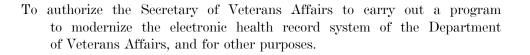
[DISCUSSION DRAFT]

H.R.

119TH CONGRESS 1ST SESSION



IN THE HOUSE OF REPRESENTATIVES

M____ introduced the following bill; which was referred to the Committee on _____

A BILL

- To authorize the Secretary of Veterans Affairs to carry out a program to modernize the electronic health record system of the Department of Veterans Affairs, and for other purposes.
 - 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; TABLE OF CONTENTS.

- 4 (a) SHORT TITLE.—This title may be cited as the
- 5 " Act of 2025".
- 6 (b) TABLE OF CONTENTS.—The table of contents for

7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Modernization of Department of Veterans Affairs electronic health record system and health information technology.
- Sec. 4. Responsibility for electronic health record program and health information technology.
- Sec. 5. Protection of personal information.
- Sec. 6. Veterans Health Administration workflow baseline.
- Sec. 7. Quality metrics.
- Sec. 8. Report on additional purposes.
- Sec. 9. Reports on baseline of clinical workflows.
- Sec. 10. Report on health care quality metrics.
- Sec. 11. Report on resources required for future sites.
- Sec. 12. Annual report on efforts to maintain VistA electronic health record system.
- Sec. 13. Modification of quarterly reports.
- Sec. 14. Report on protection of personal information.
- Sec. 15. Report on organization and needs.
- Sec. 16. Report on governance, performance criteria, and readiness.

1 SEC. 2. DEFINITIONS.

2	In this title:
3	(1) The term "appropriate congressional com-
4	mittees" means—
5	(A) the Committee on Veterans' Affairs
6	and the Committee on Appropriations of the
7	House of Representatives; and
8	(B) the Committee on Veterans' Affairs
9	and the Committee on Appropriations of the
10	Senate.
11	(2) The term "Electronic Health Record Mod-
12	ernization Program" means any activities being car-
13	ried out, as of the date of the enactment of this Act,
14	by the Department of Veterans Affairs to procure
15	and implement an electronic health record system to
16	replace significant medical functions or applications

of the Veterans Information Systems and Tech nology Architecture.

3 SEC. 3. MODERNIZATION OF DEPARTMENT OF VETERANS
4 AFFAIRS ELECTRONIC HEALTH RECORD SYS5 TEM AND HEALTH INFORMATION TECH6 NOLOGY.

7 (a) IN GENERAL.—The Secretary of Veterans Affairs 8 is authorized to carry out a program to modernize the 9 electronic health record system of the Department of Vet-10 erans Affairs, either by making changes to the Electronic 11 Health Record Modernization Program, as in effect on the 12 date of the enactment of this Act, or by establishing a 13 new program.

(b) PURPOSE OF MODERNIZATION PROGRAM.—If the
Secretary carries out a program under subsection (a),
such program shall be designed to fulfill the following purposes:

(1) To improve the quality of hospital care,
medical services, and nursing home care furnished
by the Department of Veterans Affairs, including—
(A) by improving the delivery of care consistent with quality and safety standards of the
Department;
(B) by improving the coordination of such

25 care and services for such patients; and

1	(C) by improving timely access to such
2	care and services for such patients;
3	(2) To increase the productivity, efficiency, and
4	satisfaction of employees of the Veterans Health Ad-
5	ministration.
6	(3) To improve the experience of patients en-
7	rolled in the patient enrollment system of the De-
8	partment of Veterans Affairs under section 1705 of
9	title 38, United States Code.
10	(4) To reduce unnecessary variation in care de-
11	livery.
12	(5) To improve the quality, consistency, and
13	management of—
14	(A) data created or received by the Vet-
15	erans Health Administration, including such
16	data related to or needed for benefits deter-
17	minations by the Department; and
18	(B) data generated by or exchanged with a
19	health care provider through which the Sec-
20	retary furnishes such care and services under
21	the laws administered by the Secretary.
22	(6) To increase the interoperability of the elec-
23	tronic health record systems and health information
24	technology systems of the Department by—

