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. ties 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) Covered Health Care Professionals.—For purposes of this section, a covered health care professional is any health care professional who—

“(1) is an employee of the Department appointed under the authority under section 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 standards of
quality relating to the provision of medicine in ac-
cordance with applicable policies of the Department;
and

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

“(c) PROPERTY OF FEDERAL GOVERNMENT.—Sub-
section (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.

“(d) RELATION TO STATE LAW.—(1) The provisions
of this section shall supersede any provisions of the law
of any State to the extent that such provision of State
law are inconsistent with this section.

“(2) No State shall deny or revoke the license, reg-
istration, or certification of a covered health care profes-
sional who otherwise meets the qualifications of the State
for holding the license, registration, or certification on the
basis that the covered health care professional has en-
gaged or intends to engage in activity covered by sub-
section (a).

“(e) RULE OF CONSTRUCTION.—Nothing in this sec-
tion 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.).”.

(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 telemedi-
cine.”.

(e) REPORT ON TELEMEDICINE.—

(1) IN GENERAL.—Not later than one year
after the earlier of the date on which services pro-
vided under section 1730B of title 38, United States
Code, as added by subsection (a), first occur or reg-
ulations are promulgated to carry out such section,
the Secretary of Veterans Affairs shall submit to the
Committee on Veterans’ Affairs of the Senate and
the Committee on Veterans’ Affairs of the House of
Representatives a report on the effectiveness of the
use of telemedicine by the Department of Veterans
Affairs.
(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The satisfaction of veterans with telemedicine furnished by the Department.

(B) The satisfaction of health care providers 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 providers.

   (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 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 one-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 medical facility.

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

Passed the Senate January 3, 2018.

Attest:

Secretary.
AN ACT

S. 925

115th CONGRESS
2d SESSION

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