H. R. 2123

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2017

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

AN ACT

To amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, 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,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans E-Health and Telemedicine Support Act of 2017” or the “VETS Act of 2017”.

SEC. 2. LICENSURE OF HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF VETERANS AFFAIRS PROVIDING TREATMENT VIA TELEMEDICINE.

(a) In General.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1730A the following new section:

“§ 1730B. Licensure of health care professionals providing treatment via telemedicine

“(a) In General.—Notwithstanding any provision of law regarding the licensure of health care professionals, a covered health care professional may practice the health care profession of the health care professional at any location in any State, regardless of where the covered health care professional or the patient is located, if the covered health care professional is using telemedicine to provide treatment to an individual under this chapter.

“(b) Property of Federal Government.—Subsection (a) shall apply to a covered health care professional providing treatment to a patient regardless of whether the covered health care professional or patient is located in a facility owned by the Federal Government during such treatment.
“(c) Construction.—Nothing in this section may be construed to remove, limit, or otherwise affect any obligation of a covered health care professional under the Controlled Substances Act (21 U.S.C. 801 et seq.).

“(d) Covered Health Care Professional Defined.—In this section, the term ‘covered health care professional’ means a health care professional who—

“(1) is an employee of the Department appointed under the authority under sections 7306, 7401, 7405, 7406, or 7408 of this title, or title 5;

“(2) is authorized by the Secretary to provide health care under this chapter;

“(3) is required to adhere to all quality standards relating to the provision of telemedicine in accordance with applicable policies of the Department; and

“(4) has an active, current, full, and unrestricted license, registration, or certification in a State to practice the health care profession of the health care professional.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1730A the following new item:

“1730B. Licensure of health care professionals providing treatment via telemedicine.”.
(c) REPORT ON TELEMEDICINE.—

(1) IN GENERAL.—Not later than 1 year after
the date of the enactment of this Act, the Secretary
of Veterans Affairs shall submit to the Committee
on Veterans’ Affairs of the Senate and the Com-
mittee on Veterans’ Affairs of the House of Rep-
resentatives a report on the effectiveness of the use
of telemedicine by the Department of Veterans Af-
fairs.

(2) ELEMENTS.—The report required by para-
graph (1) shall include an assessment of the fol-
lowing:

(A) The satisfaction of veterans with tele-
medicine furnished by the Department.

(B) The satisfaction of health care pro-
viders in providing telemedicine furnished by
the Department.

(C) The effect of telemedicine furnished by
the Department on the following:

(i) The ability of veterans to access
health care, whether from the Department
or from non-Department health care pro-
viders.

(ii) The frequency of use by veterans
of telemedicine.
(iii) The productivity of health care providers.

(iv) Wait times for an appointment for the receipt of health care from the Department.

(v) The reduction, if any, in the use by veterans of in-person services at Department facilities and non-Department facilities.

(D) The types of appointments for the receipt of telemedicine furnished by the Department that were provided during the 1-year period preceding the submittal of the report.

(E) The number of appointments for the receipt of telemedicine furnished by the Department that were requested during such period, disaggregated by Veterans Integrated Service Network.

(F) Savings by the Department, if any, including travel costs, of furnishing health care
through the use of telemedicine during such period.

Passed the House of Representatives November 7, 2017.

Attest: KAREN L. HAAS, Clerk.