

April 18, 2019

The Honorable Cory Gardner
United States Senate
354 Russell Senate office Building
Washington, D.C. 20510

Dear Senator Gardner,

The National Council of State Boards of Nursing (NCSBN) is pleased to support the Department of Veterans Affairs Provider Accountability Act (S. 221). We are excited to see efforts to address provider accountability within the Veterans Health Administration (VHA) and proper reporting to the National Practitioner Data Bank (NPDB) and state licensing boards (SLBs) in this legislation.

NCSBN is an independent, non-profit association comprising 59 boards of nursing (BONs) from across the U.S., the District of Columbia and four U.S. territories. BONs are responsible for protecting the public through regulation of licensure, nursing practice, and discipline of the 4.7 million registered nurses (RNs), licensed practical/vocational (LPN/VNs) and advanced practice registered nurses in the U.S. with active licenses. NCSBN was created by these BONs to act and counsel with one another and to lessen the burden of government. The mission of NCSBN is to provide education, service, and research through collaborative leadership to promote evidence-based regulatory excellence for patient safety and public protection. Through NCSBN, BONs work together on policy matters that will affect patient safety, the future of nursing and health care.

SLBs help maintain patient safety by licensing providers in their respective professions practicing in VHA facilities. It is crucial that any action taken against the provider in the VHA, especially those that affect patient safety, are disciplinary in nature, or result in termination of employment, is reported to the NPDB and the appropriate SLBs. These measures will ensure that our nation's veterans are being treated by safe and competent providers that meet the same public protection standards as those in the private sector. This legislation ensures there is an open line of communication between the VHA and SLBs, encouraging our nation's veterans feel confident they are receiving high quality care by safe, competent providers.

In November 2017, the Government Accountability Office (GAO) published a report entitled, "*Improved Policies and Oversight Needed for Reviewing and Reporting Providers for Quality and Safety Concerns*," which analyzed the history of five VA medical centers (VAMCs) reporting to the NPDB and SLBs. The study found that, "selected VAMCs did

not report to the NPDB eight of nine providers who had adverse privileging actions taken against them or who resigned during an investigation related to professional competence or conduct, as required by VHA policy, and none of these nine providers had been reported to SLBs.”¹ The report exposed a significant patient safety and public protection gap in the VA. We are pleased that your bill seeks to address this problem in a meaningful way.

If you have any questions or would like any additional information, please do not hesitate to contact us. Elliot Vice, NCSBN’s Director of Government Affairs, can be reached at evince@ncsbn.org and 202-624-7781. We look forward to helping you advance this important piece of legislation through Congress in the coming months.

Sincerely,



David C. Benton, RGN, PhD, FRCN, FAAN
Chief Executive Officer

CC
The Honorable Jerry Moran
The Honorable Joe Manchin
The Honorable Susan Collins
The Honorable Bill Cassidy

¹ U.S. Government Accountability Office. “VA Health Care: Improved Policies and Oversight Needed for Reviewing and Reporting Providers for Quality and Safety Concerns.” *U.S. Government Accountability Office (U.S. GAO)*, 27 Nov. 2017, www.gao.gov/products/GAO-18-63.