(A) expressing the content and format of
 health data using a common language to im prove the exchange of data within and outside
 the Department;

5 (B) ensuring that Department medical per-6 sonnel have access to integrated, computable, 7 and comprehensive health records and health 8 data of patients sufficient to enable the provi-9 sion of seamless care within and outside the 10 Department;

(C) surpassing the capabilities achievable
through bidirectional information exchange between electronic health record systems or the
exchange of read-only data; and

15 (D) planning for and effectuating the 16 broadest possible implementation of interoper-17 ability and data standards, specifically with re-18 spect to the Fast Healthcare Interoperability 19 Resources standard or successor standard, the 20 evolution of such standards, and the obsoles-21 cence of such standards.

(7) To increase the amount of medical collections in the Department of Veterans Affairs Medical
Care Collections Fund established under section
1729A of title 38, United States Code.

(8) To support and strengthen research and de velopment activities, including such activities re quired under section 7303 of title 38, United States
 Code.

5 (9) To protect the personal information, includ-6 ing personally identifiable information and protected 7 health information, of veterans, patients, and other 8 users of electronic health record systems and health 9 information technology systems authorized under 10 subsection (a) from cyber attacks, identity theft, and 11 other cyber and security threats.

12 (10) Such other purposes as the Secretary may13 determine appropriate.

14 SEC. 4. RESPONSIBILITY FOR ELECTRONIC HEALTH15RECORD PROGRAM AND HEALTH INFORMA-16TION TECHNOLOGY.

(a) IN GENERAL.—If the Secretary of Veterans Affairs carries out a program with respect to the modernization of the electronic health record system of the Department of Veterans Affairs pursuant to section 3(a)—

21 (1) the Deputy Secretary of Veterans Affairs22 shall—

23 (A) be directly responsible to the Secretary
24 for such electronic health record system mod25 ernization;

1	(B) oversee such electronic health record
2	system modernization;
3	(C) direct resources, subject to the avail-
4	ability of appropriations, to the Office of Infor-
5	mation and Technology, the Veterans Health
6	Administration, or other organizational subdivi-
7	sions of the Department to facilitate such mod-
8	ernization;
9	(D) designate officials and offices within
10	the Department as operationally responsible for
11	such modernization, including a Program Exec-
12	utive Director for Electronic Health Record
13	Modernization; and
14	(E) coordinate with the Under Secretary of
15	Veterans Affairs for Health and the Assistant
16	Secretary of Veterans Affairs for Information
17	and Technology;

18 (2) the Under Secretary for Health shall—

19 (A) have primary responsibility for deter20 mining strategy and objectives of such mod21 ernization;

(B) exercise responsibility for the implementation and operation of any functions assigned by the Deputy Secretary pursuant to
paragraph (4);

1	(C) coordinate with the Deputy Secretary,
2	the Program Executive Director designated
3	pursuant to subparagraph $(1)(D)$, and the As-
4	sistant Secretary for Information and Tech-
5	nology;
6	(3) the Assistant Secretary for Information and
7	Technology shall—
8	(A) be responsible for carrying out the in-
9	formation technology activities of the Depart-
10	ment in accordance with—
11	(i) section 310 of title 38, United
12	States Code;
13	(ii) chapter 35 of title 44, United
14	States Code; and
15	(iii) subtitle III of title 40, United
16	States Code;
17	(B) exercise responsibility for the imple-
18	mentation and operation of any functions as-
19	signed by the Deputy Secretary pursuant to
20	paragraph (4);
21	(C) coordinate with the Deputy Secretary,
22	the Program Executive Director designated
23	pursuant to subparagraph $(1)(D)$, and the
24	Under Secretary for Health; and

