

114TH CONGRESS  
1ST SESSION

# S. 2279

To require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2015

Mr. MERKLEY (for himself, Mr. ROUNDS, Mr. TILLIS, Mrs. SHAHEEN, Mr. WARNER, Mr. BROWN, Mr. WYDEN, and Mr. TESTER) 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 program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals 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 “Veterans Health Care  
3 Staffing Improvement Act”.

4 **SEC. 2. PROGRAM TO INCREASE EFFICIENCY IN THE RE-**  
5 **CRUITMENT AND HIRING BY THE DEPART-**  
6 **MENT OF VETERANS AFFAIRS OF HEALTH**  
7 **CARE WORKERS UNDERGOING SEPARATION**  
8 **FROM THE ARMED FORCES.**

9 (a) PROGRAM.—The Secretary of Veterans Affairs  
10 shall, in coordination with the Secretary of Defense, carry  
11 out a program to recruit individuals who are undergoing  
12 separation from the Armed Forces and who served in a  
13 health care capacity while serving as a member of the  
14 Armed Forces. The program shall be known as the “Doc-  
15 to-Doctors Program”.

16 (b) SHARING OF INFORMATION.—

17 (1) SUBMITTAL OF LIST.—For purposes of car-  
18 rying out the program, not less frequently than once  
19 per year (or a shorter period that the Secretary of  
20 Veterans Affairs and the Secretary of Defense may  
21 jointly specify), the Secretary of Defense shall sub-  
22 mit to the Secretary of Veterans Affairs a list of  
23 members of the Armed Forces, including the reserve  
24 components, who—

25 (A) served in a health care capacity while  
26 serving as a member of the Armed Forces;

1 (B) are undergoing or have undergone sep-  
2 aration from the Armed Forces during the pe-  
3 riod covered by the list; and

4 (C) will be discharged from the Armed  
5 Forces under honorable conditions, as deter-  
6 mined by the Secretary of Defense, or have  
7 been discharged from the Armed Forces under  
8 honorable conditions during the period covered  
9 by the list.

10 (2) USE OF OCCUPATIONAL CODES.—Each list  
11 submitted under paragraph (1) shall include mem-  
12 bers of the Armed Forces who were assigned a Mili-  
13 tary Occupational Specialty code, an Air Force Spe-  
14 cialty Code, or a United States Navy rating indic-  
15 ative of service in a health care capacity.

16 (3) INFORMATION INCLUDED.—Each list sub-  
17 mitted under paragraph (1) shall include the fol-  
18 lowing information, to the extent such information is  
19 available to the Secretary of Defense, with respect to  
20 each member of the Armed Forces included in such  
21 list:

22 (A) Contact information.

23 (B) Rank upon separation from the Armed  
24 Forces.

1 (C) A description of health care experience  
2 while serving as a member of the Armed Forces  
3 and other relevant health care experience, in-  
4 cluding any relevant credential, such as a cer-  
5 tificate, certification, or license, including the  
6 name of the institution or organization that  
7 issued the credential.

8 (4) CONSULTATION WITH SECRETARY OF  
9 HOMELAND SECURITY.—In submitting each list  
10 under paragraph (1), the Secretary of Defense shall  
11 consult with the Secretary of Homeland Security  
12 with respect to matters concerning the Coast Guard  
13 when it is not operating as a service in the Navy.

14 (c) RESOLUTION OF BARRIERS TO EMPLOYMENT.—

15 (1) IN GENERAL.—In carrying out the program,  
16 the Secretary of Veterans Affairs shall, in coordina-  
17 tion with the Secretary of Defense, work to resolve  
18 any barriers relating to credentialing or to specific  
19 hiring rules, procedures, and processes of the De-  
20 partment of Veterans Affairs that may delay or pre-  
21 vent the hiring of individuals who are undergoing  
22 separation from the Armed Forces and who served  
23 in a health care capacity while serving as a member  
24 of the Armed Forces, including by reconciling dif-  
25 ferent credentialing processes and standards between

1 the Department of Veterans Affairs and the Depart-  
2 ment of Defense.

3 (2) REPORT.—If the Secretary of Veterans Af-  
4 fairs determines that a barrier described in para-  
5 graph (1) cannot be resolved under such paragraph,  
6 the Secretary shall, not later than 90 days after the  
7 discovery of the barrier, submit to Congress a report  
8 that includes such recommendations for legislative  
9 and administrative action as the Secretary considers  
10 appropriate to resolve the barrier, including any bar-  
11 rier imposed by a State.

12 (d) TREATMENT OF APPLICATIONS FOR EMPLOY-  
13 MENT.—An application for employment in the Depart-  
14 ment of Veterans Affairs in a health care capacity received  
15 by the Secretary of Veterans Affairs from a member or  
16 former member of the Armed Forces who is on a list sub-  
17 mitted to the Secretary under subsection (b) shall not be  
18 considered an application from outside the work force of  
19 the Department for purposes of section 3330 of title 5,  
20 United States Code, and section 335.105 of title 5, Code  
21 of Federal Regulations (as in effect on the date of the  
22 enactment of this Act), if the application is received not  
23 later than one year after the separation of the member  
24 or former member from the Armed Forces.

1 **SEC. 3. UNIFORM CREDENTIALING STANDARDS FOR CER-**  
2 **TAIN HEALTH CARE PROFESSIONALS OF THE**  
3 **DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Subchapter II of chapter 74 of  
5 title 38, United States Code, is amended by inserting after  
6 section 7423 the following new section:

7 **“§ 7423A. Personnel administration: uniform**  
8 **credentialing process**

9 “(a) UNIFORM PROCESS.—The Secretary shall imple-  
10 ment a uniform credentialing process for employees of the  
11 Veterans Health Administration for each position specified  
12 in section 7421(b) of this title.

13 “(b) RECOGNITION THROUGHOUT ADMINISTRA-  
14 TION.—If an employee of the Administration in a position  
15 specified in section 7421(b) of this title is credentialed  
16 under this section for purposes of practicing in a location  
17 within the Administration, such credential shall be deemed  
18 to be sufficient for the employee to practice in any location  
19 within the Administration.

20 “(c) RENEWAL.—(1) Except as provided in para-  
21 graph (2), the Secretary may provide for the renewal of  
22 credentials under this section pursuant to such regulations  
23 as the Secretary may prescribe for such purpose.

24 “(2) Renewal of credentials under this section may  
25 not be required solely because an employee moves from  
26 one facility of the Department to another.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of chapter 74 of such title is amended  
 3 by inserting after the item relating to section 7423 the  
 4 following new item:

“7423A. Personnel administration: uniform credentialing process.”.

5 (c) EFFECTIVE DATE.—The Secretary of Veterans  
 6 Affairs shall implement the uniform credentialing process  
 7 required under section 7423A of such title, as added by  
 8 subsection (a), not later than one year after the date of  
 9 the enactment of this Act.

10 **SEC. 4. PROVISION OF FULL PRACTICE AUTHORITY FOR**  
 11 **ADVANCED PRACTICE REGISTERED NURSES,**  
 12 **PHYSICIAN ASSISTANTS, AND OTHER HEALTH**  
 13 **CARE PROFESSIONALS OF THE DEPARTMENT**  
 14 **OF VETERANS AFFAIRS.**

15 (a) FULL PRACTICE AUTHORITY.—The Secretary of  
 16 Veterans Affairs shall provide full practice authority to ad-  
 17 vanced practice registered nurses, physician assistants,  
 18 and such other licensed health care professionals of the  
 19 Department of Veterans Affairs as the Secretary considers  
 20 appropriate consistent with the education, training, and  
 21 certification of such health care professionals.

22 (b) INAPPLICABILITY OF STATE LIMITATIONS.—Full  
 23 practice authority shall be provided by the Secretary under  
 24 subsection (a) to health care professionals described in  
 25 that subsection without regard to any limitation that

1 would otherwise be imposed on the health care practice  
2 of such professionals by a licensing or credentialing body  
3 of a State or otherwise under State law.

4 (c) DEFINITIONS.—In this section:

5 (1) ADVANCED PRACTICE REGISTERED  
6 NURSE.—The term “advanced practice registered  
7 nurse” has the meaning given that term in section  
8 5509(e)(1) of Public Law 111–148 (42 U.S.C.  
9 1395ww note).

10 (2) FULL PRACTICE AUTHORITY.—The term  
11 “full practice authority” means—

12 (A) with respect to an advanced practice  
13 registered nurse, the full scope of practice for  
14 the area of nursing practiced by the advanced  
15 practice registered nurse as determined by the  
16 national professional association or organiza-  
17 tion, a successor association or organization, or  
18 any other appropriate entity as determined by  
19 the Secretary for such area of nursing;

20 (B) with respect to a physician assistant,  
21 the full scope of practice for the area of medi-  
22 cine practiced by the physician assistant as de-  
23 termined by the national professional associa-  
24 tion or organization, a successor association or  
25 organization, or any other appropriate entity as



1 determined by the Secretary for such area of  
2 medicine; and

3 (C) with respect to any other licensed  
4 health care professional not specified in sub-  
5 paragraph (A) or (B), the full scope of practice  
6 for the area of medicine practiced by the li-  
7 censed health care professional as determined  
8 by the national professional association or orga-  
9 nization, a successor association or organiza-  
10 tion, or any other appropriate entity as deter-  
11 mined by the Secretary for such area of medi-  
12 cine.

13 (3) PHYSICIAN ASSISTANT.—The term “physi-  
14 cian assistant” has the meaning given that term in  
15 section 1861(aa)(5)(A) of the Social Security Act  
16 (42 U.S.C. 1395x(aa)(5)(A)).

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