

114TH CONGRESS  
1ST SESSION

# S. 2134

To require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 5, 2015

Mr. TESTER (for himself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Grow Our Own Direc-  
3 tive: Physician Assistant Employment and Education Act  
4 of 2015”.

5 **SEC. 2. PILOT PROGRAM TO PROVIDE EDUCATIONAL AS-**  
6 **SISTANCE TO PHYSICIAN ASSISTANTS TO BE**  
7 **EMPLOYED AT THE DEPARTMENT OF VET-**  
8 **ERANS AFFAIRS.**

9 (a) PILOT PROGRAM.—

10 (1) IN GENERAL.—The Secretary of Veterans  
11 Affairs shall carry out a pilot program to be known  
12 as the “Grow Our Own Directive” or “G.O.O.D.”  
13 pilot program (in this section referred to as the  
14 “pilot program”) to provide educational assistance  
15 to certain former members of the Armed Forces for  
16 education and training as physician assistants of the  
17 Department of Veterans Affairs.

18 (2) INFORMATION ON PILOT PROGRAM.—The  
19 Secretary shall provide information on the pilot pro-  
20 gram to eligible individuals under subsection (b), in-  
21 cluding information on application requirements and  
22 a list of entities with which the Secretary has  
23 partnered under subsection (g).

24 (b) ELIGIBLE INDIVIDUALS.—An individual is eligi-  
25 ble to participate in the pilot program if the individual—

1           (1) has medical or military health experience  
2           gained while serving as a member of the Armed  
3           Forces;

4           (2) has received a certificate, associate degree,  
5           baccalaureate degree, master's degree, or  
6           postbaccalaureate training in a science relating to  
7           health care;

8           (3) has participated in the delivery of health  
9           care services or related medical services, including  
10          participation in military training relating to the  
11          identification, evaluation, treatment, and prevention  
12          of diseases and disorders; and

13          (4) does not have a degree of doctor of medi-  
14          cine, doctor of osteopathy, or doctor of dentistry.

15          (c) DURATION.—The pilot program shall be carried  
16          out during the five-year period beginning on the date that  
17          is 180 days after the date of the enactment of this Act.

18          (d) SELECTION.—

19                (1) IN GENERAL.—The Secretary shall select  
20                not less than 250 eligible individuals under sub-  
21                section (b) to participate in the pilot program.

22                (2) PRIORITY FOR SELECTION.—In selecting in-  
23                dividuals to participate in the pilot program under  
24                paragraph (1), the Secretary shall give priority to  
25                the following individuals:

1 (A) Individuals who participated in the In-  
2 termediate Care Technician Pilot Program of  
3 the Department that was carried out by the  
4 Secretary between January 2011 and February  
5 2015.

6 (B) Individuals who agree to be employed  
7 as a physician assistant for the Veterans Health  
8 Administration at a medical facility of the De-  
9 partment located in a community that—

10 (i) is designated as a medically under-  
11 served population under section  
12 330(b)(3)(A) of the Public Health Service  
13 Act (42 U.S.C. 254b(b)(3)(A)); and

14 (ii) is in a State with a per capita  
15 population of veterans of more than 9 per-  
16 cent according to the National Center for  
17 Veterans Analysis and Statistics and the  
18 United States Census Bureau.

19 (e) EDUCATIONAL ASSISTANCE.—

20 (1) IN GENERAL.—In carrying out the pilot  
21 program, the Secretary shall provide educational as-  
22 sistance to individuals participating in the pilot pro-  
23 gram, including through the use of scholarships, to  
24 cover the costs to such individuals of obtaining a

1 master's degree in physician assistant studies or a  
2 similar master's degree.

3 (2) USE OF EXISTING PROGRAMS.—In pro-  
4 viding educational assistance under paragraph (1),  
5 the Secretary shall use the Department of Veterans  
6 Affairs Health Professionals Educational Assistance  
7 Program under chapter 76 of title 38, United States  
8 Code, and such other educational assistance pro-  
9 grams of the Department as the Secretary considers  
10 appropriate.

