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114TH CONGRESS
1ST SESSION

H. R. 2256

[Report No. 114–191]

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2015

Mr. BENISHEK introduced the following bill; which was referred to the
Committee on Veterans' Affairs

JULY 7, 2015

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 12, 2015]

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs.

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 “Veterans Information*
5 *Modernization Act”.*

6 **SEC. 2. ANNUAL REPORT ON VETERANS HEALTH ADMINIS-**
7 **TRATION AND FURNISHING OF HOSPITAL**
8 **CARE, MEDICAL SERVICES, AND NURSING**
9 **HOME CARE.**

10 *(a) IN GENERAL.—Subchapter II of chapter 73 of title*
11 *38, United States Code, is amended by adding at the end*
12 *the following new section:*

13 **“§ 7330B. Annual report on Veterans Health Adminis-**
14 **tration and furnishing of hospital care,**
15 **medical services, and nursing home care**

16 *“(a) REPORT REQUIRED.—Not later than March 1 of*
17 *each year, the Secretary shall submit to the Committees on*
18 *Veterans’ Affairs of the Senate and House of Representa-*
19 *tives a report on the furnishing of hospital care, medical*
20 *services, and nursing home care under the laws adminis-*
21 *tered by the Secretary and on the administration of the pro-*
22 *vision of such care and services by the Veterans Health Ad-*
23 *ministration during the calendar year preceding the cal-*
24 *endar year during which the report is submitted.*

1 “(b) *CONTENTS OF REPORT.*—Each report required by
2 subsection (a) shall include each of the following for the year
3 covered by the report:

4 “(1) *An evaluation of the effectiveness of the Vet-*
5 *erans Health Administration program in increasing*
6 *the access of veterans eligible for hospital care, med-*
7 *ical services, and nursing home care furnished by the*
8 *Secretary to such care.*

9 “(2) *An evaluation of the effectiveness of the Vet-*
10 *erans Health Administration in improving the qual-*
11 *ity of health care provided to such veterans, without*
12 *increasing the costs incurred by the Government or*
13 *such veterans, which includes the relevant informa-*
14 *tion for each medical center and Veterans Integrated*
15 *Service Network of the Department set forth sepa-*
16 *rately.*

17 “(3) *An assessment of—*

18 “(A) *the workload of physicians and other*
19 *employees of the Veterans Health Administra-*
20 *tion;*

21 “(B) *patient demographics and utilization*
22 *rates;*

23 “(C) *physician compensation;*

1 “(D) the productivity of physicians and
2 other employees of the Veterans Health Adminis-
3 tration;

4 “(E) the percentage of hospital care, med-
5 ical services, and nursing home care provided to
6 such veterans in Department facilities and in
7 non-Department facilities and any changes in
8 such percentages compared to the year preceding
9 the year covered by the report;

10 “(F) pharmaceutical prices; and

11 “(G) third party health billings owed to the
12 Department, including the total amount of such
13 billings and the total amounts collected, set forth
14 separately for claims greater than \$1000 and for
15 claims equal to or less than \$1000.

16 “(c) DEFINITIONS.—In this section, the terms ‘hospital
17 care’, ‘medical services’, ‘nursing home care’, and ‘non-De-
18 partment facilities’ have the meanings given such terms in
19 section 1701 of this title.”.

20 (b) CLERICAL AMENDMENT.—The table of sections at
21 the beginning of such chapter is amended by inserting after
22 the item relating to section 7330A the following new item:

“7330B. Annual report on Veterans Health Administration and furnishing of hos-
pital care, medical services, and nursing home care.”.

