

Authority: E.O. 13382, 70 FR 38567, 3 CFR, 2005 Comp., p. 170.

Dated: July 24, 2024.

Bradley T. Smith,

*Director, Office of Foreign Assets Control,
U.S. Department of the Treasury.*

[FR Doc. 2024-16609 Filed 7-26-24; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0073]

Agency Information Collection Activity Under OMB Review: VA Enrollment Certification

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by clicking on the following link www.reginfo.gov/public/do/PRAMain, select "Currently under Review—Open for Public Comments", then search the list for the information collection by Title or "OMB Control No. 2900-0073."

FOR FURTHER INFORMATION CONTACT:

VA PRA information: Maribel Aponte, 202-461-8900, vacopaperworkreduact@va.gov.

SUPPLEMENTARY INFORMATION:

Title: VA Enrollment Certification, VA Form 22-1999.

OMB Control Number: 2900-0073
<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: Revision of a currently approved collection.

Abstract: VA uses the information collected on VA Form 22-1999 to determine the amount of educational benefits payable to the student during the period of enrollment or training. Additionally, with the exception of chapter 33, VA also uses these forms to determine whether the student has

requested an advance payment or accelerated payment of benefits. Without this information, VA would not have a basis upon which to make payment or to know if a person was requesting an advance or accelerated payment.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 89 FR 45939, May, 24, 2024.

Affected Public: Individuals and Households.

Estimated Annual Burden: 633,307 hours.

Estimated Average Burden Time per Respondent: 10 minutes.

Frequency of Response: On Occasion.

Estimated Number of Respondents: 3,799,847.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

VA PRA Clearance Officer, (Alt), Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2024-16583 Filed 7-26-24; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

Notice of Request for Information on the Department of Veterans Affairs Therapeutic Radiologic Technologist Standard of Practice

AGENCY: Department of Veterans Affairs.

ACTION: Request for information.

SUMMARY: The Department of Veterans Affairs (VA) is requesting information to assist in developing a national standard of practice for a VA Therapeutic Radiologic Technologist. VA seeks comments on various topics to help inform VA's development of this national standard of practice.

DATES: Comments must be received on or before September 27, 2024.

ADDRESSES: Comments must be submitted through <https://www.regulations.gov/>. Except as provided below, comments received before the close of the comment period will be available at <https://www.regulations.gov/> for public viewing, inspection, or copying, including any personally identifiable or confidential business information that is included in a comment. We post the comments received before the close of the comment period on the following website as soon as possible after they

have been received: <https://www.regulations.gov/>. VA will not post on <https://www.regulations.gov/> public comments that make threats to individuals or institutions or suggest that the commenter will take harmful actions. VA encourages individuals not to submit duplicative comments. We will post acceptable comments from multiple unique commenters even if the content is identical or nearly identical to other comments. Any public comment received after the comment period closing date will not be considered.

FOR FURTHER INFORMATION CONTACT:

Ethan Kalett, Office of Governance, Regulations, Appeals and Policy (10B-GRAP), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, 202-461-0500. This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

Authority

Chapters 73 and 74 of 38 U.S.C. and 38 U.S.C. 303 authorize the Secretary to regulate VA health care professions to make certain that VA's health care system provides safe and effective health care by qualified health care professionals to ensure the well-being of those Veterans who have borne the battle.

On November 12, 2020, VA published an interim final rule confirming that VA health care professionals may practice their health care profession consistent with the scope and requirements of their VA employment, notwithstanding any State license, registration, certification, or other requirements that unduly interfere with their practice. 38 CFR 17.419; 85 FR 71838. Specifically, this rulemaking confirmed VA's current practice of permitting VA health care professionals to deliver health care services in a State other than the health care professional's State of licensure, registration, certification, or other requirement, thereby enhancing beneficiaries' access to critical VA health care services. The rulemaking also confirmed VA's authority to establish national standards of practice for its health care professionals, which would standardize a health care professional's practice in all VA medical facilities, regardless of conflicting State laws, rules, regulations, or other requirements.

