

114TH CONGRESS  
1ST SESSION

# H.R. 2256

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## AN ACT

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Information  
3 Modernization Act”.

4 **SEC. 2. ANNUAL REPORT ON VETERANS HEALTH ADMINIS-**  
5 **TRATION AND FURNISHING OF HOSPITAL**  
6 **CARE, MEDICAL SERVICES, AND NURSING**  
7 **HOME CARE.**

8 (a) IN GENERAL.—Subchapter II of chapter 73 of  
9 title 38, United States Code, is amended by adding at the  
10 end the following new section:

11 **“§ 7330B. Annual report on Veterans Health Adminis-**  
12 **tration and furnishing of hospital care,**  
13 **medical services, and nursing home care**

14 “(a) REPORT REQUIRED.—Not later than March 1  
15 during each of years 2016 through 2020, the Secretary  
16 shall submit to the Committees on Veterans’ Affairs of  
17 the Senate and House of Representatives a report on the  
18 furnishing of hospital care, medical services, and nursing  
19 home care under the laws administered by the Secretary,  
20 and on the administration of the provision of such care  
21 and services by the Veterans Health Administration dur-  
22 ing the calendar year preceding the calendar year during  
23 which the report is submitted.

24 “(b) CONTENTS OF REPORT.—Each report required  
25 by subsection (a) shall include each of the following for  
26 the year covered by the report:

1           “(1) An evaluation of the effectiveness of the  
2           Veterans Health Administration program in increas-  
3           ing the access of veterans eligible for hospital care,  
4           medical services, and nursing home care furnished  
5           by the Secretary to such care.

6           “(2) An evaluation of the effectiveness of the  
7           Veterans Health Administration in improving the  
8           quality of health care provided to such veterans,  
9           without increasing the costs incurred by the Govern-  
10          ment or such veterans, which includes the relevant  
11          information for each medical center and Veterans  
12          Integrated Service Network of the Department set  
13          forth separately.

14          “(3) An assessment of—

15                 “(A) the workload of physicians and other  
16                 employees of the Veterans Health Administra-  
17                 tion;

18                 “(B) patient demographics and utilization  
19                 rates;

20                 “(C) physician compensation;

21                 “(D) the productivity of physicians and  
22                 other employees of the Veterans Health Admin-  
23                 istration;

24                 “(E) the percentage of hospital care, med-  
25                 ical services, and nursing home care provided to

1 such veterans in Department facilities and in  
2 non-Department facilities and any changes in  
3 such percentages compared to the year pre-  
4 ceeding the year covered by the report;

5 “(F) pharmaceutical prices; and

6 “(G) third-party health billings owed to the  
7 Department, including the total amount of such  
8 billings and the total amounts collected, set  
9 forth separately for claims greater than \$1,000  
10 and for claims equal to or less than \$1,000.

11 “(c) DEFINITIONS.—In this section, the terms ‘hos-  
12 pital care’, ‘medical services’, ‘nursing home care’, and  
13 ‘non-Department facilities’ have the meanings given such  
14 terms in section 1701 of this title.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 at the beginning of such chapter is amended by inserting  
17 after the item relating to section 7330A the following new  
18 item:

“7330B. Annual report on Veterans Health Administration and furnishing of  
hospital care, medical services, and nursing home care.”.

19 **SEC. 3. EXPANSION OF DEFINITION OF HOMELESS VET-**  
20 **ERAN FOR PURPOSES OF BENEFITS UNDER**  
21 **THE LAWS ADMINISTERED BY THE SEC-**  
22 **RETARY OF VETERANS AFFAIRS.**

23 Section 2002(1) of title 38, United States Code, is  
24 amended by inserting “or (b)” after “section 103(a)”.

1 **SEC. 4. IDENTIFICATION AND TRACKING OF BIOLOGICAL**  
2 **IMPLANTS USED IN DEPARTMENT OF VET-**  
3 **ERANS AFFAIRS MEDICAL FACILITIES.**