1	(4) the Deputy Secretary, in consultation with
2	the Under Secretary for Health and the Assistant
3	Secretary for Information and Technology, shall de-
4	termine the distribution or assignment of respon-
5	sibilities among the Under Secretary for Health, the
6	Assistant Secretary for Information and Technology,
7	and the Program Executive Director designated pur-
8	suant to paragraph $(1)(D)$ for—
9	(A) defining and elaborating requirements;
10	(B) implementation schedule;
11	(C) system design and configuration;
12	(D) workflow;
13	(E) system usability;
14	(F) change management;
15	(G) training; and
16	(H) other functions relevant to such mod-
17	ernization; and
18	(b) EXECUTIVE DIRECTOR.—With respect to the
19	Electronic Health Record Modernization program and any
20	program carried out pursuant to section 3(a), the Pro-
21	gram Executive Director designated pursuant to sub-
22	section $(a)(1)(D)$ shall—
23	(1) exercise responsibility for the implementa-
24	tion and operation of the functions assigned by the
25	Deputy Secretary pursuant to subsection $(a)(1)(D)$;

(2) oversee work performed by contractors re lated to such programs, in coordination with the
 Principal Executive Director of the Office of Acqui sition, Logistics, and Construction; and

5 (3) coordinate with the Under Secretary for
6 Health, the Assistant Secretary for Information and
7 Technology, and any other relevant organizational
8 subdivisions of the Department.

9 SEC. 5. PROTECTION OF PERSONAL INFORMATION.

(a) IN GENERAL.—Not later than one year after the
date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) ensure that each covered contract includes,
or is modified to include, a clause prohibiting covered information from being monetized, sold, or otherwise misused by any contractor, including any subcontractor or affiliate thereof, or other non-Department of Veterans Affairs entity; and

(2) issue a directive or other policy providing
guidance to employees and contractors of the Department on how to identify the monetization, sale,
or misuse of covered information in order to ensure
contractors are in compliance with clauses in covered
contracts included pursuant to paragraph (1).

25 (b) DEFINITIONS.—In this section:

1	(1) The term "covered contract" means a con-
2	tract of the Department of Veterans Affairs that
3	provides for the handling of covered information and
4	is entered into—
5	(A) after the date of the enactment of this
6	Act; or
7	(B) before the date of the enactment of
8	this Act and does not expire before the date of
9	the enactment of this Act.
10	(2) The term "covered information"—
11	(A) means protected health information or
12	personally identifiable information, including
13	such information that has been anonymized;
14	and
15	(B) includes information protected
16	under—
17	(i) section 552a of title 5, United
18	States Code;
19	(ii) section 5701 or 7332 of title 38
20	United States Code;
21	(iii) parts 160, 161, and 164 of title
22	45, Code of Federal Regulations; and
23	(iv) any other provision of law, as de-
24	termined by the Secretary.

1 SEC. 6. VETERANS HEALTH ADMINISTRATION WORKFLOW 2 BASELINE. 3 (a) ESTABLISHMENT.—The Under Secretary of Veterans Affairs for Health, shall— 4 5 (1) conduct an enterprise inventory of core clin-6 ical and business processes relevant to the program 7 described in section 3(a), including all workflows un-8 derlying such processes throughout the Veterans 9 Health Administration; 10 (2) evaluate and compare the workflows re-11 ferred to in paragraph (1) against relevant health 12 care industry best practices and clinical practice 13 guidelines; and 14 (3) establish a baseline of clinical workflows for 15 the Veterans Health Administration. 16 INCORPORATION.—The Under Secretary for (b)17 Health shall incorporate the baseline established under subsection (a)(3) into the program described in section 18 19 3(a). 20 (c) Monitoring and Control of Variations.— 21 The Under Secretary for Health shall— 22 (1) establish a process to monitor and control 23 variations from the baseline established under sub-24 section (a)(3); and

25 (2) evaluate progress relative to such baseline. (d) STANDARDS.—The Under Secretary for Health
 shall establish national standards for the Veterans Health
 Administration, pertaining to the implementation and
 adoption of the electronic health record system, for—

- 5 (1) order sets;
- 6 (2) user roles;
- 7 (3) medical devices;

8 (4) system interfaces and connectivity of med-9 ical devices; and

10 (5) any clinical process not described in sub11 section (a) that the Under Secretary for Health de12 termines appropriate.

