

## HR 3909

Veterans Health and Accountability Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Armed Forces and National Security

**Introduced:** Nov 3, 2015

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (Dec 3, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/3909>

### Sponsor

**Name:** Rep. Guinta, Frank C. [R-NH-1]

**Party:** Republican • **State:** NH • **Chamber:** House

### Cosponsors

No cosponsors are listed for this bill.

### Committee Activity

Committee	Chamber	Activity	Date
Oversight and Government Reform Committee	House	Referred To	Nov 3, 2015
Veterans' Affairs Committee	House	Referred to	Dec 3, 2015

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
114 S 2291	Related bill	Nov 18, 2015: Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-252.
114 HR 1994	Related bill	Jul 30, 2015: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.

## **Veterans Health and Accountability Act**

This bill amends the Veterans Access, Choice, and Accountability Act of 2014 to revise the Department of Veterans Affairs (VA) Choice Program eligibility requirements.

The VA may: (1) remove or demote a VA employee based on performance or misconduct, and (2) also remove an individual from the civil service or demote the individual through a reduction in grade or annual pay rate.

An employee may appeal to the Merit Systems Protection Board within seven days of removal or demotion.

Between the date on which an individual appeals a removal from the civil service and the date on which the administrative judge issues a final decision, the individual may not receive any pay, awards, bonuses, or other specified benefits.

A demoted individual: (1) shall be paid at the demoted rate as of the date of demotion, (2) may not be placed on administrative leave or any other category of paid leave while an appeal is ongoing, and (3) may only receive pay and other benefits if the individual reports for duty.

The VA may not remove or demote an employee during the pendency of a whistle blower complaint made to the VA Office of Special Counsel or to the central whistle blower office until a final decision has been made.

An individual's appointment to a permanent position within the competitive service or as a career appointee within the Senior Executive Service (SES) shall become final after an 18-month probationary period, which the VA may extend. Final appointment shall be made by the employee's supervisor.

An additional method is established for filing whistle blower complaints in which a VA employee may file such complaints with his or her immediate and next-level supervisors, and ultimately with the VA after having properly filed a complaint at each supervisory level.

The VA may not exempt any employee from such whistle blower coverage.

The VA shall carry out specified adverse actions against a supervisor who commits a prohibited personnel action relating to a whistle blower complaint.

A supervisor who commits a prohibited personnel action shall not be paid any award or bonus for a one-year period, and any award or bonus paid during that period shall be recouped.

The performance appraisal system for SES employees is revised, including by providing for five annual performance level ratings for SES employees as follows: outstanding, exceeds fully successful, fully successful, minimally satisfactory, and unsatisfactory.

The Veterans Access, Choice, and Accountability Act of 2014 is amended to reduce to \$300 million the aggregate amount of awards and bonuses that may be paid by the VA in each of FY2016-FY2018.

## **Actions Timeline**

---

- **Dec 3, 2015:** Referred to the Subcommittee on Health.
- **Nov 3, 2015:** Introduced in House
- **Nov 3, 2015:** Sponsor introductory remarks on measure. (CR H7640)
- **Nov 3, 2015:** Referred to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.