4 (a) IN GENERAL.—Subchapter II of chapter 73 of  
5 title 38, United States Code, as amended by section 2,  
6 is further amended by adding at the end the following new  
7 section:

8 **“§ 7330C. Identification and tracking of biological im-**  
9 **plants**

10 “(a) STANDARD IDENTIFICATION SYSTEM FOR BIO-  
11 LOGICAL IMPLANTS.—(1) The Secretary shall adopt the  
12 unique device identification system developed for medical  
13 devices by the Food and Drug Administration pursuant  
14 to section 519(f) of the Federal Food, Drug, and Cosmetic  
15 Act (21 U.S.C. 360i(f)), or implement a comparable  
16 standard identification system, for use in identifying bio-  
17 logical implants intended for use in medical procedures  
18 conducted in medical facilities of the Department.

19 “(2) In adopting or implementing a standard identi-  
20 fication system for biological implants under paragraph  
21 (1), the Secretary shall permit a vendor to use any of the  
22 accredited entities identified by the Food and Drug Ad-  
23 ministration as an issuing agency pursuant to section  
24 830.100 of title 21, Code of Federal Regulations, or any  
25 successor regulation.

1           “(b) BIOLOGICAL IMPLANT TRACKING SYSTEM.—(1)

2 The Secretary shall implement a system for tracking the  
3 biological implants referred to in subsection (a) from  
4 human donor or animal source to implantation.

5           “(2) The tracking system implemented under para-  
6 graph (1) shall be compatible with the identification sys-  
7 tem adopted or implemented under subsection (a).

8           “(3) The Secretary shall implement inventory con-  
9 trols compatible with the tracking system implemented  
10 under paragraph (1) so that all patients who have re-  
11 ceived, in a medical facility of the Department, a biological  
12 implant subject to a recall can be notified of the recall,  
13 if based on the evaluation of appropriate medical per-  
14 sonnel of the Department of the risks and benefits, the  
15 Secretary determines such notification is appropriate.

16           “(c) CONSISTENCY WITH FOOD AND DRUG ADMINIS-  
17 TRATION REGULATIONS.—To the extent that a conflict  
18 arises between this section and a provision of the Federal  
19 Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.)  
20 or sections 351 or 361 of the Public Health Service Act  
21 (42 U.S.C. 262) (including any regulations issued under  
22 such Acts), the provision the Federal Food, Drug, and  
23 Cosmetic Act or Public Health Service Act (including any  
24 regulations issued under such Acts) shall apply.

1       “(d) DEFINITION OF BIOLOGICAL IMPLANT.—In this  
2 section, the term ‘biological implant’ means any animal  
3 or human cell, tissue, or cellular or tissue-based product—

4               “(1) under the meaning given the term human  
5 cells, tissues, or cellular or tissue-based products in  
6 section 1271.3 of title 21, Code of Federal Regula-  
7 tions, or any successor regulation; or

8               “(2) that is regulated as a device under section  
9 201(h) of the Federal Food, Drug, and Cosmetic  
10 Act.”.

11       (b) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of such chapter, as amended by section  
13 2, is further amended by inserting after the item relating  
14 to section 7330B, as added by section 2, the following new  
15 item:

“7330C. Identification and tracking of biological implants.”.

16       (c) IMPLEMENTATION DEADLINES.—

17               (1) STANDARD IDENTIFICATION SYSTEM.—

18                       (A) IN GENERAL.—With respect to biologi-  
19 cal implants described in paragraph (1) of sub-  
20 section (d) of section 7330C of title 38, United  
21 States Code, as added by subsection (a), the  
22 Secretary of Veterans Affairs shall adopt or im-  
23 plement a standard identification system for bi-  
24 ological implants, as required by subsection (a)  
25 of such section, by not later than the date that

1 is 180 days after the date of the enactment of  
2 this Act.