1 **SEC. 3. EXPANSION OF DEFINITION OF HOMELESS VET-**
2 **ERAN FOR PURPOSES OF BENEFITS UNDER**
3 **THE LAWS ADMINISTERED BY THE SEC-**
4 **RETARY OF VETERANS AFFAIRS.**

5 *Section 2002(1) of title 38, United States Code, is*
6 *amended by inserting “or (b)” after “section 103(a)”.*

7 **SEC. 4. IDENTIFICATION AND TRACKING OF BIOLOGICAL**
8 **IMPLANTS USED IN DEPARTMENT OF VET-**
9 **ERANS AFFAIRS MEDICAL FACILITIES.**

10 *(a) IN GENERAL.—Subchapter II of chapter 73 of title*
11 *38, United States Code, as amended by section 2, is further*
12 *amended by adding at the end the following new section:*

13 **“§ 7330C. Identification and tracking of biological im-**
14 **plants**

15 *“(a) STANDARD IDENTIFICATION SYSTEM FOR BIO-*
16 *LOGICAL IMPLANTS.—(1) The Secretary shall adopt the*
17 *unique device identification system developed for medical*
18 *devices by the Food and Drug Administration pursuant to*
19 *section 519(f) of the Federal Food, Drug, and Cosmetic Act*
20 *(21 U.S.C. 360i(f)), or implement a comparable standard*
21 *identification system, for use in identifying biological im-*
22 *plants intended for use in medical procedures conducted in*
23 *medical facilities of the Department.*

24 *“(2) In adopting or implementing a standard identi-*
25 *fication system for biological implants under paragraph*
26 *(1), the Secretary shall permit a vendor to use any of the*

1 *accredited entities identified by the Food and Drug Admin-*
2 *istration as an issuing agency pursuant to section 830.100*
3 *of title 21, Code of Federal Regulations, or any successor*
4 *regulation.*

5 “(b) *BIOLOGICAL IMPLANT TRACKING SYSTEM.—(1)*
6 *The Secretary shall implement a system for tracking the*
7 *biological implants referred to in subsection (a) from*
8 *human donor or animal source to implantation.*

9 “(2) *The tracking system implemented under para-*
10 *graph (1) shall be compatible with the identification system*
11 *adopted or implemented under subsection (a).*

12 “(3) *The Secretary shall implement inventory controls*
13 *compatible with the tracking system implemented under*
14 *paragraph (1) so that all patients who have received, in*
15 *a medical facility of the Department, a biological implant*
16 *subject to a recall can be notified of the recall, if based on*
17 *the evaluation of appropriate medical personnel of the De-*
18 *partment of the risks and benefits, the Secretary determines*
19 *such notification is appropriate.*

20 “(c) *CONSISTENCY WITH FOOD AND DRUG ADMINIS-*
21 *TRATION REGULATIONS.—To the extent that a conflict*
22 *arises between this section and a provision of the Federal*
23 *Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or*
24 *sections 351 or 361 of the Public Health Service Act (42*
25 *U.S.C. 262) (including any regulations issued under such*

1 Acts), the provision the Federal Food, Drug, and Cosmetic
 2 Act or Public Health Service Act (including any regulations
 3 issued under such Acts) shall apply.

4 “(d) *DEFINITION OF BIOLOGICAL IMPLANT.*—In this
 5 section, the term ‘biological implant’ means any animal or
 6 human cell, tissue, or cellular or tissue-based product—

7 “(1) under the meaning given the term human
 8 cells, tissues, or cellular or tissue-based products in
 9 section 1271.3 of title 21, Code of Federal Regula-
 10 tions, or any successor regulation; or

11 “(2) that is regulated as a device under section
 12 201(h) of the Federal Food, Drug, and Cosmetic
 13 Act.”.

14 (b) *CLERICAL AMENDMENT.*—The table of sections at
 15 the beginning of such chapter, as amended by section 2, is
 16 further amended by inserting after the item relating to sec-
 17 tion 7330B, as added by section 2, the following new item:

“7330C. Identification and tracking of biological implants.”.

