

Union Calendar No. 290

115TH CONGRESS
1ST SESSION

H. R. 2123

[Report No. 115–394]

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2017

Mr. THOMPSON of Pennsylvania (for himself, Ms. BROWNLEY of California, Mr. LoBIONDO, and Mr. ESPAILLAT) introduced the following bill; which was referred to the Committee on Veterans' Affairs

NOVEMBER 7, 2017

Additional sponsors: Mr. COOPER, Mr. RUSH, Mr. KELLY of Pennsylvania, Mr. POCAN, Mr. RYAN of Ohio, Mr. SCHWEIKERT, Mr. O'ROURKE, Mr. GRAVES of Missouri, Mrs. McMORRIS RODGERS, Mr. BUTTERFIELD, Mr. JONES, Mr. WALDEN, Mrs. RADEWAGEN, Mr. WELCH, Ms. KUSTER of New Hampshire, Mr. BERGMAN, Mr. ARRINGTON, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. COFFMAN, Mr. YOUNG of Iowa, Mr. MESSER, Ms. SHEA-PORTER, and Ms. SINEMA

NOVEMBER 7, 2017

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

10 (a) IN GENERAL.—Chapter 17 of title 38, United
11 States Code, is amended by inserting after section 1730A
12 the following new section:

13 **“§ 1730B. Licensure of health care professionals pro-**
14 **viding treatment via telemedicine**

15 “(a) IN GENERAL.—Notwithstanding any provision
16 of law regarding the licensure of health care professionals,
17 a covered health care professional may practice the health
18 care profession of the health care professional at any loca-
19 tion in any State, regardless of where the covered health
20 care professional or the patient is located, if the covered
21 health care professional is using telemedicine to provide
22 treatment to an individual under this chapter.

23 “(b) PROPERTY OF FEDERAL GOVERNMENT.—Sub-
24 section (a) shall apply to a covered health care professional
25 providing treatment to a patient regardless of whether the

1 covered health care professional or patient is located in
2 a facility owned by the Federal Government during such
3 treatment.

4 “(c) CONSTRUCTION.—Nothing in this section may
5 be construed to remove, limit, or otherwise affect any obli-
6 gation of a covered health care professional under the Con-
7 trolled Substances Act (21 U.S.C. 801 et seq.).

8 “(d) COVERED HEALTH CARE PROFESSIONAL DE-
9 FINED.—In this section, the term ‘covered health care pro-
10 fessional’ means a health care professional who—

11 “(1) is an employee of the Department ap-
12 pointed under the authority under sections 7306,
13 7401, 7405, 7406, or 7408 of this title, or title 5;

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

16 “(3) is required to adhere to all quality stand-
17 ards relating to the provision of telemedicine in ac-
18 cordance with applicable policies of the Department;
19 and

20 “(4) has an active, current, full, and unre-
21 stricted license, registration, or certification in a
22 State to practice the health care profession of the
23 health care professional.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 17 of such title is amended

1 by inserting after the item relating to section 1730A the
2 following new item:

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

3 (c) REPORT ON TELEMEDICINE.—

4 (1) IN GENERAL.—Not later than one year
5 after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs shall submit to the Com-
7 mittee on Veterans’ Affairs of the Senate and the
8 Committee on Veterans’ Affairs of the House of
9 Representatives a report on the effectiveness of the
10 use of telemedicine by the Department of Veterans
11 Affairs.

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

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

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

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

22 (i) The ability of veterans to access
23 health care, whether from the Department

1 or from non-Department health care pro-
2 viders.

3 (ii) The frequency of use by veterans
4 of telemedicine.

5 (iii) The productivity of health care
6 providers.

7 (iv) Wait times for an appointment
8 for the receipt of health care from the De-
9 partment.

10 (v) The reduction, if any, in the use
11 by veterans of in-person services at De-
12 partment facilities and non-Department fa-
13 cilities.

14 (D) The types of appointments for the re-
15 ceipt of telemedicine furnished by the Depart-
16 ment that were provided during the one-year
17 period preceding the submittal of the report.

18 (E) The number of appointments for the
19 receipt of telemedicine furnished by the Depart-
20 ment that were requested during such period,
21 disaggregated by Veterans Integrated Service
22 Network.

23 (F) Savings by the Department, if any, in-
24 cluding travel costs, of furnishing health care

- 1 through the use of telemedicine during such pe-
- 2 riod.

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