3 (B) IMPLANTS REGULATED AS DEVICES.—

4 With respect to biological implants described in  
5 paragraph (2) of subsection (d) of such section,  
6 the Secretary of Veterans Affairs shall adopt or  
7 implement such standard identification system  
8 in compliance with the compliance dates estab-  
9 lished by the Food and Drug Administration  
10 pursuant to section 519(f) of the Federal Food,  
11 Drug, and Cosmetic Act (21 U.S.C. 360i(f)).

12 (2) TRACKING SYSTEM.—The Secretary of Vet-  
13 erans Affairs shall implement the biological implant  
14 tracking system required by section 7330C(b), as  
15 added by subsection (a), by not later than the date  
16 that is 180 days after the date of the enactment of  
17 this Act.

18 (d) REPORTING REQUIREMENT.—

19 (1) IN GENERAL.—If the biological implant  
20 tracking system required by section 7330C(b) of title  
21 38, United States Code, as added by subsection (a),  
22 is not operational by the date that is 180 days after  
23 the date of the enactment of this Act, the Secretary  
24 of Veterans Affairs shall submit to the Committees  
25 on Veterans' Affairs of the Senate and House of



1       Representatives a written explanation for why the  
2       system is not operational for each month until such  
3       time as the system is operational.

4               (2) ELEMENTS.—Each explanation submitted  
5       under paragraph (1) shall include a description of  
6       the following:

7                       (A) Each impediment to the implementa-  
8       tion of the system described in such paragraph.

9                       (B) Steps being taken to remediate each  
10      such impediment.

11                      (C) Target dates for a solution to each  
12      such impediment.

13 **SEC. 5. PROCUREMENT OF BIOLOGICAL IMPLANTS USED IN**  
14                               **DEPARTMENT OF VETERANS AFFAIRS MED-**  
15                               **ICAL FACILITIES.**

16       (a) PROCUREMENT.—

17               (1) IN GENERAL.—Subchapter II of chapter 81  
18      of such title is amended by adding at the end the  
19      following new section:

20 **“§ 8129. Procurement of biological implants**

21       “(a) IN GENERAL.—(1) The Secretary may procure  
22      biological implants of human origin only from vendors that  
23      meet the following conditions:

24                      “(A) The vendor uses the standard identifica-  
25      tion system adopted or implemented by the Sec-

1       retary under section 7330C(a) of this title and has  
2       safeguards to ensure that a distinct identity code  
3       has been in place at each step of distribution of each  
4       biological implant from its donor.

5               “(B) The vendor is registered as required by  
6       the Food and Drug Administration under subpart B  
7       of part 1271 of title 21, Code of Federal Regula-  
8       tions, or any successor regulation, and in the case of  
9       a vendor that uses a tissue distribution intermediary  
10      or a tissue processor, the vendor provides assurances  
11      that the tissue distribution intermediary or tissue  
12      processor is registered as required by the Food and  
13      Drug Administration.

14              “(C) The vendor ensures that donor eligibility  
15      determinations and such other records as the Sec-  
16      retary may require accompany each biological im-  
17      plant at all times, regardless of the country of origin  
18      of the donor of the biological material.

19              “(D) The vendor agrees to cooperate with all  
20      biological implant recalls conducted on the vendor’s  
21      own initiative, on the initiative of the original prod-  
22      uct manufacturer used by the vendor, by the request  
23      of the Food and Drug Administration, or by a statu-  
24      tory order of the Food and Drug Administration.

1           “(E) The vendor agrees to notify the Secretary  
2 of any adverse event or reaction report it provides  
3 to the Food and Drug Administration, as required  
4 by section 1271.350 of title 21, Code of Federal  
5 Regulations, or any successor regulation, or any suc-  
6 cessor regulation, or of any warning letter from the  
7 Food and Drug Administration issued to the vendor  
8 or a tissue processor or tissue distribution inter-  
9 mediary it uses by not later than 60 days after the  
10 vendor receives such report or warning letter.

