

115TH CONGRESS  
1ST SESSION

# H. R. 1848

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IN THE SENATE OF THE UNITED STATES

JULY 25, 2017

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

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## 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.*