The rulemaking explained that a national standard of practice describes the tasks and duties that a VA health care professional practicing in the health care profession may perform and may be permitted to undertake. Having

a national standard of practice means that individuals from the same VA health care profession may perform the same type of tasks and duties regardless of the State where they are located or the State license, registration, certification, or other requirement they hold. We emphasized in the rulemaking and reiterated here that VA will determine, on an individual basis, that a health care professional has the proper education, training, and skills to perform the tasks and duties detailed in the national standard of practice, and that they will only be able to perform such tasks and duties after they have been incorporated into the individual's privileges, scope of practice, or functional statement. The rulemaking explicitly did not create any such national standards and directed that all national standards of practice would be subsequently created through policy.

Preemption of State Requirements

The national standard of practice will preempt any State laws, rules, regulations, or other requirements that are and are not listed in the national standard as conflicting, but that do conflict with the tasks and duties as authorized in VA's national standard of practice. In the event that a State changes their requirements and places new limitations on the tasks and duties it permits in a manner that would be inconsistent with what is authorized under the national standard of practice, the national standard of practice will preempt such limitations and authorize the VA health care professional to continue to practice consistent with the tasks and duties outlined in the national standard of practice.

In cases where a VA health care professional's license, registration, certification, or other requirement permits a practice that is not included in a national standard of practice, the individual may continue that practice so long as it is permissible under Federal law and VA policy; is not explicitly restricted by the national standard of practice; and is approved by the VA medical facility.

Need for National Standards of Practice

It is critical that VA, the Nation's largest integrated health care system, develops national standards of practice to ensure, first, that beneficiaries receive the same high-quality care regardless of where they enter the system; and second, that VA health care professionals can efficiently meet the needs of beneficiaries when practicing within the scope of their VA employment. National standards are designed to increase beneficiaries'

access to safe and effective health care, thereby improving health outcomes. The importance of this initiative has been underscored by the Coronavirus Disease 2019 pandemic. The increased need for mobility in VA's workforce, including through VA's Disaster Emergency Medical Personnel System, highlighted the importance of creating uniform national standards of practice to better support VA health care professionals who practice across State lines. Creating national standards of practice also promotes interoperability of medical data between VA and the Department of Defense (DoD), providing a complete picture of a Veteran's health information and improving VA's delivery of health care to the Nation's Veterans. DoD has historically standardized practice for certain health care professionals, and VA has closely partnered with DoD to learn from their experience.

Process To Develop National Standards of Practice

As authorized by 38 CFR 17.419, VA is developing national standards of practice through policy. The one overarching directive to describe Veterans Health Administration (VHA) policy on national standards of practice is VHA Directive 1900(5), VA National Standards of Practice, dated August 30, 2023. The directive is accessible on VHA's publications website at <https://www.va.gov/vhapublications/>. As each individual national standard of practice is finalized, it is published as an appendix to the directive and accessible at the same website.

To develop these national standards, VA is using a robust interactive process that adheres to the requirements of Executive Order (E.O.) 13132, Federalism, to preempt conflicting State laws, rules, regulations, or other requirements. For each health care occupation, a workgroup comprised of VA health care professionals in the identified occupation conducts research to identify internal best practices that may not be authorized under every State license, certification, or registration, but would enhance the practice and efficiency of the profession throughout VA. If a best practice is identified that is not currently authorized by every State, the workgroup determines what education, training, and skills are required to perform such tasks and duties. The workgroup then drafts a proposed VA national standard of practice using the data gathered and any internal stakeholder feedback received. The workgroup may consult with internal or external stakeholders at any point throughout the process.