11           “(F) The vendor agrees to retain all records as-  
12 sociated with the procurement of a biological implant  
13 by the Department for at least 10 years after the  
14 date of the procurement of the biological implant.

15           “(G) The vendor provides assurances that the  
16 biological implants provided by the vendor are ac-  
17 quired only from tissue processors that maintain ac-  
18 tive accreditation with the American Association of  
19 Tissue Banks or a similar national accreditation spe-  
20 cific to biological implants.

21           “(2) The Secretary may procure biological implants  
22 of non-human origin only from vendors that meet the fol-  
23 lowing conditions:

1           “(A) The vendor uses the standard identifica-  
2           tion system adopted or implemented by the Sec-  
3           retary under section 7330C(a) of this title.

4           “(B) The vendor is a registered establishment  
5           as required by the Food and Drug Administration  
6           under sections 807.20 and 807.40 of title 21, Code  
7           of Federal Regulations, or any successor regulation,  
8           (or is not required to register pursuant to section  
9           807.65(a) of such title) and in the case of a vendor  
10          that is not the original product manufacturer of  
11          such implants the vendor provides assurances that  
12          the original product manufacturer is registered as  
13          required by the Food and Drug Administration.

14          “(C) The vendor agrees to cooperate with all bi-  
15          ological implant recalls conducted on the vendor’s  
16          own initiative, on the initiative of the original prod-  
17          uct manufacturer used by the vendor, by the request  
18          of the Food and Drug Administration, or by a statu-  
19          tory order of the Food and Drug Administration.

20          “(D) The vendor agrees to notify the Secretary  
21          of any adverse event report it provides to the Food  
22          and Drug Administration as required in part 803 of  
23          title 21, Code of Federal Regulations, or any warn-  
24          ing letter from the Food and Drug Administration  
25          issued to the vendor or the original product manu-

1        factorer it uses by not later than 60 days after the  
2        vendor receives such report or warning letter.

3               “(E) The vendor agrees to retain all records as-  
4        sociated with the procurement of a biological implant  
5        by the Department for at least 10 years after the  
6        date of the procurement of the biological implant.

7        “(3)(A) The Secretary shall procure biological im-  
8        plants under the Federal Supply Schedules of the General  
9        Services Administration unless such implants are not  
10       available under such Schedules.

11       “(B) With respect to biological implants listed on the  
12       Federal Supply Schedules, the Secretary shall accommo-  
13       date reasonable vendor requests to undertake outreach ef-  
14       forts to educate medical professionals of the Department  
15       about the use and efficacy of such biological implants.

16       “(C) In the case of biological implants that are un-  
17       available for procurement under the Federal Supply  
18       Schedules, the Secretary shall procure such implants using  
19       competitive procedures in accordance with applicable law  
20       and the Federal Acquisition Regulation.

21       “(4) Section 8123 of this title shall not apply to the  
22       procurement of biological implants.

23       “(b) PENALTIES.—In addition to any applicable pen-  
24       alty under any other provision of law, any procurement  
25       employee of the Department who is found responsible for

1 a biological implant procurement transaction with intent  
2 to avoid or with reckless disregard of the requirements of  
3 this section shall be ineligible to hold a certificate of ap-  
4 pointment as a contracting officer or to serve as the rep-  
5 resentative of an ordering officer, contracting officer, or  
6 purchase card holder.

7 “(c) DEFINITIONS.—In this section:

8 “(1) The term ‘biological implant’ shall have  
9 the meaning given such term in section 7330C(d) of  
10 this title.

