

118TH CONGRESS  
1ST SESSION

# H. R. 592

To prohibit the Secretary of Veterans Affairs from carrying out certain activities under the Electronic Health Record Modernization Program until certification of system improvements and facility readiness.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2023

Mr. BOST (for himself, Mr. ROSENDALE, Mrs. RODGERS of Washington, Mr. CAREY, Mr. BALDERSON, Mr. NEWHOUSE, Mr. SIMPSON, Mr. BENTZ, and Mr. BANKS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To prohibit the Secretary of Veterans Affairs from carrying out certain activities under the Electronic Health Record Modernization Program until certification of system improvements and facility readiness.

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 “Department of Vet-  
5 erans Affairs Electronic Health Record Modernization Im-  
6 provement Act”.

1 **SEC. 2. PROHIBITION ON CERTAIN ACTIVITIES UNDER**  
2 **ELECTRONIC HEALTH RECORD MODERNIZA-**  
3 **TION PROGRAM UNTIL CERTIFICATION OF**  
4 **SYSTEM IMPROVEMENTS AND FACILITY**  
5 **READINESS.**

6 (a) CERTIFICATION OF IMPROVEMENT.—

7 (1) PROHIBITION.—The Secretary of Veterans  
8 Affairs may not commence a program activity at a  
9 facility of the Veterans Health Administration where  
10 such activity is not being carried out as of the date  
11 of the enactment of this Act until the date on which  
12 the Secretary of Veterans Affairs submits to the  
13 Committees on Veterans' Affairs of the House of  
14 Representatives and the Senate written certification  
15 that the electronic health record system has met  
16 each of the improvement objectives described in  
17 paragraph (2) at each facility where such system is  
18 being carried out as of the date of the enactment of  
19 this Act.

20 (2) IMPROVEMENT OBJECTIVES.—The improve-  
21 ment objectives described in this paragraph are the  
22 following:

23 (A) A monthly uptime for the electronic  
24 health record system of 99.9 percent for four  
25 sequential months.

1           (B) The completion of all improvements or  
2           modifications of the electronic health record  
3           system required to be completed pursuant to a  
4           contract, task order, modification, or other  
5           similar instrument, entered into before the date  
6           of the enactment of this Act.

7           (b) CERTIFICATION OF READINESS.—The Secretary  
8           may not implement the electronic health record system at  
9           a facility of the Veterans Health Administration where  
10          such system has not been implemented as of the date of  
11          the enactment of this Act until the date on which the di-  
12          rector of such facility, the chief of staff of such facility,  
13          and the director of the Veterans Integrated Services Net-  
14          work in which such facility is located each submit to the  
15          Secretary, and the Secretary transmits to the Committees  
16          on Veterans' Affairs of the House of Representatives and  
17          the Senate, written certification that—

18               (1) the build and configuration of the electronic  
19               health record system, as proposed to be carried out  
20               at such facility, are accurate and complete;

21               (2) the staff and infrastructure of such facility  
22               are adequately prepared to receive such system; and

23               (3) the implementation of such system will not  
24               have significant, sustained adverse effects on patient

1 safety, patient wait-times for medical care, or health  
2 care quality at such facility.

3 (c) DEFINITIONS.—In the section:

4 (1) The term “electronic health record system”  
5 means the electronic health record system imple-  
6 mented pursuant to the Electronic Health Record  
7 Modernization Program.

8 (2) The term “program activity” means an ac-  
9 tivity under the Electronic Health Record Mod-  
10 ernization Program, including any site assessment,  
11 current state assessment, local or national workshop,  
12 training, testing, or any other activity conducted be-  
13 fore the activation of the electronic health record  
14 system.

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