The process to develop VA national standards of practice includes listening sessions for members of the public, professional associations, and VA employees to provide comments on the variance between State practice acts for a specific occupation and what should be included in the national standard of practice for that occupation. The listening session for Therapeutic Radiologic Technologist was held on August 31, 2023. No professional associations presented comments on the Therapeutic Radiologic Technologist scope of practice. Following the listening session, VA received a letter from the American Society of Radiologic Technologists (ASRT), which expressed that the VA national standards of practice for radiation therapy should align with the ASRT practice standards. VA appreciates the thoughtful letter and considers the information shared when drafting the proposed VA national standard of practice.

After the proposed standard is developed, it is first internally reviewed. This includes a review from an interdisciplinary VA workgroup consisting of representatives from Quality Management, the VA medical facility Chief of Staff, academic affiliates, the Veterans Integrated Services Network (VISN) Chief Nursing Officer, Ethics, Workforce Management and Consulting, Surgery, Credentialing and Privileging, the VISN Chief Medical Officer, and Electronic Health Record Modernization.

After the internal review, VA provides the proposed national standard of practice to our DoD partners as an opportunity to flag inconsistencies with DoD standards. VA also engages with labor partners informally as part of a pre-decisional collaboration. Consistent with E.O. 13132, VA sends a letter to each State board and certifying organization or registration organization, as appropriate, which includes the proposed national standard and offers the recipient an opportunity to discuss the national standard with VA. After the State boards, certifying organizations, or registration organizations have received notification, the proposed national standard of practice is posted in the **Federal Register** for 60 days to obtain feedback from the public, professional associations, and any other interested parties. At the same time, the proposed national standard is posted to an internal VA site to obtain feedback from VA employees. Responses received through all vehicles—from State boards, professional associations, unions, VA employees, and any other individual or organization who provides comments

through the **Federal Register**—will be reviewed. VA will make appropriate revisions in light of the comments, including those that present evidence-based practice and alternatives that help VA meet our mission and goals. VA will publish a collective response to all comments at <https://www.va.gov/standardspractice/>.

The national standard of practice is then finalized, approved, and published in VHA policy. Any tasks or duties included in the national standard will be properly incorporated into individual VA health care professionals' privileges, scope of practice, or functional statement once it has been determined by their VA medical facility that the individual has the proper education, training, and skills to perform the task or duty. The implementation of the national standard of practice may be phased in across all VA medical facilities, with limited exemptions for health care professionals as needed.

Format for the Proposed National Standard for Therapeutic Radiologic Technologist

The format for the proposed national standards of practice when there is a national certification body and there are State licenses is as follows. The first paragraph provides general information about the profession and what the VA health care professionals can do. For this national standard, Therapeutic Radiologic Technologists assist in the localization of tumors and deliver high doses of radiation prescribed by the radiation oncologists, utilizing ionizing radiation-generating equipment. We reiterate that the proposed standard of practice does not contain an exhaustive list of every task and duty that each VA health care professional can perform. Rather, it is designed to highlight generally what tasks and duties the health care professionals perform and how they practice within VA.

The second paragraph references the education and certification needed to practice this profession at VA. Qualification standards for employment of health care professionals by VA are outlined in VA Handbook 5005, Staffing, dated July 8, 2024. VA follows the requirements outlined in the VA qualification standards even if the requirements conflict with or differ from a State requirement. National standards of practice do not affect those requirements. This includes, but is not limited to, when a State requires a license to practice a specific occupation, but VA does not require a State license as part of the qualification standards. For Therapeutic Radiologic Technologist, the VA qualification

standards require an active, current, full, and unrestricted certification from the American Registry of Radiologic Technologists (ARRT) in Radiation Therapy.

The second paragraph also notes whether the national standard of practice explicitly excludes individuals who practice under "grandfathering" provisions. Qualification standards may include provisions to permit employees who met all requirements prior to revisions to the qualification standards to maintain employment at VA even if they no longer meet the new qualification standards. This practice is referred to as grandfathering. Therapeutic Radiologic Technologists have grandfathering provisions included within their qualification standards, and VA proposes to have those individuals be authorized to follow the Therapeutic Radiologic Technologist national standard of practice. Therefore, there would be no notation regarding grandfathered employees in the national standard of practice as they would be required to adhere to the same standard as any other VA Therapeutic Radiologic Technologist who meets the current qualification standards.