11 “(2) The term ‘distinct identity code’ means a  
12 code that—

13 “(A) relates a biological implant to the  
14 human donor of the implant and to all records  
15 pertaining to the implant;

16 “(B) includes information designed to fa-  
17 cilitate effective tracking, using such code, from  
18 the donor to the recipient and from the recipi-  
19 ent to the donor; and

20 “(C) satisfies the requirements of section  
21 1271.290 of title 21, Code of Federal Regula-  
22 tions, or any successor regulation.

23 “(3) The term ‘tissue distribution intermediary’  
24 means an agency that acquires and stores human

1 tissue for further distribution and performs no other  
2 tissue banking functions.

3 “(4) The term ‘tissue processor’ means an enti-  
4 ty processing human tissue for use in biological im-  
5 plants including activities performed on tissue other  
6 than donor screening, donor testing, tissue recovery  
7 and collection functions, storage, or distribution.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-  
9 tions at the beginning of such chapter is amended  
10 by adding at the end of the items relating to such  
11 subchapter the following new item:

“8129. Procurement of biological implants.”.

12 (b) EFFECTIVE DATE.—Section 8129 of title 38,  
13 United States Code, as added by subsection (a), shall take  
14 effect on the date that is 180 days after the date on which  
15 the tracking system required under subsection (b) of sec-  
16 tion 7330C of such title, as added by section 4(a) is imple-  
17 mented.

18 (c) SPECIAL RULE FOR CRYOPRESERVED PROD-  
19 UCTS.—During the 3-year period beginning on the effec-  
20 tive date of section 8129 of title 38, United States Code,  
21 as added by subsection (a), biological implants produced  
22 and labeled before that date may be procured by the De-  
23 partment of Veterans Affairs without relabeling under the  
24 standard identification system adopted or implemented

1 under section 7330C of such title, as added by section  
2 4(a).

3 **SEC. 6. EXTENSION OF ROUNDING DOWN OF PERCENTAGE**  
4 **INCREASES OF RATES OF CERTAIN EDU-**  
5 **CATIONAL ASSISTANCE.**

6 (a) MONTGOMERY GI BILL.—Section 3015(h)(2) of  
7 title 38, United States Code, is amended—

8 (1) by striking “fiscal year 2014” and inserting  
9 “fiscal year 2020”; and

10 (2) by striking “fiscal year 2013” and inserting  
11 “fiscal year 2019”.

12 (b) SURVIVORS AND DEPENDENTS EDUCATIONAL  
13 ASSISTANCE.—Section 3564(b) of such title is amended—

14 (1) by striking “fiscal year 2014” and inserting  
15 “fiscal year 2020”; and

16 (2) by striking “fiscal year 2013” and inserting  
17 “fiscal year 2019”.

18 **SEC. 7. VETERANS EXPEDITED RECOVERY COMMISSION.**

19 (a) ESTABLISHMENT.—There is established the Vet-  
20 erans Expedited Recovery Commission (in this section re-  
21 ferred to as the “Commission”).

22 (b) DUTIES.—The Commission shall perform the fol-  
23 lowing duties:

24 (1) Examine the efficacy of the evidence-based  
25 therapy model used by the Secretary of Veterans Af-



1       fairs for treating mental health illnesses of veterans  
2       and identify areas to improve wellness-based out-  
3       comes.

4               (2) Conduct a patient-centered survey within  
5       each of the Veterans Integrated Service Networks to  
6       examine—

7                       (A) the experience of veterans with the De-  
8                       partment of Veterans Affairs when seeking  
9                       medical assistance for mental health issues  
10                      through the health care system of the Depart-  
11                      ment;

12                     (B) the experience of veterans with non-  
13                     Department medical facilities and health profes-  
14                     sionals for treating mental health issues;

15                     (C) the preferences of veterans regarding  
16                     available treatments for mental health issues  
17                     and which methods the veterans believe to be  
18                     most effective;

19                     (D) the experience, if any, of veterans with  
20                     respect to the complementary alternative treat-  
21                     ment therapies described in subparagraphs (A)  
22                     through (I) in paragraph (3);

23                     (E) the prevalence of prescribing prescrip-  
24                     tion medication among veterans seeking treat-  
25                     ment through the health care system of the De-

1           partment as remedies for addressing mental  
2           health issues; and

3                   (F) the outreach efforts of the Secretary  
4           regarding the availability of benefits and treat-  
5           ments for veterans for addressing mental health  
6           issues, including by identifying ways to reduce  
7           barriers to and gaps in such benefits and treat-  
8           ments.

