

114TH CONGRESS
2D SESSION

H. R. 3471

AN ACT

To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Mobility
3 Safety Act of 2016”.

4 **SEC. 2. PERSONAL SELECTIONS OF AUTOMOBILES AND**
5 **ADAPTIVE EQUIPMENT.**

6 Section 3903(b) of title 38, United States Code, is
7 amended—

8 (1) by striking “Except” and inserting “(1) Ex-
9 cept”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(2) The Secretary shall ensure that to the extent
13 practicable an eligible person who is provided an auto-
14 mobile or other conveyance under this chapter is given the
15 opportunity to make personal selections relating to such
16 automobile or other conveyance.”.

17 **SEC. 3. COMPREHENSIVE POLICY FOR THE AUTOMOBILES**
18 **ADAPTIVE EQUIPMENT PROGRAM.**

19 (a) **COMPREHENSIVE POLICY.**—The Secretary of
20 Veterans Affairs shall develop a comprehensive policy re-
21 garding quality standards for providers who provide modi-
22 fication services to veterans under the automobile adaptive
23 equipment program.

24 (b) **SCOPE.**—The policy developed under subsection
25 (a) shall cover each of the following:

1 (1) The Department of Veterans Affairs-wide
2 management of the automobile adaptive equipment
3 program.

4 (2) The development of standards for safety
5 and quality of equipment and installation of equip-
6 ment through the automobile adaptive equipment
7 program, including with respect to the defined dif-
8 ferentiations in levels of modification complexity.

9 (3) The consistent application of standards for
10 safety and quality of both equipment and installation
11 throughout the Department.

12 (4) The certification of a provider by a third
13 party organization or manufacturer if the Secretary
14 designates the quality standards of such organiza-
15 tion or manufacturer as meeting or exceeding the
16 standards developed under this section.

17 (5) The education and training of personnel of
18 the Department who administer the automobile
19 adaptive equipment program.

20 (6) The compliance of the provider with the
21 Americans with Disabilities Act of 1990 (42 U.S.C.
22 12101 et seq.) when furnishing automobile adaptive
23 equipment at the facility of the provider.

1 (7) The allowance, where technically appro-
2 priate, for veterans to receive modifications at their
3 residence or location of choice.

4 (c) UPDATES.—Not later than 1 year after the date
5 of the enactment of this Act, the Secretary shall update
6 Veterans Health Administration Handbook 1173.4, or any
7 successor handbook or directive, in accordance with the
8 policy developed under subsection (a). Not less frequently
9 than once every 6 years thereafter, the Secretary shall up-
10 date such handbook, or any successor handbook or direc-
11 tive.

12 (d) CONSULTATION.—The Secretary shall develop the
13 policy under subsection (a), and revise such policy under
14 subsection (c), in consultation with veterans service orga-
15 nizations, the National Highway Transportation Adminis-
16 tration, industry representatives, manufacturers of auto-
17 mobile adaptive equipment, and other entities with exper-
18 tise in installing, repairing, replacing, or manufacturing
19 mobility equipment or developing mobility accreditation
20 standards for automobile adaptive equipment.

21 (e) CONFLICTS.—In developing and implementing the
22 policy under subsection (a), the Secretary shall—

23 (1) minimize the possibility of conflicts of inter-
24 est, to the extent practicable; and

1 (2) establish procedures that ensure against the
2 use of a certifying entity referred to in subsection
3 (b)(4) that has a financial conflict of interest re-
4 garding the certification of an eligible provider.

5 (f) BIENNIAL REPORT.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date on which the Secretary updates Veterans
8 Health Administration Handbook 1173.4, or any
9 successor handbook or directive, under subsection
10 (c), and biennially thereafter through 2022, the Sec-
11 retary shall submit to the Committees on Veterans'
12 Affairs of the House of Representatives and the Sen-
13 ate a report on the implementation and facility com-
14 pliance with the policy developed under subsection
15 (a).

16 (2) CONTENTS.—The report required by para-
17 graph (1) shall include the following:

18 (A) A description of the implementation
19 plan for the policy developed under subsection
20 (a) and any revisions to such policy under sub-
21 section (c).

22 (B) A description of the performance
23 measures used to determine the effectiveness of
24 such policy in ensuring the safety of veterans

1 enrolled in the automobile adaptive equipment
2 program.

3 (C) An assessment of safety issues due to
4 improper installations based on a survey of re-
5 cipients of adaptive equipment from the De-
6 partment.

7 (D) An assessment of the adequacy of the
8 adaptive equipment services of the Department
9 based on a survey of recipients of adaptive
10 equipment from the Department.

