

## H. Res. \_\_

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### H.R. 5620 - VA Accountability First and Appeals Modernization Act of 2016

1. Structured rule.
2. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs.
3. Waives all points of order against consideration of the bill.
4. Provides that the bill shall be considered as read.
5. Waives all points of order against provisions in the bill.
6. Makes in order only those amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
7. Waives all points of order against the amendments printed in the report.
8. Provides one motion to recommit with or without instructions.

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### RESOLUTION

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill

are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommit with or without instructions.

#### SUMMARY OF AMENDMENTS PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

Sponsor	# Description	Debate Time
1. Miller, Jeff (FL)	#33 (LATE) MANAGER'S Makes technical and conforming changes to the bill and aligns the due process procedures for the recoupment provisions of the bill.	(10 minutes)
2. Walz (MN), Titus (NV)	#53 (LATE) Strikes sections 2 through 8 and section 10.	(10 minutes)
3. Takano (CA)	#12 (LATE) Replaces Section 3 with a new provision allowing the Secretary to suspend without pay any VA employee whose performance or misconduct threatens public health or safety, including the health and safety of veterans; and may remove a suspended employee after such investigation and review as the Secretary considers necessary, if the Secretary determines removal is in the interests of public health and safety.	(10 minutes)
4. Lujan Grisham (NM)	#1 Adds Members of Congress to the reporting requirements.	(10 minutes)

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| <b>5. Kuster,<br/>Ann (NH)</b>                | #10 <b>(LATE)</b> Replaces Section 7 with S. 2921 Section 113, which contains an improved process to expedite the removal or demotion of a member of the Senior Executive Service.   | (10 minutes) |
| <b>6.<br/>Kirkpatrick<br/>(AZ)</b>            | #9 <b>(LATE)</b> Replaces Section 8 with Sections 101-104 from S. 2921 to create the VA Office of Accountability and Whistleblower Protection.   | (10 minutes) |
| <b>7. Newhouse<br/>(WA)</b>                   | #36 <b>(LATE)</b> Applies the statutory requirements of the Emergency Medical Treatment and Labor Act (EMTALA) to emergency care furnished by the VA to enrolled veterans. Requires every enrolled veteran who arrives at the emergency department of a VA medical facility, and indicates an emergency condition exists, be assessed and treated in an effort to prevent further injury or death.   | (10 minutes) |
| <b>8. Schweikert<br/>(AZ)</b>                 | #71 <b>(LATE)</b> Requires that the VA use distributive ledger technology when scheduling healthcare appointments to ensure transparency and accountability 1 year after enactment.  | (10 minutes) |
| <b>9. Cartwright<br/>(PA)</b>                 | #43 <b>(LATE)</b> Authorizes the Department of Veterans Affairs to appoint a psychiatrist who completes a residency at a Veterans Health Administration (VHA) facility to a VHA health care position immediately after such residency, without regard to civil service or classification laws, if the psychiatrist meets the qualifications established in regulations prescribed for the position, and the position has been unfilled for at least 35 days. | (10 minutes) |
| <b>10. Frankel<br/>(FL)</b>                   | #3 <b>(LATE)</b> Provides the sense of the Congress honoring American veterans disabled for life and encouraging Americans to do so each year.   | (10 minutes) |
| <b>11. Gallego<br/>(AZ)</b>                   | #75 <b>(LATE)</b> Establishes positions of Directors of Veterans Integrated Service Networks (VISN) in the VA's Office of Undersecretary for Health  | (10 minutes) |
| <b>12. Keating<br/>(MA),<br/>Rothfus (PA)</b> | #55 <b>(LATE)</b> Directs healthcare providers with VA affiliation to take continuing education courses specific to pain management, opioids, and substance abuse.   | (10 minutes) |
| <b>13.<br/>Lowenthal<br/>(CA)</b>             | #30 <b>(LATE)</b> Requires the Secretary of Veterans Affairs or a designee to review covered whistleblower complaints quarterly.   | (10 minutes) |
| <b>14. Lujan<br/>(NM)</b>                     | #74 <b>(LATE)</b> Directs the VA to produce a report on the number of part-time active duty military physicians in VA health facilities, the hiring process for part-time active duty military physicians, the hiring process for part-time civilian physicians in, and the steps the VA is  | (10 minutes) |

- taking to recruit active duty military physicians for part-time employment in VA health facilities.
- 15. Maloney, Sean (NY)** #60 **(LATE)** Extends the Department of Veterans Affairs authority for the performance of medical disability evaluations by contract physicians by one year. (10 minutes)
- 16. O'Rourke (TX), Stefanik (NY)** #5 **(LATE)** Provides the VA with the authority to offer physicians conditional job offers two years earlier and increases the VA's recruiting outreach efforts to academic affiliate institutions. (10 minutes)
- 17. O'Rourke (TX)** #6 **(LATE)** Provides the VA with the authority to share a patient's electronic health record with VA community-based providers, while maintaining HIPPA protections. (10 minutes)
- 18. O'Rourke (TX)** #16 **(LATE)** Directs the Secretary of Veterans Affairs to conduct annual surveys of veterans on experiences obtaining hospital care and medical services from medical facilities of the Department of Veterans Affairs. (10 minutes)
- 19. Walz (MN)** #50 **(LATE)** Enables any person who is entitled to retired pay for nonregular (reserve) service or who, but for age, would be so entitled to be honored as a veteran. A person shall not be entitled to any benefit by reason of such recognition. (10 minutes)
- 20. Walz (MN)** #52 **(LATE) (REVISED)** Allows the Secretary of the VA to furnish rehabilitative equipment to Veterans entitled to prosthetic appliances, and modify non-rehabilitative equipment owned by the Veteran to meet that purpose, if the Veteran elects. Rehabilitative equipment includes recreational sports equipment that provides an adaption or accommodation for the Veteran. (10 minutes)
- 21. Duffy (WI)** #80 **(LATE) (REVISED)** Allows the VA to also use hearing aid specialists, who are more available, and are qualified to fit, program, adjust, and repair hearing aids. (10 minutes)
- 22. Lance (NJ)** #81 **(LATE)** Inserts the legislative text of H.R. 658 which requires a V.A. Regional Office carry out claim adjudication within 125 days with 98% accuracy. Regional Offices must submit a three step report every time it fails to meet its 125 day goal with explanation, reasoning and solutions for improvement. It will also contain a description of additional resources necessary for the office to reach its goals, from staffing to policy changes, and an action plan to enable the office to meet its goal. (10 minutes)