9           (3) Examine available research on complemen-  
10          tary alternative treatment therapies for mental  
11          health issues and identify what benefits could be  
12          made with the inclusion of such treatments for vet-  
13          erans, including with respect to—

14                   (A) music therapy;

15                   (B) equine therapy;

16                   (C) training and caring for service dogs;

17                   (D) yoga therapy;

18                   (E) acupuncture therapy;

19                   (F) meditation therapy;

20                   (G) outdoor sports therapy;

21                   (H) hyperbaric oxygen therapy;

22                   (I) accelerated resolution therapy; and

23                   (J) other therapies the Commission deter-  
24          mines appropriate.

1           (4) Study the potential increase of claims relat-  
2           ing to mental health issues submitted to the Sec-  
3           retary by veterans who served in Operation Endur-  
4           ing Freedom, Operation Iraqi Freedom, or Oper-  
5           ation New Dawn, including an assessment of the re-  
6           sources available within the Department to ensure  
7           that quality health care demands relating to such  
8           claims can be delivered in a timely manner.

9           (c) MEMBERSHIP.—

10           (1) NUMBER AND APPOINTMENT.—

11           (A) IN GENERAL.—The Commission shall  
12           be composed of 10 members, appointed as fol-  
13           lows:

14                   (i) Two members appointed by the  
15                   Speaker of the House of Representatives,  
16                   at least one of whom shall be a veteran.

17                   (ii) Two members appointed by the  
18                   Minority Leader of the House of Rep-  
19                   resentatives, at least one of whom shall be  
20                   a veteran.

21                   (iii) Two members appointed by the  
22                   Majority Leader of the Senate, at least one  
23                   of whom shall be a veteran.

1 (iv) Two members appointed by the  
2 Minority Leader of the Senate, at least one  
3 of whom shall be a veteran.

4 (v) Two members appointed by the  
5 President, at least one of whom shall be a  
6 veteran.

7 (B) QUALIFICATIONS.—Members of the  
8 Commission shall be—

9 (i) individuals who are of recognized  
10 standing and distinction within the medical  
11 community with a background in treating  
12 mental health;

13 (ii) individuals with experience work-  
14 ing with the military and veteran popu-  
15 lation; and

16 (iii) individuals who do not have a fi-  
17 nancial interest in any of the complemen-  
18 tary alternative treatments reviewed by the  
19 Commission.

20 (2) CHAIRMAN.—The President shall designate  
21 a member of the Commission to be the chairman.

22 (3) PERIOD OF APPOINTMENT.—Members of  
23 the Commission shall be appointed for the life of the  
24 Commission.

1           (4) VACANCY.—A vacancy in the Commission  
2 shall be filled in the manner in which the original  
3 appointment was made.

4           (5) APPOINTMENT DEADLINE.—The appoint-  
5 ment of members of the Commission in this section  
6 shall be made not later than 90 days after the date  
7 of the enactment of this Act.

8 (d) POWERS OF COMMISSION.—

9           (1) MEETING.—

10           (A) INITIAL MEETING.—The Commission  
11 shall hold its first meeting not later than 30  
12 days after a majority of members are appointed  
13 to the Commission.

14           (B) MEETING.—The Commission shall reg-  
15 ularly meet at the call of the Chairman. Such  
16 meetings may be carried out through the use of  
17 telephonic or other appropriate telecommuni-  
18 cation technology if the Commission determines  
19 that such technology will allow the members to  
20 communicate simultaneously.