13 SEC. 7. QUALITY METRICS.

14 (a) ESTABLISHMENT.—Not later than 90 days after 15 the date of the enactment of this Act, the Secretary of Veterans Affairs, acting through the Under Secretary of 16 Veterans Affairs for Health, shall establish standard 17 health care quality metrics for purposes of evaluating the 18 19 provision of health care during the implementation and 20adoption of the electronic health record system. Such 21 metrics shall—

- 22 (1) be uniform in composition;
- (2) take into account relevant differences in
 size, complexity, and market composition of facilities
 of the Veterans Health Administration;

(3) incorporate the Strategic Analytics for Im provement and Learning Value Model of the Depart ment, any other relevant methodology, or any successor methodology; and

5 (4) reflect the purposes referred to in section
6 3(b).

7 (b) STRATEGIC ANALYTICS FOR IMPROVEMENT AND 8 LEARNING VALUE MODEL.—Upon the enactment of this 9 Act, the Secretary shall continue making publicly available the results of the Strategic Analytics for Improvement and 10 Learning Value Model with respect to all medical facilities 11 12 where the electronic health record system pursuant to the Electronic Health Record Modernization Program is ac-13 tive. 14

15 SEC. 8. REPORT ON ADDITIONAL PURPOSES.

16 If the Secretary determines any purpose to be appro-17 priate pursuant to section 3(b)(10), not later than 30 days 18 after the date of such determination, the Secretary shall 19 submit to the appropriate congressional committees a re-20 port that includes a description of such purpose.

21 SEC. 9. REPORTS ON BASELINE OF CLINICAL WORKFLOWS.

(a) BASELINE.—Not later than 90 days after the
date on which the Secretary establishes a baseline of clinical workflows pursuant to section 6(a)(3), the Secretary

shall submit to the appropriate congressional committees
 a report that includes an identification of such baseline.

3 (b) STANDARDS.—Not later than 90 days after the 4 date on which the Secretary establishes the national stand-5 ards pursuant to section 6(d), the Secretary shall submit 6 to the appropriate congressional committees a report that 7 describes such standards.

8 SEC. 10. REPORT ON HEALTH CARE QUALITY METRICS.

9 Not later than 90 days after the date on which the 10 Secretary establishes the health care quality metrics de-11 scribed in section 7(a), the Secretary shall submit to the 12 appropriate congressional committees a report that in-13 cludes an identification of such metrics.

14 SEC. 11. REPORT ON RESOURCES REQUIRED FOR FUTURE 15 SITES.

16 Not later than 90 days before a medical facility is 17 scheduled to implement the electronic health record system pursuant to the Electronic Health Record Moderniza-18 tion Program, the Secretary shall submit to the appro-19 20 priate congressional committees a report provided by the 21 director of the medical facility, in consultation with the 22 chief of staff of the medical facility and the director of 23 the Veterans Integrated Service Network in which such 24 medical facility is located. Such report shall include a de-25 tailed description of the resources provided to the medical

facility, and the estimated resources still required, to im-1 plement such system successfully, including with respect 2 3 to— 4 (1) funding; (2) training; 5 6 (3) additional staff; 7 (4) technical support; 8 (5) support contracts; 9 (6) mitigation strategies; and 10 (7) any other resources determined necessary 11 by the director of the facility. 12 SEC. 12. ANNUAL REPORT ON EFFORTS TO MAINTAIN VISTA 13 ELECTRONIC HEALTH RECORD SYSTEM. 14 (a) IN GENERAL.—Not later than 120 days after the 15 first day of each fiscal year that begins after the date of the enactment of this Act until the date specified in sub-16 17 section (c), the Secretary shall submit to the appropriate 18 congressional committees a report on the Veterans Infor-19 mation Systems and Technology Architecture. 20 (b) CONTENTS OF REPORT.—The report required by 21 subsection (a) shall include— 22 (1) the operation and maintenance costs and 23 development and enhancement costs for the most re-24 cent fiscal year that ended before the date of the 25 submission of the report;