18 (c) *IMPLEMENTATION DEADLINES.*—

19 (1) *STANDARD IDENTIFICATION SYSTEM.*—

20 (A) *IN GENERAL.*—With respect to biologi-
 21 cal implants described in paragraph (1) of sub-
 22 section (d) of section 7330C of title 38, United
 23 States Code, as added by subsection (a), the Sec-
 24 retary of Veterans Affairs shall adopt or imple-
 25 ment a standard identification system for bio-

1 *logical implants, as required by subsection (a) of*
2 *such section, by not later than the date that is*
3 *180 days after the date of the enactment of this*
4 *Act.*

5 *(B) IMPLANTS REGULATED AS DEVICES.—*

6 *With respect to biological implants described in*
7 *paragraph (2) of subsection (d) of such section,*
8 *the Secretary of Veterans Affairs shall adopt or*
9 *implement such standard identification system*
10 *in compliance with the compliance dates estab-*
11 *lished by the Food and Drug Administration*
12 *pursuant to section 519(f) of the Federal Food,*
13 *Drug, and Cosmetic Act (21 U.S.C. 360i(f)).*

14 *(2) TRACKING SYSTEM.—The Secretary of Vet-*
15 *erans Affairs shall implement the biological implant*
16 *tracking system required by section 7330C(b), as*
17 *added by subsection (a), by not later than the date*
18 *that is 180 days after the date of the enactment of*
19 *this Act.*

20 *(d) REPORTING REQUIREMENT.—*

21 *(1) IN GENERAL.—If the biological implant*
22 *tracking system required by section 7330C(b) of title*
23 *38, United States Code, as added by subsection (a),*
24 *is not operational by the date that is 180 days after*
25 *the date of the enactment of this Act, the Secretary of*

1 *Veterans Affairs shall submit to the Committees on*
2 *Veterans' Affairs of the Senate and House of Rep-*
3 *resentatives a written explanation for why the system*
4 *is not operational for each month until such time as*
5 *the system is operational.*

6 (2) *ELEMENTS.—Each explanation submitted*
7 *under paragraph (1) shall include a description of the*
8 *following:*

9 (A) *Each impediment to the implementa-*
10 *tion of the system described in such paragraph.*

11 (B) *Steps being taken to remediate each*
12 *such impediment.*

13 (C) *Target dates for a solution to each such*
14 *impediment.*

15 **SEC. 5. PROCUREMENT OF BIOLOGICAL IMPLANTS USED IN**
16 **DEPARTMENT OF VETERANS AFFAIRS MED-**
17 **ICAL FACILITIES.**

18 (a) *PROCUREMENT.—*

19 (1) *IN GENERAL.—Subchapter II of chapter 81 of*
20 *such title is amended by adding at the end the fol-*
21 *lowing new section:*

22 **“§ 8129. Procurement of biological implants**

23 **“(a) IN GENERAL.—(1) The Secretary may procure bi-**
24 **ological implants of human origin only from vendors that**
25 **meet the following conditions:**

1 “(A) *The vendor uses the standard identification*
2 *system adopted or implemented by the Secretary*
3 *under section 7330C(a) of this title and has safe-*
4 *guards to ensure that a distinct identity code has*
5 *been in place at each step of distribution of each bio-*
6 *logical implant from its donor.*

7 “(B) *The vendor is registered as required by the*
8 *Food and Drug Administration under subpart B of*
9 *part 1271 of title 21, Code of Federal Regulations, or*
10 *any successor regulation, and in the case of a vendor*
11 *that uses a tissue distribution intermediary or a tis-*
12 *sue processor, the vendor provides assurances that the*
13 *tissue distribution intermediary or tissue processor is*
14 *registered as required by the Food and Drug Admin-*
15 *istration.*

16 “(C) *The vendor ensures that donor eligibility*
17 *determinations and such other records as the Sec-*
18 *retary may require accompany each biological im-*
19 *plant at all times, regardless of the country of origin*
20 *of the donor of the biological material.*

21 “(D) *The vendor agrees to cooperate with all bio-*
22 *logical implant recalls conducted on the vendor’s own*
23 *initiative, on the initiative of the original product*
24 *manufacturer used by the vendor, by the request of the*

1 *Food and Drug Administration, or by a statutory*
2 *order of the Food and Drug Administration.*

3 *“(E) The vendor agrees to notify the Secretary of*
4 *any adverse event or reaction report it provides to the*
5 *Food and Drug Administration, as required by sec-*
6 *tion 1271.350 of title 21, Code of Federal Regulations,*
7 *or any successor regulation, or any successor regula-*
8 *tion, or of any warning letter from the Food and*
9 *Drug Administration issued to the vendor or a tissue*
10 *processor or tissue distribution intermediary it uses*
11 *by not later than 60 days after the vendor receives*
12 *such report or warning letter.*