21           (2) HEARING.—The Commission may hold such  
22 hearings, sit and act at such times and places, take  
23 such testimony, and receive evidence as the Commis-  
24 sion considers advisable to carry out the responsibil-  
25 ities of the Commission.

1           (3) INFORMATION FROM FEDERAL AGENCIES.—

2           The Commission may secure directly from any de-  
3           partment or agency of the Federal Government such  
4           information as the Commission considers necessary  
5           to carry out the duties of the Commission.

6           (4) INFORMATION FROM NONGOVERNMENTAL

7           ORGANIZATIONS.—In carrying out subsection (b),  
8           the Commission may seek guidance through con-  
9           sultation with foundations, veterans service organi-  
10          zations, nonprofit groups, faith-based organizations,  
11          private and public institutions of higher education,  
12          and other organizations as the Commission deter-  
13          mines appropriate.

14          (5) COMMISSION RECORDS.—The Commission

15          shall keep an accurate and complete record of the  
16          actions and meetings of the Commission. Such  
17          record shall be made available for public inspection  
18          and the Comptroller General of the United States  
19          may audit and examine such record.

20          (6) PERSONNEL MATTERS.—Upon request of

21          the chairman of the Commission, the head of any  
22          department or agency of the Federal Government  
23          may detail, on a reimbursable basis, any personnel  
24          of that department or agency to assist the Commis-  
25          sion in carrying out the duties of the Commission.

1           (7) COMPENSATION OF MEMBERS; TRAVEL EX-  
2           PENSES.—Each member shall serve without pay, ex-  
3           cept that each member shall receive travel expenses  
4           to perform the duties of the Commission under sub-  
5           section (b), including per diem in lieu of subsistence,  
6           at rates authorized under subchapter I of chapter 57  
7           of title 5, United States Code.

8           (8) STAFF.—The Chairman, in accordance with  
9           rules agreed upon by the Commission, may appoint  
10          and fix the compensation of a staff director and  
11          such other personnel as may be necessary to enable  
12          the Commission to carry out its functions, without  
13          regard to the provisions of title 5, United States  
14          Code, governing appointments in the competitive  
15          service, without regard to the provision of chapter  
16          51 and subchapter III of chapter 53 of such title re-  
17          lating to classification and General Schedule pay  
18          rates, except that no rate of pay fixed under this  
19          subsection may exceed the equivalent of that payable  
20          for a position at a level IV of the Executive Schedule  
21          under section 5316 of title 5, United States Code.

22          (9) PERSONNEL AS FEDERAL EMPLOYEES.—

23                 (A) IN GENERAL.—The executive director  
24                 and any personnel of the Commission are em-  
25                 ployees under section 2105 of title 5, United

1 States Code, for purpose of chapters 63, 81, 83,  
2 84, 85, 87, 89, and 90 of such title.

3 (B) MEMBERS OF THE COMMISSION.—

4 Subparagraph (A) shall not be construed to  
5 apply to members of the Commission.

6 (10) CONTRACTING.—The Commission may, to  
7 such extent and in such amounts as are provided in  
8 appropriations Acts, enter into contracts to enable  
9 the Commission to discharge the duties of the Com-  
10 mission under this section.

11 (11) EXPERT AND CONSULTANT SERVICE.—The  
12 Commission may procure the services of experts and  
13 consultants in accordance with section 3109 of title  
14 5, United States Code, at rates not to exceed the  
15 daily rate paid to a person occupying a position at  
16 level IV of the Executive Schedule under section  
17 5315 of title 5, United States Code.

18 (12) POSTAL SERVICE.—The Commission may  
19 use the United States mails in the same manner and  
20 under the same conditions as departments and agen-  
21 cies of the United States.