The third paragraph establishes what the national standard of practice will be for the occupation in VA. For this national standard, VA Therapeutic Radiologic Technologists follow the standard set by the American Society of Radiologic Technologists (ASRT). ARRT, this profession's national certification body, follows the ASRT standards. The ASRT Radiation Therapy standards can be found at: <https://www.asrt.org/main/standards-and-regulations/professional-practice/practice-standards/>. VA confirmed that all VA Therapeutic Radiologic Technologists followed the Radiation Therapy standards from ASRT.

The fourth paragraph identifies additional registrations, regulations, certifications, licenses, or other requirements, and whether any of those have Federal exemptions for the profession. For this national standard of practice, VA reviewed any required alternative registrations, certifications, licenses, or other requirements. VA also found that 40 States require a State license for Therapeutic Radiologic Technologists. Of those 40 States that require a license, 26 States exempt Federal employees from their State license requirements. Furthermore, the tasks and duties set forth in the State license requirements for all 40 States are consistent with what is permitted under the national certification. VA reviewed State laws, State practice acts, and certification requirements for

Therapeutic Radiologic Technologists in March 2024 and did not identify any conflicts that impact practice on this profession in VA. VA thus proposes to adopt a standard of practice consistent with the standards from ASRT, as followed by ARRT, this profession's national certification body. VA Therapeutic Radiologic Technologists will continue to follow this standard.

This national standard of practice does not address training because it will not authorize VA Therapeutic Radiologic Technologists to perform any tasks or duties not already authorized under their national certification and State license.

Following public and VA employee comments and revisions, each national standard of practice that is published into policy will also include the date for recertification of the standard of practice and a point of contact for questions or concerns.

Proposed National Standard of Practice for Therapeutic Radiologic Technologist

Note: All references herein to Department of Veterans Affairs (VA) and Veterans Health Administration (VHA) documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.

1. Therapeutic Radiologic Technologists assist in the localization of tumors and deliver high doses of radiation prescribed by the radiation oncologists, utilizing ionizing radiation-generating equipment.

2. Therapeutic Radiologic Technologists in VA possess the education and certification required by VA qualification standards. See VA Handbook 5005, Staffing, Part II, Appendix G26, dated January 15, 2021.

3. VA Therapeutic Radiologic Technologists practice in accordance with the Radiation Therapist standards from American Society of Radiologic Technologists (ASRT), available at: <https://www.asrt.org/>. The American Registry of Radiologic Technologists, the national certifying body of Therapeutic Radiologic Technologists, follows ASRT standards. VA reviewed certification requirements for this occupation in March 2024 and confirmed that all Therapeutic Radiologic Technologists in VA followed ASRT standards.

4. Although VA only requires a certification, 40 States require a State license in order to practice as a Therapeutic Radiologic Technologist in that State: Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Hawaii, Illinois, Indiana, Iowa,

Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming.

Of those, 26 States exempt Federal employees from their State license requirements: Alaska, Arizona, California, Florida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon,

Pennsylvania, Texas, Utah, Vermont, Virginia, Washington, and West Virginia.

VA reviewed State laws, State practice acts, and certification requirements for Therapeutic Radiologic Technologists on March 2024 and did not identify any conflicts that impact practice on this profession in VA.

Request for Information

1. Is VA’s assessment of what States permit and restrict accurate?
2. Are there any other areas of variance between State licenses that VA should preempt that are not listed?
3. Is there anything else you would like to share with us about this VA national standard of practice?

Signing Authority

Denis McDonough, Secretary of Veterans Affairs, approved and signed this document on July 3, 2024, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Jeffrey M. Martin,

Assistant Director, Office of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs.

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