11 (3) USE OF SCHOLARSHIPS.—The Secretary  
12 shall provide not less than 35 scholarships under the  
13 pilot program to individuals participating in the pilot  
14 program during each year in which the pilot pro-  
15 gram is carried out.

16 (f) PERIOD OF OBLIGATED SERVICE.—

17 (1) IN GENERAL.—The Secretary shall enter  
18 into an agreement with each individual participating  
19 in the pilot program in which such individual agrees  
20 to be employed as a physician assistant for the Vet-  
21 erans Health Administration for a period of obli-  
22 gated service specified in paragraph (2).

23 (2) PERIOD SPECIFIED.—With respect to each  
24 individual participating in the pilot program, the pe-

1       riod of obligated service specified in this paragraph  
2       for the individual is—

3               (A) if the individual is participating in the  
4               pilot program through a program described in  
5               subsection (e)(2) that specifies a period of obli-  
6               gated service, the period specified with respect  
7               to such program; or

8               (B) if the individual is participating in the  
9               pilot program other than through a program  
10              described in such subsection, or if such program  
11              does not specify a period of obligated service, a  
12              period of three years or such other period as  
13              the Secretary considers appropriate for pur-  
14              poses of the pilot program.

15       (g) BREACH.—

16              (1) LIABILITY.—Except as provided in para-  
17              graph (2), an individual who participates in the pilot  
18              program and fails to satisfy the period of obligated  
19              service under subsection (f) shall be liable to the  
20              United States, in lieu of such obligated service, for  
21              the amount that has been paid or is payable to or  
22              on behalf of the individual under the pilot program,  
23              reduced by the proportion that the number of days  
24              served for completion of the period of obligated serv-

1 ice bears to the total number of days in the period  
2 of obligated service of such individual.

3 (2) EXCEPTION.—If an individual is partici-  
4 pating in the pilot program through a program de-  
5 scribed in subsection (e)(2) that specifies a period of  
6 obligated service, the liability of the individual for  
7 failing to satisfy the period of obligated service  
8 under subsection (f) shall be determined as specified  
9 with respect to such program.

10 (h) MENTORS.—The Secretary shall ensure that a  
11 physician assistant mentor or mentors are available for in-  
12 dividuals participating in the pilot program at each facility  
13 of the Veterans Health Administration at which a partici-  
14 pant in the pilot program is employed.

15 (i) PARTNERSHIPS.—In carrying out the pilot pro-  
16 gram, the Secretary shall seek to partner with the fol-  
17 lowing:

18 (1) Not less than 15 institutions of higher edu-  
19 cation that—

20 (A) offer a master's degree program in  
21 physician assistant studies or a similar area of  
22 study that is accredited by the Accreditation  
23 Review Commission on Education for the Phy-  
24 sician Assistant; and

25 (B) agree—

1 (i) to guarantee seats in such master's  
2 degree program for individuals partici-  
3 pating in the pilot program who meet the  
4 entrance requirements for such master's  
5 degree program; and

6 (ii) to provide individuals partici-  
7 pating in the pilot program with informa-  
8 tion on admissions criteria and the admis-  
9 sions process.

10 (2) Other institutions of higher education that  
11 offer programs in physician assistant studies or  
12 other similar areas of studies that are accredited by  
13 the Accreditation Review Commission on Education  
14 for the Physician Assistant.

15 (3) The Transition Assistance Program of the  
16 Department of Defense.

17 (4) The Veterans' Employment and Training  
18 Service of the Department of Labor.

19 (5) Programs carried out under chapter 41 of  
20 title 38, United State Code, for the purpose of mar-  
21 keting and advertising the pilot program to veterans  
22 and members of the Armed Forces who may be in-  
23 terested in the pilot program.