22 (13) PHYSICAL FACILITIES AND EQUIPMENT.—  
23 Upon the request of the Commission, the Adminis-  
24 trator of General Services shall provide to the Com-  
25 mission, on a reimbursable basis, the administrative



1 support services necessary for the Commission to  
2 carry out its responsibilities under this section.  
3 These administrative services may include human re-  
4 source management, budget, leasing, accounting,  
5 and payroll services.

6 (e) REPORT.—

7 (1) INTERIM REPORTS.—

8 (A) IN GENERAL.—Not later than 60 days  
9 after the date on which the Commission first  
10 meets, and each 30-day period thereafter end-  
11 ing on the date on which the Commission sub-  
12 mits the final report under paragraph (2), the  
13 Commission shall submit to the Committees on  
14 Veterans' Affairs of the House of Representa-  
15 tives and the Senate and the President a report  
16 detailing the level of cooperation the Secretary  
17 of Veterans Affairs (and the heads of other de-  
18 partments or agencies of the Federal Govern-  
19 ment) has provided to the Commission.

20 (B) OTHER REPORTS.—In carrying out the  
21 duties pursuant to subsection (b), at times that  
22 the Commission determines appropriate, the  
23 Commission shall submit to the Committees on  
24 Veterans' Affairs of the House of Representa-  
25 tives and the Senate and any other appropriate

1 entities an interim report with respect to the  
2 findings identified by the Commission.

3 (2) FINAL REPORT.—Not later than 18 months  
4 after the first meeting of the Commission, the Com-  
5 mission shall submit to the Committees on Veterans’  
6 Affairs of the House of Representatives and the Sen-  
7 ate, the President, and the Secretary of Veterans Af-  
8 fairs a final report on the findings of the Commis-  
9 sion. Such report shall include the following:

10 (A) Recommendations to implement in a  
11 feasible, timely, and cost-effective manner the  
12 solutions and remedies identified within the  
13 findings of the Commission pursuant to sub-  
14 section (b).

15 (B) An analysis of the evidence-based ther-  
16 apy model used by the Secretary of Veterans  
17 Affairs for treating veterans with mental health  
18 care issues, and an examination of the preva-  
19 lence and efficacy of prescription drugs as a  
20 means for treatment.

21 (C) The findings of the patient-centered  
22 survey conducted within each of the Veterans  
23 Integrated Service Networks pursuant to sub-  
24 section (b)(2).

1           (D) An examination of complementary al-  
2           ternative treatments described in subsection  
3           (b)(3) and the potential benefits of incor-  
4           porating such treatments in the therapy model  
5           used by the Secretary for treating veterans with  
6           mental health issues.

7           (3) PLAN.—Not later than 90 days after the  
8           date on which the Commission submits the final re-  
9           port under subsection (b), the Secretary of Veterans  
10          Affairs shall submit to the Committees on Veterans’  
11          Affairs of the House of Representatives and the Sen-  
12          ate a report on the following:

13                (A) An action plan for implementing the  
14                recommendations established by the Commis-  
15                sion on such solutions and remedies for improv-  
16                ing wellness-based outcomes for veterans with  
17                mental health care issues.

18                (B) A feasible timeframe on when com-  
19                plementary alternative treatments described in  
20                subsection (b)(3) can be implemented Depart-  
21                ment-wide.

22                (C) With respect to each recommendation  
23                established by the Commission, including re-  
24                garding any complementary alternative treat-  
25                ment, that the Secretary determines is not ap-

1           appropriate or feasible to implement, a justifica-  
2           tion for each such determination and an alter-  
3           native solution to improve the efficacy of the  
4           therapy model used by the Secretary for treat-  
5           ing veterans with mental health issues.

6           (f) TERMINATION OF COMMISSION.—The Commis-  
7           sion shall terminate 30 days after the Commission submits  
8           the final report under subsection (e)(2).

          Passed the House of Representatives July 21, 2015.

Attest:

*Clerk.*



114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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**H.R. 2256**

**AN ACT**

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes.