

115TH CONGRESS
1ST SESSION

H. R. 1848

IN THE SENATE OF THE UNITED STATES

JULY 25, 2017

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers, 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 Affairs Med-
3 ical Scribe Pilot Act of 2017”.

4 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS MEDICAL**
5 **SCRIBE PILOT PROGRAM.**

6 (a) **IN GENERAL.**—The Secretary of Veterans Affairs
7 shall carry out a 2-year pilot program under which the
8 Secretary shall increase the use of medical scribes at De-
9 partment of Veterans Affairs medical centers.

10 (b) **LOCATIONS.**—The Secretary shall carry out the
11 pilot program at the 10 medical centers of the Department
12 as follows:

13 (1) At least four such medical centers located
14 in rural areas.

15 (2) At least four such medical centers located
16 in urban areas.

17 (3) Two such medical centers located in areas
18 with need for increased access or increased effi-
19 ciency, as determine by the Secretary.

20 (c) **MEDICAL SCRIBES.**—

21 (1) **HIRING.**—Under the pilot program the Sec-
22 retary shall—

23 (A) hire 20 new Department of Veterans
24 Affairs term employees as medical scribes; and

1 (B) seek to enter into contracts with ap-
2 propriate entities for the employment of 20 ad-
3 ditional medical scribes.

4 (2) DISTRIBUTION.—The Secretary shall assign
5 four medical scribes to each of the 10 medical cen-
6 ters of the Department where the Secretary carries
7 out the pilot program as follows:

8 (A) Two scribes shall be assigned to each
9 of two physicians.

10 (B) Thirty percent of the scribes shall be
11 employed in the provision of emergency care.

12 (C) Seventy percent of the scribes shall be
13 employed in the provision of speciality care in
14 specialties with the longest patient wait times
15 or lowest efficiency ratings, as determined by
16 the Secretary.

17 (d) REPORTS.—

18 (1) REPORTS TO CONGRESS.—Not later than
19 180 days after the commencement of the pilot pro-
20 gram required under this section, and every 180
21 days thereafter for the duration of the pilot pro-
22 gram, the Secretary of Veterans Affairs shall submit
23 to Congress a report on the pilot program. Each
24 such report shall include each of the following:

1 (A) A separate analysis of each the fol-
2 lowing with respect to medical scribes employed
3 by the Department of Veterans Affairs and
4 medical scribes performing Department of Vet-
5 erans Affairs functions under a contract:

6 (i) Provider efficiency.

7 (ii) Patient satisfaction.

8 (iii) Average wait time.

9 (iv) The number of patients seen per
10 day by each physician or practitioner.

11 (v) The amount of time required to
12 hire and train an employee to perform
13 medical scribe functions under the pilot
14 program.

15 (B) Metrics and data for analyzing the ef-
16 fects of the pilot program, including an evalua-
17 tion of the each of the elements under clauses
18 (i) through (iv) of subparagraph (A) at medical
19 centers who employed scribes under the pilot
20 program for an appropriate period preceding
21 the hiring of such scribes.

22 (2) COMPTROLLER GENERAL REPORT.—Not
23 later than 90 days after the termination of the pilot
24 program under this section, the Comptroller General
25 of the United States shall submit to Congress a re-

1 port on the pilot program. Such report shall include
2 a comparison of the pilot program with similar pro-
3 grams carried out in the private sector.

4 (e) DEFINITIONS.—In this section:

5 (1) The term “medical scribe” means an unli-
6 censed individual hired to enter information into the
7 electronic health record or chart at the direction of
8 a physician or licensed independent practitioner
9 whose responsibilities include the following:

10 (A) Assisting the physician or practitioner
11 in navigating the electronic health record.

12 (B) Responding to various messages as di-
13 rected by the physician or practitioner.

14 (C) Entering information into the elec-
15 tronic health record, as directed by the physi-
16 cian or practitioner.

17 (2) The terms “urban” and “rural” have the
18 meanings given such terms under the rural-urban
19 commuting codes developed by the Secretary of Agri-
20 culture and the Secretary of Health and Human
21 Services.

22 (f) FUNDING.—The pilot program under this section
23 shall be carried out using amounts otherwise authorized
24 to be appropriated for the Department of Veterans Af-

1 fairs. No additional amounts are authorized to be appro-
2 priated to carry out such program.

3 **SEC. 3. PROHIBITION ON SMOKING IN FACILITIES OF THE**
4 **VETERANS HEALTH ADMINISTRATION.**

5 (a) PROHIBITION.—Section 1715 of title 38, United
6 States Code, is amended to read as follows:

7 **“§ 1715. Prohibition on smoking in facilities of the**
8 **Veterans Health Administration**

9 “(a) PROHIBITION.—(1)(A) Except as provided in
10 subparagraph (B), no person may smoke indoors in any
11 facility of the Veterans Health Administration.

12 “(B) In the case of a facility of the Veterans Health
13 Administration that is a community living center, no per-
14 son may smoke indoors in such facility on or after Decem-
15 ber 31, 2018.

16 “(2) No person may smoke outdoors in any facility
17 of the Veterans Health Administration on or after October
18 1, 2021.

19 “(b) DEFINITIONS.—In this section:

20 “(1) The term ‘smoke’ includes the smoking of
21 cigarettes (including e-cigarettes or electronic ciga-
22 rettes), cigars, pipes, and any other combustion of
23 tobacco.

24 “(2) The term ‘facility of the Veterans Health
25 Administration’ means any land or building (includ-

1 ing any medical center, nursing home, domiciliary
2 facility, outpatient clinic, or center that provides re-
3 adjustment counseling) that is—

4 “(A) under the jurisdiction of the Depart-
5 ment of Veterans Affairs;

6 “(B) under the control of the Veterans
7 Health Administration; and

8 “(C) not under the control of the General
9 Services Administration.

10 “(3) The term ‘community living center’ means
11 a facility of the Department that provides nursing
12 home care.”.

13 (b) CONFORMING AMENDMENTS.—

14 (1) The table of sections at the beginning of
15 chapter 17 of such title is amended by striking the
16 item relating to section 1715 and inserting the fol-
17 lowing:

“1715. Prohibition on smoking in facilities of the Veterans Health Administra-
tion.”.

18 (2) Section 526 of the Veterans Health Care
19 Act of 1992 (Public Law 102–585) is repealed.

- 1 (c) EFFECTIVE DATE.—This section shall take effect
- 2 90 days after the date of the enactment of this Act.

Passed the House of Representatives July 24, 2017.

Attest: KAREN L. HAAS,
Clerk.