24 (j) ADMINISTRATION OF PILOT PROGRAM.—For pur-  
25 poses of carrying out the pilot program, the Secretary



1 shall appoint or select within the Office of Physician As-  
2 sistant Services of the Veterans Health Administration the  
3 following:

4 (1) A Deputy Director for Education and Ca-  
5 reer Development of Physician Assistants who—

6 (A) is a physician assistant, a veteran, and  
7 employed by the Department as of the date of  
8 the enactment of this Act;

9 (B) is responsible for—

10 (i) overseeing the pilot program;

11 (ii) recruiting candidates to partici-  
12 pate in the pilot program;

13 (iii) coordinating with individuals par-  
14 ticipating in the pilot program and assist-  
15 ing those individuals in applying and being  
16 admitted to a master's degree program  
17 under the pilot program; and

18 (iv) providing information to eligible  
19 individuals under subsection (b) with re-  
20 spect to the pilot program; and

21 (C) may be employed in the field at a med-  
22 ical center of the Department.

23 (2) A Deputy Director of Recruitment and Re-  
24 tention who—

1 (A) is a physician assistant, a veteran, and  
2 employed by the Department as of the date of  
3 the enactment of this Act;

4 (B) is responsible for—

5 (i) identifying and coordinating the  
6 needs of the pilot program and assist the  
7 Secretary in providing mentors under sub-  
8 section (h) to participants in the pilot pro-  
9 gram; and

10 (ii) coordinating the staff of facilities  
11 of the Veterans Health Administration  
12 with respect to identifying employment po-  
13 sitions and mentors under subsection (h)  
14 for participants in the pilot program; and

15 (C) may be employed in the field at a med-  
16 ical center of the Department.

17 (3) A recruiter who—

18 (A) reports directly to the Deputy Director  
19 of Recruitment and Retention; and

20 (B) works with the Workforce Manage-  
21 ment and Consulting Office and the Healthcare  
22 Talent Management Office of the Veterans  
23 Health Administration to develop and imple-  
24 ment national recruiting strategic plans for the

1 recruitment and retention of physician assist-  
2 ants within the Department.

3 (4) An administrative assistant, compensated at  
4 a rate not less than level GS-6 of the General  
5 Schedule, or equivalent, who assists with administra-  
6 tive duties relating to the pilot program in the Office  
7 of Physician Assistant Services and such other du-  
8 ties as determined by the Secretary to ensure that  
9 the Office runs effectively and efficiently.

10 (k) REPORT.—

11 (1) IN GENERAL.—Not later than one year  
12 after the date of the enactment of this Act, the Sec-  
13 retary of Veterans Affairs, in collaboration with the  
14 Secretary of Labor, the Secretary of Defense, and  
15 the Secretary of Health and Human Services, shall  
16 submit to Congress a report on the pilot program.

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

19 (A) The extent to which the pilot program  
20 is effective in improving the ability of eligible  
21 individuals under subsection (b) to become phy-  
22 sician assistants.

23 (B) An examination of whether the pilot  
24 program is achieving the goals of—

1 (i) enabling individuals to build on  
2 medical skills gained as members of the  
3 Armed Forces by entering into the physi-  
4 cian assistant workforce of the Depart-  
5 ment; and

6 (ii) helping to meet the shortage of  
7 physician assistants employed by the De-  
8 partment.

9 (C) An identification of such modifications  
10 to the pilot program as the Secretary of Vet-  
11 erans Affairs, the Secretary of Labor, the Sec-  
12 retary of Defense, and the Secretary of Health  
13 and Human Services consider necessary to meet  
14 the goals described in subparagraph (B).

15 (D) An assessment of whether the pilot  
16 program could serve as a model for other pro-  
17 grams of the Department to assist individuals  
18 in obtaining certification and employment in  
19 other health care fields.

20 (I) SOURCE OF AMOUNTS.—Not less than \$8,000,000  
21 of the amount necessary to carry out the pilot program  
22 shall be derived from amounts appropriated to the Depart-  
23 ment of Veterans Affairs before the date of the enactment  
24 of this Act.

