

113TH CONGRESS  
1ST SESSION

# S. 1751

To improve authorities for performance of medical disabilities examinations by contract physicians for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2013

Mr. HELLER introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

---

## A BILL

To improve authorities for performance of medical disabilities examinations by contract physicians for benefits under laws administered by the Secretary of Veterans Affairs, 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,*

3       **SECTION 1. IMPROVEMENTS TO AUTHORITY FOR PER-**  
4       **FORMANCE OF MEDICAL DISABILITIES EX-**  
5       **AMINATIONS BY CONTRACT PHYSICIAN.**

6       (a) EXTENSION OF TEMPORARY AUTHORITY.—Sub-  
7       section (c) of section 704 of the Veterans Benefits Act  
8       of 2003 (38 U.S.C. 5101 note) is amended by striking

1 “December 31, 2013” and inserting “December 31,  
2 2016”.

3 (b) LICENSURE OF CONTRACT PHYSICIANS.—

4 (1) TEMPORARY AUTHORITY.—Such section  
5 704 is further amended—

6 (A) by redesignating subsection (d) as sub-  
7 section (e); and

8 (B) by inserting after subsection (c) the  
9 following new subsection (d):

10 “(d) LICENSURE OF CONTRACT PHYSICIANS.—

11 “(1) IN GENERAL.—Notwithstanding any law  
12 regarding the licensure of physicians, a physician de-  
13 scribed in paragraph (2) may conduct an examina-  
14 tion pursuant to a contract entered into under sub-  
15 section (b) at any location in any State, the District  
16 of Columbia, or a Commonwealth, territory, or pos-  
17 session of the United States, so long as the examina-  
18 tion is within the scope of the authorized duties  
19 under such contract.

20 “(2) PHYSICIAN DESCRIBED.—A physician de-  
21 scribed in this paragraph is a physician who—

22 “(A) has a current license to practice the  
23 health care profession of the physician; and

1           “(B) is performing authorized duties for  
2           the Department of Veterans Affairs pursuant to  
3           a contract entered into under subsection (b).”.

4           (2) PILOT PROGRAM.—Section 504 of the Vet-  
5           erans’ Benefits Improvement Act of 1996 (38  
6           U.S.C. 5101 note) is amended—

7                   (A) by redesignating subsections (c) and  
8                   (d) as subsections (d) and (e), respectively; and

9                   (B) by inserting after subsection (b) the  
10                  following new subsection (c):

11           “(c) LICENSURE OF CONTRACT PHYSICIANS.—

12                   “(1) IN GENERAL.—Notwithstanding any law  
13                   regarding the licensure of physicians, a physician de-  
14                   scribed in paragraph (2) may conduct an examina-  
15                   tion pursuant to a contract entered into under sub-  
16                   section (a) at any location in any State, the District  
17                   of Columbia, or a Commonwealth, territory, or pos-  
18                   session of the United States, so long as the examina-  
19                   tion is within the scope of the authorized duties  
20                   under such contract.

21                   “(2) PHYSICIAN DESCRIBED.—A physician de-  
22                   scribed in this paragraph is a physician who—

23                           “(A) has a current license to practice the  
24                           health care profession of the physician; and

1           “(B) is performing authorized duties for  
2           the Department of Veterans Affairs pursuant to  
3           a contract entered into under subsection (a).”.

4           (c) EXPANSION OF PILOT PROGRAM.—Subsection (b)  
5 of such section 504 is amended to read as follows:

6           “(b) LOCATIONS.—

7           “(1) NUMBER.—The Secretary may carry out  
8           the pilot program under this section through not  
9           more than 15 regional offices of the Department of  
10          Veterans Affairs.

11          “(2) SELECTION.—The Secretary shall select  
12          the regional offices under paragraph (1) by ana-  
13          lyzing appropriate data to determine the regional of-  
14          fices that require support. Such appropriate data  
15          shall include—

16                  “(A) the number of backlogged claims;

17                  “(B) the total pending case workload;

18                  “(C) the length of time cases have been  
19          pending;

20                  “(D) the accuracy of completed cases;

21                  “(E) the overall timeliness of completed  
22          cases;

23                  “(F) the availability and workload of the  
24          examination units and physicians of the medical  
25          centers in the regional office; and

1                   “(G) any other data the Secretary deter-  
2                   mines appropriate.

3                   “(3) ANNUAL ANALYSIS.—The Secretary shall  
4                   carry out the data analysis of the regional offices  
5                   under paragraph (2) during each year in which the  
6                   program under this section is carried out to deter-  
7                   mine the regional offices selected under paragraph  
8                   (1) for such year.”.

○