3 (B) A fraud risk analysis conducted by the
4 Office of Community Care regarding the exclu-
5 sion of health care providers from participating
6 in the Veterans Community Care Program that
7 includes—

8 (i) an assessment of the likelihood and
9 impact of inherent fraud risks relating to
10 the self-certification of State licenses and
11 addresses provided by health care pro-
12 viders;

13 (ii) a determination of the fraud risk
14 tolerance; and

15 (iii) an examination of the suitability
16 of existing fraud controls.

17 (C) Any other matters the Under Sec-
18 retary determines will improve the oversight of
19 health care providers participating in the Vet-
20 erans Community Care Program.

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

1 (c) REPORTS.—

2 (1) INITIAL REPORT.—Not later than one year
3 after the date of the enactment of this Act, the Sec-
4 retary shall submit to the Committees on Veterans'
5 Affairs of the House of Representatives and the Sen-
6 ate a report that—

7 (A) describes the progress the Under Sec-
8 retary has made in carrying out the plan under
9 subsection (a); and

10 (B) includes recommendations for legisla-
11 tive action to further improve the methods by
12 which the Secretary identifies health care pro-
13 viders that are not eligible to participate in the
14 Veterans Community Care Program.

15 (2) UPDATE.—Not later than two years after
16 the date on which the Secretary submits the report
17 under paragraph (1), the Secretary shall submit to
18 the Committees on Veterans' Affairs of the House of
19 Representatives and the Senate an update to the re-
20 port.

21 (d) DEFINITIONS.—In this section:

22 (1) The term “covered data systems” means
23 the following:

1 (A) The List of Excluded Individuals/Enti-
2 ties of the Office of Inspector General of the
3 Department of Health and Human Services.

4 (B) The System for Award Management
5 Exclusions list described in part 9 of title 48,
6 Code of Federal Regulations, and part 180 of
7 title 2 of such Code, or successor regulations.

8 (C) The monthly deactivation file of the
9 National Plan and Provider Enumeration Sys-
10 tem of the Centers for Medicare & Medicaid
11 Services.

12 (D) The National Practitioner Data Bank
13 established pursuant to the Health Care Quality
14 Improvement Act of 1986 (42 U.S.C. 11101 et
15 seq.).

16 (2) The term “Veterans Community Care Pro-
17 gram” means the program established under section
18 1703 of title 38, United States Code.