114TH CONGRESS 2D SESSION

# H.R.4150

## AN ACT

- To amend title 38, United States Code, to allow the Secretary of Veterans Affairs to modify the hours of employment of physicians employed on a full-time basis by the Department of Veterans Affairs.
  - 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.

- This Act may be cited as the "Department of Vet-
- 3 erans Affairs Emergency Medical Staffing Recruitment
- 4 and Retention Act".
- 5 SEC. 2. MODIFICATION OF HOURS OF EMPLOYMENT FOR
- 6 PHYSICIANS EMPLOYED BY THE DEPART-
- 7 MENT OF VETERANS AFFAIRS.
- 8 Section 7423(a) of title 38, United States Code, is
- 9 amended—
- 10 (1) by striking "(a) The hours" and inserting
- 11 "(a)(1) Except as provided in paragraph (2), the
- hours"; and
- 13 (2) by adding at the end the following new
- 14 paragraph:
- 15 "(2)(A) Upon the advance written request of a cov-
- 16 ered physician, the Secretary may modify the hours of em-
- 17 ployment for a physician appointed in the Administration
- 18 under any provision of this chapter on a full-time basis
- 19 to be more or less than 80 hours in a biweekly pay period,
- 20 subject to the requirements in subparagraph (B). For the
- 21 purpose of determining pay, such a physician shall be
- 22 deemed to have a biweekly schedule of 80 hours of employ-
- 23 ment.
- 24 "(B) A physician with an irregular work schedule es-
- 25 tablished under subparagraph (A) shall be obligated to ac-
- 26 count for at least 2,080 hours of employment (through

- 1 performance of work or use of leave or paid time off) in
- 2 a calendar year.
- 3 "(C) The Secretary may prescribe regulations to im-
- 4 plement this paragraph, including regulations making ad-
- 5 justments to address the annual hours requirement for
- 6 physicians who are covered by this paragraph for only a
- 7 portion of a calendar year.".

Passed the House of Representatives December 6, 2016.

Attest:

Clerk.

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