11 (E) An assessment of the training provided
12 to the personnel of the Department with respect
13 to administering the program.

14 (F) An assessment of the certified pro-
15 viders of the Department of adaptive equipment
16 with respect to meeting the minimum standards
17 developed under subsection (b)(2).

18 (g) DEFINITIONS.—In this section:

19 (1) The term “automobile adaptive equipment
20 program” means the program administered by the
21 Secretary of Veterans Affairs pursuant to chapter
22 39 of title 38, United States Code.

23 (2) The term “veterans service organization”
24 means any organization recognized by the Secretary

1 for the representation of veterans under section
2 5902 of title 38, United States Code.

3 **SEC. 4. APPOINTMENT OF LICENSED HEARING AID SPE-**
4 **CIALISTS IN VETERANS HEALTH ADMINIS-**
5 **TRATION.**

6 (a) LICENSED HEARING AID SPECIALISTS.—

7 (1) APPOINTMENT.—Section 7401(3) of title
8 38, United States Code, is amended by inserting “li-
9 censed hearing aid specialists,” after “Audiol-
10 ogists,”.

11 (2) QUALIFICATIONS.—Section 7402(b)(14) of
12 such title is amended by inserting “, hearing aid
13 specialist” after “dental technologist”.

14 (b) REQUIREMENTS.—With respect to appointing
15 hearing aid specialists under sections 7401 and 7402 of
16 title 38, United States Code, as amended by subsection
17 (a), and providing services furnished by such specialists,
18 the Secretary shall ensure that—

19 (1) a hearing aid specialist may only perform
20 hearing services consistent with the hearing aid spe-
21 cialist’s State license related to the practice of fit-
22 ting and dispensing hearing aids without excluding
23 other qualified professionals, including audiologists,
24 from rendering services in overlapping practice
25 areas;

1 (2) services provided to veterans by hearing aid
2 specialists shall be provided as part of the non-med-
3 ical treatment plan developed by an audiologist; and

4 (3) the medical facilities of the Department of
5 Veterans Affairs provide to veterans access to the
6 full range of professional services provided by an au-
7 diologist.

8 (c) CONSULTATION.—In determining the qualifica-
9 tions required for hearing aid specialists and in carrying
10 out subsection (b), the Secretary shall consult with vet-
11 erans service organizations, audiologists,
12 otolaryngologists, hearing aid specialists, and other stake-
13 holder and industry groups as the Secretary determines
14 appropriate.

15 (d) ANNUAL REPORT.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of the enactment of this Act, and annually
18 thereafter during the 5-year period beginning on the
19 date of the enactment of this Act, the Secretary of
20 Veterans Affairs shall submit to Congress a report
21 on the following:

22 (A) Timely access of veterans to hearing
23 health services through the Department of Vet-
24 erans Affairs.

1 (B) Contracting policies of the Department
2 with respect to providing hearing health serv-
3 ices to veterans in facilities that are not facili-
4 ties of the Department.

5 (2) **TIMELY ACCESS TO SERVICES.**—Each re-
6 port shall, with respect to the matter specified in
7 paragraph (1)(A) for the 1-year period preceding the
8 submittal of such report, include the following:

9 (A) The staffing levels of audiologists,
10 hearing aid specialists, and health technicians
11 in audiology in the Veterans Health Adminis-
12 tration.

13 (B) A description of the metrics used by
14 the Secretary in measuring performance with
15 respect to appointments and care relating to
16 hearing health.

17 (C) The average time that a veteran waits
18 to receive an appointment, beginning on the
19 date on which the veteran makes the request,
20 for the following:

21 (i) A disability rating evaluation for a
22 hearing-related disability.

23 (ii) A hearing aid evaluation.

24 (iii) Dispensing of hearing aids.

1 (iv) Any follow-up hearing health ap-
2 pointment.

3 (D) The percentage of veterans whose total
4 wait time for appointments described in sub-
5 paragraph (C), including an initial and follow-
6 up appointment, if applicable, is more than 30
7 days.

8 (3) CONTRACTING POLICIES.—Each report
9 shall, with respect to the matter specified in para-
10 graph (1)(B) for the 1-year period preceding the
11 submittal of such report, include the following:

12 (A) The number of veterans that the Sec-
13 retary refers to non-Department audiologists
14 for hearing health care appointments.

15 (B) The number of veterans that the Sec-
16 retary refers to non-Department hearing aid
17 specialists for follow-up appointments for a
18 hearing aid evaluation, the dispensing of hear-
19 ing aids, or any other purpose relating to hear-
20 ing health.

Passed the House of Representatives September 12,
2016.

Attest:

Clerk.

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