13 *“(F) The vendor agrees to retain all records asso-*
14 *ciated with the procurement of a biological implant*
15 *by the Department for at least 10 years after the date*
16 *of the procurement of the biological implant.*

17 *“(G) The vendor provides assurances that the bi-*
18 *ological implants provided by the vendor are acquired*
19 *only from tissue processors that maintain active ac-*
20 *creditation with the American Association of Tissue*
21 *Banks or a similar national accreditation specific to*
22 *biological implants.*

23 *“(2) The Secretary may procure biological implants*
24 *of non-human origin only from vendors that meet the fol-*
25 *lowing conditions:*

1 “(A) *The vendor uses the standard identification*
2 *system adopted or implemented by the Secretary*
3 *under section 7330C(a) of this title.*

4 “(B) *The vendor is a registered establishment as*
5 *required by the Food and Drug Administration under*
6 *sections 807.20 and 807.40 of title 21, Code of Federal*
7 *Regulations, or any successor regulation, (or is not*
8 *required to register pursuant to section 807.65(a) of*
9 *such title) and in the case of a vendor that is not the*
10 *original product manufacturer of such implants the*
11 *vendor provides assurances that the original product*
12 *manufacturer is registered as required by the Food*
13 *and Drug Administration.*

14 “(C) *The vendor agrees to cooperate with all bio-*
15 *logical implant recalls conducted on the vendor’s own*
16 *initiative, on the initiative of the original product*
17 *manufacturer used by the vendor, by the request of the*
18 *Food and Drug Administration, or by a statutory*
19 *order of the Food and Drug Administration.*

20 “(D) *The vendor agrees to notify the Secretary of*
21 *any adverse event report it provides to the Food and*
22 *Drug Administration as required in part 803 of title*
23 *21, Code of Federal Regulations, or any warning let-*
24 *ter from the Food and Drug Administration issued to*
25 *the vendor or the original product manufacturer it*

1 *uses by not later than 60 days after the vendor re-*
2 *ceives such report or warning letter.*

3 *“(E) The vendor agrees to retain all records as-*
4 *sociated with the procurement of a biological implant*
5 *by the Department for at least 10 years after the date*
6 *of the procurement of the biological implant.*

7 *“(3)(A) The Secretary shall procure biological im-*
8 *plants under the Federal Supply Schedules of the General*
9 *Services Administration unless such implants are not avail-*
10 *able under such Schedules.*

11 *“(B) With respect to biological implants listed on the*
12 *Federal Supply Schedules, the Secretary shall accommodate*
13 *reasonable vendor requests to undertake outreach efforts to*
14 *educate medical professionals of the Department about the*
15 *use and efficacy of such biological implants.*

16 *“(C) In the case of biological implants that are un-*
17 *available for procurement under the Federal Supply Sched-*
18 *ules, the Secretary shall procure such implants using com-*
19 *petitive procedures in accordance with applicable law and*
20 *the Federal Acquisition Regulation.*

21 *“(4) Section 8123 of this title shall not apply to the*
22 *procurement of biological implants.*

23 *“(b) PENALTIES.—In addition to any applicable pen-*
24 *alty under any other provision of law, any procurement*
25 *employee of the Department who is found responsible for*

1 *a biological implant procurement transaction with intent*
2 *to avoid or with reckless disregard of the requirements of*
3 *this section shall be ineligible to hold a certificate of ap-*
4 *pointment as a contracting officer or to serve as the rep-*
5 *resentative of an ordering officer, contracting officer, or*
6 *purchase card holder.*

7 “(c) *DEFINITIONS.—In this section:*

8 “(1) *The term ‘biological implant’ shall have the*
9 *meaning given such term in section 7330C(d) of this*
10 *title.*

11 “(2) *The term ‘distinct identity code’ means a*
12 *code that—*

13 “(A) *relates a biological implant to the*
14 *human donor of the implant and to all records*
15 *pertaining to the implant;*

