

117TH CONGRESS
2^D SESSION

H. R. 7277

AN ACT

To improve the methods by which the Secretary of Veterans Affairs identifies health care providers that are not eligible to participate in the Veterans Community Care Program.

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.**

2 This Act may be cited as the “Improving Oversight
3 of Veterans Community Care Providers Act of 2022”.

4 **SEC. 2. IDENTIFICATION OF HEALTH CARE PROVIDERS**
5 **THAT ARE NOT ELIGIBLE TO PARTICIPATE IN**
6 **VETERANS COMMUNITY CARE PROGRAM.**

7 (a) PLAN.—

8 (1) REQUIREMENT.—Beginning not later than
9 90 days after the date of the enactment of this Act,
10 the Secretary of Veterans Affairs, acting through
11 the Under Secretary for Health, shall carry out a
12 plan to improve the methods by which the Secretary
13 identifies health care providers that are not eligible
14 to participate in the Veterans Community Care Pro-
15 gram.

16 (2) MATTERS INCLUDED.—The plan under
17 paragraph (1) shall include the following:

18 (A) Modifying the standard operating pro-
19 cedures of the Office of Community Care of the
20 Veterans Health Administration regarding the
21 exclusion of health care providers from partici-
22 pating in the Veterans Community Care Pro-
23 gram to require the automated continuous
24 matching of health care providers in the Pro-
25 vider Profile Management System of the Vet-
26 erans Health Administration, or such successor

1 system, with covered data systems using mul-
2 tiple unique identifiers, including taxpayer iden-
3 tification number, national provider identifier,
4 Social Security number, and date of birth.

5 (B) A fraud risk analysis conducted by the
6 Office of Community Care regarding the exclu-
7 sion of health care providers from participating
8 in the Veterans Community Care Program that
9 includes—

10 (i) an assessment of the likelihood and
11 impact of inherent fraud risks relating to
12 the self-certification of State licenses and
13 addresses provided by health care pro-
14 viders;

15 (ii) a determination of the fraud risk
16 tolerance; and

17 (iii) an examination of the suitability
18 of existing fraud controls.

19 (C) Any other matters the Under Sec-
20 retary determines will improve the oversight of
21 health care providers participating in the Vet-
22 erans Community Care Program.

23 (b) CERTIFICATION.—Not later than 270 days after
24 the date of the enactment of this Act, the Secretary shall
25 certify to the Committees on Veterans' Affairs of the

1 House of Representatives and the Senate that the Sec-
2 retary has implemented the plan under subsection (a).

3 (c) REPORTS.—

4 (1) INITIAL REPORT.—Not later than one year
5 after the date of the enactment of this Act, the Sec-
6 retary shall submit to the Committees on Veterans'
7 Affairs of the House of Representatives and the Sen-
8 ate a report that—

9 (A) describes the progress the Under Sec-
10 retary has made in carrying out the plan under
11 subsection (a); and

12 (B) includes recommendations for legisla-
13 tive action to further improve the methods by
14 which the Secretary identifies health care pro-
15 viders that are not eligible to participate in the
16 Veterans Community Care Program.

17 (2) UPDATE.—Not later than two years after
18 the date on which the Secretary submits the report
19 under paragraph (1), the Secretary shall submit to
20 the Committees on Veterans' Affairs of the House of
21 Representatives and the Senate an update to the re-
22 port.

23 (d) DEFINITIONS.—In this section:

24 (1) The term “covered data systems” means
25 the following:

1 (A) The List of Excluded Individuals/Enti-
2 ties of the Office of Inspector General of the
3 Department of Health and Human Services.

4 (B) The System for Award Management
5 Exclusions list described in part 9 of title 48,
6 Code of Federal Regulations, and part 180 of
7 title 2 of such Code, or successor regulations.

8 (C) The monthly deactivation file of the
9 National Plan and Provider Enumeration Sys-
10 tem of the Centers for Medicare & Medicaid
11 Services.

12 (D) The National Practitioner Data Bank
13 established pursuant to the Health Care Quality
14 Improvement Act of 1986 (42 U.S.C. 11101 et
15 seq.).

16 (2) The term “Veterans Community Care Pro-
17 gram” means the program established under section
18 1703 of title 38, United States Code.

Passed the House of Representatives November 17,
2022.

Attest:

Clerk.

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