

117TH CONGRESS  
2D SESSION

# H. R. 7277

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## 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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