16 “(B) *includes information designed to fa-*
17 *facilitate effective tracking, using such code, from*
18 *the donor to the recipient and from the recipient*
19 *to the donor; and*

20 “(C) *satisfies the requirements of section*
21 *1271.290 of title 21, Code of Federal Regula-*
22 *tions, or any successor regulation.*

23 “(3) *The term ‘tissue distribution intermediary’*
24 *means an agency that acquires and stores human tis-*

1 *sue for further distribution and performs no other tis-*
2 *sue banking functions.*

3 *“(4) The term ‘tissue processor’ means an entity*
4 *processing human tissue for use in biological im-*
5 *plants including activities performed on tissue other*
6 *than donor screening, donor testing, tissue recovery*
7 *and collection functions, storage, or distribution.”.*

8 *(2) CLERICAL AMENDMENT.—The table of sec-*
9 *tions at the beginning of such chapter is amended by*
10 *adding at the end of the items relating to such sub-*
11 *chapter the following new item:*

“8129. Procurement of biological implants.”.

12 *(b) EFFECTIVE DATE.—Section 8129 of title 38,*
13 *United States Code, as added by subsection (a), shall take*
14 *effect on the date that is 180 days after the date on which*
15 *the tracking system required under subsection (b) of section*
16 *7330C of such title, as added by section 4(a) is imple-*
17 *mented.*

18 *(c) SPECIAL RULE FOR CRYOPRESERVED PROD-*
19 *UCTS.—During the three-year period beginning on the effec-*
20 *tive date of section 8129 of title 38, United States Code,*
21 *as added by subsection (a), biological implants produced*
22 *and labeled before that date may be procured by the Depart-*
23 *ment of Veterans Affairs without relabeling under the*
24 *standard identification system adopted or implemented*
25 *under section 7330C of such title, as added by section 4(a).*

1 **SEC. 6. EXTENSION OF ROUNDING DOWN OF PERCENTAGE**
2 **INCREASES OF RATES OF CERTAIN EDU-**
3 **CATIONAL ASSISTANCE.**

4 (a) *MONTGOMERY GI BILL.*—Section 3015(h)(2) of
5 title 38, United States Code, is amended—

6 (1) by striking “fiscal year 2014” and inserting
7 “fiscal year 2020”; and

8 (2) by striking “fiscal year 2013” and inserting
9 “fiscal year 2019”.

10 (b) *SURVIVORS AND DEPENDENTS EDUCATIONAL AS-*
11 *SISTANCE.*—Section 3564(b) of such title is amended—

12 (1) by striking “fiscal year 2014” and inserting
13 “fiscal year 2020”; and

14 (2) by striking “fiscal year 2013” and inserting
15 “fiscal year 2019”.

16 **SEC. 7. VETERANS EXPEDITED RECOVERY COMMISSION.**

17 (a) *ESTABLISHMENT.*—There is established the Vet-
18 *erans Expedited Recovery Commission* (in this section re-
19 *ferred to as the “Commission”*).

20 (b) *DUTIES.*—The Commission shall perform the fol-
21 *lowing duties:*

22 (1) *Examine the efficacy of the evidence-based*
23 *therapy model used by the Secretary of Veterans Af-*
24 *airs for treating mental health illnesses of veterans*
25 *and identify areas to improve wellness-based out-*
26 *comes.*

1 (2) *Conduct a patient-centered survey within*
2 *each of the Veterans Integrated Service Networks to*
3 *examine—*

4 (A) *the experience of veterans with the De-*
5 *partment of Veterans Affairs when seeking med-*
6 *ical assistance for mental health issues through*
7 *the health care system of the Department;*

8 (B) *the experience of veterans with non-De-*
9 *partment medical facilities and health profes-*
10 *sionals for treating mental health issues;*

11 (C) *the preferences of veterans regarding*
12 *available treatments for mental health issues and*
13 *which methods the veterans believe to be most ef-*
14 *fective;*

15 (D) *the experience, if any, of veterans with*
16 *respect to the complementary alternative treat-*
17 *ment therapies described in subparagraphs (A)*
18 *through (I) in paragraph (3);*