1	(2) the planned operation and maintenance ef-
2	forts and development and enhancement efforts dur-
3	ing the fiscal year during which the report is sub-
4	mitted and subsequent fiscal years;
5	(3) the projected operation and maintenance
6	and development and enhancement costs for the nine
7	fiscal years following the fiscal year during which
8	the report is submitted;
9	(4) a list of modules, applications, or systems
10	within the Veterans Information Systems and Tech-
11	nology Architecture—
12	(A) that have been retired or have been, or
13	are planned to be, subsumed by other systems
14	or applications; or
15	(B) that the Department plans to retire
16	during the fiscal year or in a future fiscal year;
17	or
18	(C) for which there is no plan to retire or
19	subsume;
20	(5) a list of applications or systems to be devel-
21	oped within, significantly modernized, or integrated
22	with, the Veterans Information Systems and Tech-
23	nology Architecture during the fiscal year during
24	which the report is submitted or during any future
25	fiscal year;

1	(6) a list of current, scheduled activity and as-
2	sociated costs towards achieving certification as a
3	certified electronic health record technology pursu-
4	ant to the program under section 3001(c) of the
5	Public Health Service Act (42 U.S.C. 300jj-11(c));
6	and
7	(7) a report on the stability of the system, in-
8	cluding—
9	(A) outage-free time;
10	(B) incident-free time; and
11	(C) user interruptions across all instances
12	of the Veterans Information Systems and Tech-
13	nology Architecture during the two previous fis-
14	cal years.
15	(c) TERMINATION.—The date specified in this sub-
16	section is the date that is 10 years after the date of the
17	enactment of this Act.
18	SEC. 13. MODIFICATION OF QUARTERLY REPORTS.
19	Section 503 of the Veterans Benefits and Transition
20	Act of 2018 (Public Law 115–407) is amended—
21	(1) in subsection (b)—
22	(A) by redesignating paragraphs (1)
23	through (6) as subparagraphs (A) through (F),
24	respectively;

1	(B) in the matter preceding subparagraph
2	(A), as redesignated by paragraph (1), by strik-
3	ing "Not later than 30 days" and inserting the
4	following:
5	"(1) IN GENERAL.—Not later than 30 days";
6	and
7	(C) by adding at the end the following:
8	"(2) Additional matters to be in-
9	CLUDED.—The Secretary shall include with any up-
10	date submitted under paragraph (1) on or after the
11	date of enactment of the
12	Act of 2025
13	with respect to the quarter covered by the report,
14	the following:
15	"(A) Data on user adoption and employee
16	satisfaction with the electronic health record
17	system implemented pursuant to the Electronic
18	Health Record Modernization program or suc-
19	cessor system implemented pursuant to section
20	3(a) of the
21	Act of
22	2025, including training on such system, using
23	surveys of the Department and surveys con-
24	ducted for the Department.

1	"(B) Data on employee retention and turn-
2	over at medical facilities where such electronic
3	health record system is in use.
4	"(C) Data on downtime, performance dis-
5	ruptions, or impaired functionality of such elec-
6	tronic health record system including—
7	''(i) cause;
8	"(ii) length;
9	"(iii) responsible entity; and
10	"(iv) corrective actions planned or
11	taken.
12	"(D) Data on the impact of such system
13	on revenue and collections at medical facilities
14	where such electronic health record system is in
15	use, including—
16	"(i) planned revenue and collections;
17	"(ii) actual revenue and collections;
18	and
19	"(iii) steps planned or taken to
20	achieve planned revenue and collections.
21	"(E) Data on ticket resolution.
22	"(F) A list of any credits, reimbursements,
23	or monies provided by a contractor under the
24	Electronic Health Record Modernization pro-
25	gram or invoice deductions or withholdings

