To direct the Secretary of Veterans Affairs to submit to Congress periodic reports on the costs, performance metrics, and outcomes of the Department of Veterans Affairs Electronic Health Record Modernization program.

IN THE SENATE OF THE UNITED STATES

Mr. Moran (for himself, Mr. Tester, Mr. Boozman, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan, Mrs. Blackburn, Mr. Cramer, Mr. Braun, Ms. Sinema, Ms. Hassan, Mr. Brown, Mr. Blumenthal, Mrs. Murray, Ms. Hirono, and Mr. Manchin) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To direct the Secretary of Veterans Affairs to submit to Congress periodic reports on the costs, performance metrics, and outcomes of the Department of Veterans Affairs Electronic Health Record Modernization program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “VA Electronic Health Record Transparency Act of 2021”.
SEC. 2. REPORTS ON COSTS, PERFORMANCE METRICS, AND
OUTCOMES OF DEPARTMENT OF VETERANS
AFFAIRS ELECTRONIC HEALTH RECORD
MODERNIZATION PROGRAM.

(a) In General.—Section 503 of the Veterans Benefits and Transition Act of 2018 (Public Law 115–407; 38 U.S.C. 5701 note prece.) is amended—

(1) by redesignating subsection (e) as subsection (f);

(2) by inserting after subsection (d) the following new subsection (e):

“(e) Quarterly Reports.—

“(1) Reports on costs of program.—

“(A) In general.—Not later than 90 days after the date of the enactment of the VA Electronic Health Record Transparency Act of 2021, and not later than the date that is 30 days after the last day of each fiscal quarter thereafter until the termination date specified in paragraph (3), the Secretary shall submit to the appropriate congressional committees a report on the costs of the Electronic Health Record Modernization Program.

“(B) Elements.—Each report under subparagraph (A) shall include, for the period covered by the report and for the total period be-
beginning on the date of the enactment of the VA Electronic Health Record Transparency Act of 2021 and ending on the date of the submittal of the report, a description of all actual expenses of, and driven by, the Electronic Health Record Modernization Program, including any such expenses paid using—

“(i) any funds appropriated for the Department of Veterans Affairs, for any source or account, expended by any organizational element of the Department or by the Federal Electronic Health Record Modernization Office for the Electronic Health Record Modernization Program;

“(ii) any funds, from any source or account, expended by any organizational element of the Department for physical or technology infrastructure modifications, enhancements, improvements, or expansions at a facility of the Department necessitated by, or related or pertaining to, the Electronic Health Record Modernization Program; and

“(iii) any funds, from any source or account, expended by any organizational
element of the Department or by the Federal Electronic Health Record Modernization Office for consultants, support contractors, or experts related or pertaining to the Electronic Health Record Modernization Program.

“(2) REPORTS ON PERFORMANCE METRICS AND OUTCOMES.—

“(A) IN GENERAL.—Not later than 90 days after the date of the enactment of the VA Electronic Health Record Transparency Act of 2021, and not later than the date that is 30 days after the last day of each fiscal quarter thereafter until the termination date specified in paragraph (3), the Secretary shall submit to the appropriate congressional committees a report on the performance metrics and outcomes of the Electronic Health Record Modernization Program.

“(B) ELEMENTS.—Each report under subparagraph (A) shall include, for the period covered by the report—

“(i) a list of the quality, performance, safety, or value metrics, key performance indicators, and other diagnostic or evalua-
tion criteria in use to assess the Electronic Health Record Modernization Program and the electronic health record system, in general and at individual facilities, with respect to veterans, employees of the Department, and operations of the Department;

“(ii) an explanation of any change to any of such metrics, indicators, and criteria compared to the metrics, indicators, and criteria included in any previous report submitted under subparagraph (A);

“(iii) the data supporting or demonstrating each such metric, indicator, and criteria compared to the data supporting or demonstrating such metric, indicator, or criteria as included in the previous report submitted under subparagraph (A); and

“(iv) a list of patient safety reports, incidents, alerts, or disclosures at each facility of the Department where the electronic health record system has been implemented.

“(3) Termination date.—The requirements to submit reports under paragraphs (1) and (2) shall terminate on the date that is 90 days after the
date on which the Secretary submits to the appropriate congressional committees a certification that the Electronic Health Record Modernization Program has been fully implemented.”; and

(3) in subsection (f), as redesignated by paragraph (1), by adding at the end the following new paragraphs:

“(3) The term ‘electronic health record system’ means the electronic health record system implemented pursuant to the Electronic Health Record Modernization Program.

“(4) The term ‘facility of the Department’ includes a joint facility of the Department of Veterans Affairs and the Department of Defense.

“(5) The term ‘Federal Electronic Health Record Modernization Office’ means the office established under section 1635(b) of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note).”.