19 (E) *the prevalence of prescribing prescrip-*
20 *tion medication among veterans seeking treat-*
21 *ment through the health care system of the De-*
22 *partment as remedies for addressing mental*
23 *health issues; and*

24 (F) *the outreach efforts of the Secretary re-*
25 *garding the availability of benefits and treat-*

1 *ments for veterans for addressing mental health*
2 *issues, including by identifying ways to reduce*
3 *barriers to and gaps in such benefits and treat-*
4 *ments.*

5 *(3) Examine available research on complemen-*
6 *tary alternative treatment therapies for mental health*
7 *issues and identify what benefits could be made with*
8 *the inclusion of such treatments for veterans, includ-*
9 *ing with respect to—*

10 *(A) music therapy;*

11 *(B) equine therapy;*

12 *(C) training and caring for service dogs;*

13 *(D) yoga therapy;*

14 *(E) acupuncture therapy;*

15 *(F) meditation therapy;*

16 *(G) outdoor sports therapy;*

17 *(H) hyperbaric oxygen therapy;*

18 *(I) accelerated resolution therapy; and*

19 *(J) other therapies the Commission deter-*
20 *mines appropriate.*

21 *(4) Study the potential increase of claims relat-*
22 *ing to mental health issues submitted to the Secretary*
23 *by veterans who served in Operation Enduring Free-*
24 *dom, Operation Iraqi Freedom, or Operation New*
25 *Dawn, including an assessment of the resources avail-*

1 *able within the Department to ensure that quality*
2 *health care demands relating to such claims can be*
3 *delivered in a timely manner.*

4 *(c) MEMBERSHIP.—*

5 *(1) NUMBER AND APPOINTMENT.—*

6 *(A) IN GENERAL.—The Commission shall be*
7 *composed of 10 members, appointed as follows:*

8 *(i) Two members appointed by the*
9 *Speaker of the House of Representatives, at*
10 *least one of whom shall be a veteran.*

11 *(ii) Two members appointed by the*
12 *Minority Leader of the House of Represent-*
13 *atives, at least one of whom shall be a vet-*
14 *eran.*

15 *(iii) Two members appointed by the*
16 *Majority Leader of the Senate, at least one*
17 *of whom shall be a veteran.*

18 *(iv) Two members appointed by the*
19 *Minority Leader of the Senate, at least one*
20 *of whom shall be a veteran.*

21 *(v) Two members appointed by the*
22 *President, at least one of whom shall be a*
23 *veteran.*

24 *(B) QUALIFICATIONS.—Members of the*
25 *Commission shall be—*

1 (i) *individuals who are of recognized*
2 *standing and distinction within the medical*
3 *community with a background in treating*
4 *mental health;*

5 (ii) *individuals with experience work-*
6 *ing with the military and veteran popu-*
7 *lation; and*

8 (iii) *individuals who do not have a fi-*
9 *nancial interest in any of the complemen-*
10 *tary alternative treatments reviewed by the*
11 *Commission.*

12 (2) *CHAIRMAN.—The President shall designate a*
13 *member of the Commission to be the chairman.*

14 (3) *PERIOD OF APPOINTMENT.—Members of the*
15 *Commission shall be appointed for the life of the*
16 *Commission.*

17 (4) *VACANCY.—A vacancy in the Commission*
18 *shall be filled in the manner in which the original*
19 *appointment was made.*

20 (5) *APPOINTMENT DEADLINE.—The appointment*
21 *of members of the Commission in this section shall be*
22 *made not later than 90 days after the date of the en-*
23 *actment of this Act.*

24 (d) *POWERS OF COMMISSION.—*

25 (1) *MEETING.—*

1 (A) *INITIAL MEETING.*—*The Commission*
2 *shall hold its first meeting not later than 30*
3 *days after a majority of members are appointed*
4 *to the Commission.*

5 (B) *MEETING.*—*The Commission shall regu-*
6 *larly meet at the call of the Chairman. Such*
7 *meetings may be carried out through the use of*
8 *telephonic or other appropriate telecommuni-*
9 *cation technology if the Commission determines*
10 *that such technology will allow the members to*
11 *communicate simultaneously.*