1	taken by the Department from such contractor
2	in the reporting period to include due to failure
3	to meet the terms of a service level agreement
4	or other terms and conditions of the contract.";
5	and
6	(2) in subsection $(d)(2)(C)$ —
7	(A) by striking "or dispute, and" and in-
8	serting "dispute, cure notice, letter of concern,
9	or other official communication by the Depart-
10	ment to a contractor concerning contract non-
11	compliance or corrective action, the official re-
12	sponse of the contractor, and"; and
13	(B) by striking "or dispute (as" and in-
14	serting "dispute, cure notice, letter of concern,
15	or other official communication concerning con-
16	tract noncompliance and the official response of
17	the contractor (as".
18	SEC. 14. REPORT ON PROTECTION OF PERSONAL INFORMA-
19	TION.
20	Not later than one year after the date of the enact-
21	ment of this Act, the Secretary of Veterans Affairs shall
22	submit to the appropriate congressional committees a re-
23	port that includes—
24	(1) a copy of the contract clause required by
25	section $5(a)$;

1	(2) the guidance required by section 5(b); and
2	(3) a summary of any other actions taken to
3	comply with section 5.
4	SEC. 15. REPORT ON ORGANIZATION AND NEEDS.
5	(a) Congressional Notice Regarding Certain
6	ACTIONS.—
7	(1) IN GENERAL.—Not later than 90 days after
8	the date on which an official of the Department of
9	Veterans Affairs takes an action specified in para-
10	graph (2), the Secretary of Veterans Affairs shall
11	submit to the appropriate congressional committees
12	notice of such action.
13	(2) ACTION SPECIFIED.—An action specified in
14	this paragraph is any of the following:
15	(A) The designation of any official or of-
16	fice by the Deputy Secretary of Veterans Af-
17	fairs pursuant to section $4(a)(1)(A)(iv)$.
18	(B) The designation of any responsibility
19	by the Deputy Secretary pursuant to section
20	4(a)(1)(D).
21	(C) Any action related to the reorganiza-
22	tion of a program pursuant to section $4(a)(1)$
23	or (2).
24	(b) Report on Necessary Legislative
25	CHANGES.—Not later than one year after the date of the

enactment of this Act, the Secretary shall submit to the
 appropriate congressional committees a report that in cludes a description of any legislative changes the Sec retary determines are necessary in order to carry out the
 responsibilities of the Secretary with respect to the pro grams described in section 3(a), regarding—

7 (1) organization;

8 (2) hiring or compensation authorities;

- 9 (3) appropriations; or
- 10 (4) related matters, as determined by the Sec-11 retary.

12 SEC. 16. REPORT ON GOVERNANCE, PERFORMANCE CRI-13 TERIA, AND READINESS.

14 Not later than 90 days after the date of the enact15 ment of this Act, the Secretary of Veterans Affairs shall
16 submit to the appropriate congressional committees a re17 port describing the following:

(1) The clinical decision making structure of
the Department of Veterans Affairs and efforts to
achieve a more uniform clinical decision making
structure, pertaining to the Electronic Health
Record Modernization Program, including—

- 23 (A) new service requirements;
- 24 (B) workflow decisions;
- 25 (C) change requests; and

1	(D) interface needs.
2	(2) The criteria or metrics used by the Sec-
3	retary to measure improvements in the Electronic
4	Health Record Modernization Program with respect
5	to—
6	(A) end user experience;
7	(B) system stability;
8	(C) training;
9	(D) help desk ticket management; configu-
10	ration; and
11	(E) any other criteria or metrics deter-
12	mined appropriate by the Secretary.
13	(3) The most recent data reported pursuant to
14	criteria or metrics described in paragraph (2) from
15	each facility of the Veterans Health Administration
16	using the electronic health record system imple-
17	mented pursuant to the Electronic Health Record
18	Modernization Program.
19	(4) A description of steps being taken by the
20	Secretary to achieve performance goals relevant to
21	criteria or metrics described in paragraph (2).
22	(5) The standard readiness task list used in fa-
23	cilities of the Veterans Health Administration to
24	prepare for implementation of the electronic health

- 1 record system pursuant to the Electronic Health
- 2 Record Modernization Program.