1 **SEC. 3. ESTABLISHMENT OF STANDARDS FOR THE DEPART-**  
2 **MENT OF VETERANS AFFAIRS FOR USING**  
3 **EDUCATIONAL ASSISTANCE PROGRAMS TO**  
4 **EDUCATE AND HIRE PHYSICIAN ASSISTANTS.**

5 (a) IN GENERAL.—The Secretary of Veterans Affairs  
6 shall establish standards described in subsection (b) to im-  
7 prove the use by the Department of Veterans Affairs of  
8 the Department of Veterans Affairs Health Professionals  
9 Educational Assistance Program under chapter 76 of title  
10 38, United States Code, and other educational assistance  
11 programs of the Department, including the pilot program  
12 under section 2, to educate and hire physician assistants  
13 of the Department.

14 (b) STANDARDS.—The standards described in this  
15 subsection are the following:

16 (1) Holding directors of medical centers of the  
17 Department accountable for failure to use the edu-  
18 cational assistance programs described in subsection

19 (a) and other incentives—

20 (A) to advance employees of the Depart-  
21 ment in their education as physician assistants;  
22 and

23 (B) to improve recruitment and retention  
24 of physician assistants.

25 (2) Ensuring that the Department of Veterans  
26 Affairs Education Debt Reduction Program under

1 subchapter VII of chapter 76 of such title is avail-  
2 able for participants in the pilot program under sec-  
3 tion 2 to fill vacant physician assistant positions at  
4 the Department, including by—

5 (A) including in all vacancy announce-  
6 ments for physician assistant positions the  
7 availability of the Education Debt Reduction  
8 Program; and

9 (B) informing applicants to physician as-  
10 sistant positions of their eligibility for the Edu-  
11 cation Debt Reduction Program.

12 (3) Monitoring compliance with the application  
13 process for educational assistance programs de-  
14 scribed in subsection (a) to ensure that such pro-  
15 grams are being fully utilized to carry out this sec-  
16 tion.

17 (4) Creating programs, including through the  
18 use of the Department of Veterans Affairs Employee  
19 Incentive Scholarship Program under subchapter VI  
20 of chapter 76 of such title, to encourage employees  
21 of the Department to apply to accredited physician  
22 assistant programs.

23 (c) REGULATIONS.—The Secretary shall prescribe  
24 such regulations as the Secretary considers appropriate to  
25 carry out this section.

1 **SEC. 4. ESTABLISHMENT OF PAY GRADES FOR PHYSICIAN**  
 2 **ASSISTANTS OF THE DEPARTMENT OF VET-**  
 3 **ERANS AFFAIRS AND REQUIREMENT TO PRO-**  
 4 **VIDE COMPETITIVE PAY.**

5 (a) ESTABLISHMENT OF PAY GRADES.—Section  
 6 7404(b) of title 38, United States Code, is amended by  
 7 adding at the end the following:

“PHYSICIAN ASSISTANT SCHEDULE  
 “Physician Assistant IV.  
 “Physician Assistant III.  
 “Physician Assistant II.  
 “Physician Assistant I.”.

8 (b) COMPETITIVE PAY.—Section 7451(a)(2) of such  
 9 title is amended—

10 (1) by redesignating subparagraph (B) as sub-  
 11 paragraph (C);

12 (2) by inserting after subparagraph (A) the fol-  
 13 lowing new subparagraph (B):

14 “(B) Physician assistant.”; and

15 (3) in subparagraph (C), as redesignated by  
 16 paragraph (1), by striking “and registered nurse”  
 17 and inserting “registered nurse, and physician as-  
 18 sistant”.

19 (c) NATIONAL STRATEGIC PLAN.—

20 (1) IN GENERAL.—The Secretary of Veterans  
 21 Affairs shall implement a national strategic plan for  
 22 the retention and recruitment of physician assistants  
 23 of the Department of Veterans Affairs that includes

1 the establishment and adoption of standards for the  
2 provision of competitive pay to physician assistants  
3 of the Department in comparison to the pay of phy-  
4 sician assistants in the private sector.

5 (2) REPORT.—Not later than one year after the  
6 date of the enactment of this Act, the Secretary  
7 shall submit to the Committee on Veterans' Affairs  
8 of the Senate and the Committee on Veterans' Af-  
9 fairs of the House of Representatives a report on the  
10 implementation of the national strategic plan under  
11 paragraph (1).

○