12 (2) *HEARING.*—*The Commission may hold such*
13 *hearings, sit and act at such times and places, take*
14 *such testimony, and receive evidence as the Commis-*
15 *sion considers advisable to carry out the responsibil-*
16 *ities of the Commission.*

17 (3) *INFORMATION FROM FEDERAL AGENCIES.*—
18 *The Commission may secure directly from any de-*
19 *partment or agency of the Federal Government such*
20 *information as the Commission considers necessary to*
21 *carry out the duties of the Commission.*

22 (4) *INFORMATION FROM NONGOVERNMENTAL OR-*
23 *GANIZATIONS.*—*In carrying out subsection (b), the*
24 *Commission may seek guidance through consultation*
25 *with foundations, veterans service organizations, non-*

1 *profit groups, faith-based organizations, private and*
2 *public institutions of higher education, and other or-*
3 *ganizations as the Commission determines appro-*
4 *priate.*

5 (5) *COMMISSION RECORDS.*—*The Commission*
6 *shall keep an accurate and complete record of the ac-*
7 *tions and meetings of the Commission. Such record*
8 *shall be made available for public inspection and the*
9 *Comptroller General of the United States may audit*
10 *and examine such record.*

11 (6) *PERSONNEL MATTERS.*—*Upon request of the*
12 *chairman of the Commission, the head of any depart-*
13 *ment or agency of the Federal Government may de-*
14 *tail, on a reimbursable basis, any personnel of that*
15 *department or agency to assist the Commission in*
16 *carrying out the duties of the Commission.*

17 (7) *COMPENSATION OF MEMBERS; TRAVEL EX-*
18 *PENSES.*—*Each member shall serve without pay, ex-*
19 *cept that each member shall receive travel expenses to*
20 *perform the duties of the Commission under sub-*
21 *section (b), including per diem in lieu of subsistence,*
22 *at rates authorized under subchapter I of chapter 57*
23 *of title 5, United States Code.*

24 (8) *STAFF.*—*The Chairman, in accordance with*
25 *rules agreed upon by the Commission, may appoint*

1 *and fix the compensation of a staff director and such*
2 *other personnel as may be necessary to enable the*
3 *Commission to carry out its functions, without regard*
4 *to the provisions of title 5, United States Code, gov-*
5 *erning appointments in the competitive service, with-*
6 *out regard to the provision of chapter 51 and sub-*
7 *chapter III of chapter 53 of such title relating to clas-*
8 *sification and General Schedule pay rates, except that*
9 *no rate of pay fixed under this subsection may exceed*
10 *the equivalent of that payable for a position at a level*
11 *IV of the Executive Schedule under section 5316 of*
12 *title 5, United States Code.*

13 (9) *PERSONNEL AS FEDERAL EMPLOYEES.—*

14 (A) *IN GENERAL.—The executive director*
15 *and any personnel of the Commission are em-*
16 *ployees under section 2105 of title 5, United*
17 *States Code, for purpose of chapters 63, 81, 83,*
18 *84, 85, 87, 89, and 90 of such title.*

19 (B) *MEMBERS OF THE COMMISSION.—Sub-*
20 *paragraph (A) shall not be construed to apply to*
21 *members of the Commission.*

22 (10) *CONTRACTING.—The Commission may, to*
23 *such extent and in such amounts as are provided in*
24 *appropriations Acts, enter into contracts to enable the*

1 *Commission to discharge the duties of the Commission*
2 *under this section.*

3 (11) *EXPERT AND CONSULTANT SERVICE.*—*The*
4 *Commission may procure the services of experts and*
5 *consultants in accordance with section 3109 of title 5,*
6 *United States Code, at rates not to exceed the daily*
7 *rate paid to a person occupying a position at level IV*
8 *of the Executive Schedule under section 5315 of title*
9 *5, United States Code.*

10 (12) *POSTAL SERVICE.*—*The Commission may*
11 *use the United States mails in the same manner and*
12 *under the same conditions as departments and agen-*
13 *cies of the United States.*

14 (13) *PHYSICAL FACILITIES AND EQUIPMENT.*—
15 *Upon the request of the Commission, the Adminis-*
16 *trator of General Services shall provide to the Com-*
17 *mission, on a reimbursable basis, the administrative*
18 *support services necessary for the Commission to*
19 *carry out its responsibilities under this section. These*
20 *administrative services may include human resource*
21 *management, budget, leasing, accounting, and payroll*
22 *services.*

23 (e) *REPORT.*—

24 (1) *INTERIM REPORTS.*—

1 (A) *IN GENERAL.*—Not later than 60 days
2 after the date on which the Commission first
3 meets, and each 30-day period thereafter ending
4 on the date on which the Commission submits
5 the final report under paragraph (2), the Com-
6 mission shall submit to the Committees on Vet-
7 erans' Affairs of the House of Representatives
8 and the Senate and the President a report detail-
9 ing the level of cooperation the Secretary of Vet-
10 erans Affairs (and the heads of other depart-
11 ments or agencies of the Federal Government)
12 has provided to the Commission.

13 (B) *OTHER REPORTS.*—In carrying out the
14 duties pursuant to subsection (b), at times that
15 the Commission determines appropriate, the
16 Commission shall submit to the Committees on
17 Veterans' Affairs of the House of Representatives
18 and the Senate and any other appropriate enti-
19 ties an interim report with respect to the find-
20 ings identified by the Commission.

21 (2) *FINAL REPORT.*—Not later than 18 months
22 after the first meeting of the Commission, the Com-
23 mission shall submit to the Committees on Veterans'
24 Affairs of the House of Representatives and the Sen-
25 ate, the President, and the Secretary of Veterans Af-

1 *fairs a final report on the findings of the Commis-*
2 *sion. Such report shall include the following:*

3 *(A) Recommendations to implement in a*
4 *feasible, timely, and cost-effective manner the so-*
5 *lutions and remedies identified within the find-*
6 *ings of the Commission pursuant to subsection*
7 *(b).*

8 *(B) An analysis of the evidence-based ther-*
9 *apy model used by the Secretary of Veterans Af-*
10 *fairs for treating veterans with mental health*
11 *care issues, and an examination of the preva-*
12 *lence and efficacy of prescription drugs as a*
13 *means for treatment.*

14 *(C) The findings of the patient-centered sur-*
15 *vey conducted within each of the Veterans Inte-*
16 *grated Service Networks pursuant to subsection*
17 *(b)(2).*

18 *(D) An examination of complementary al-*
19 *ternative treatments described in subsection*
20 *(b)(3) and the potential benefits of incorporating*
21 *such treatments in the therapy model used by the*
22 *Secretary for treating veterans with mental*
23 *health issues.*

24 *(3) PLAN.—Not later than 90 days after the date*
25 *on which the Commission submits the final report*

1 *under subsection (b), the Secretary of Veterans Affairs*
2 *shall submit to the Committees on Veterans' Affairs of*
3 *the House of Representatives and the Senate a report*
4 *on the following:*

5 *(A) An action plan for implementing the*
6 *recommendations established by the Commission*
7 *on such solutions and remedies for improving*
8 *wellness-based outcomes for veterans with mental*
9 *health care issues.*

10 *(B) A feasible timeframe on when com-*
11 *plementary alternative treatments described in*
12 *subsection (b)(3) can be implemented Depart-*
13 *ment-wide.*

14 *(C) With respect to each recommendation*
15 *established by the Commission, including regard-*
16 *ing any complementary alternative treatment,*
17 *that the Secretary determines is not appropriate*
18 *or feasible to implement, a justification for each*
19 *such determination and an alternative solution*
20 *to improve the efficacy of the therapy model used*
21 *by the Secretary for treating veterans with men-*
22 *tal health issues.*

23 *(f) TERMINATION OF COMMISSION.—The Commission*
24 *shall terminate 30 days after the Commission submits the*
25 *final report under subsection (e)(2).*

Amend the title so as to read: “A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes.”.

Union Calendar No. 143

114TH CONGRESS
1ST Session

H. R. 2256

[Report No. 114-191]

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs.

JULY 7, 2015

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed