

**AMENDMENT TO H.R. 5620**  
**OFFERED BY MS. MICHELLE LUJAN GRISHAM OF**  
**NEW MEXICO**

Add at the end the following new section:

1 **SEC. 11. ESTABLISHMENT OF OFFICE OF THE OMBUDSMAN.**

2 (a) ESTABLISHMENT.—Subchapter I of chapter 73 of  
3 title 38, United States Code, is amended by adding at the  
4 end the following new section:

5 **“§ 7310. Office of the Ombudsman**

6 “(a) ESTABLISHMENT.—There is established in the  
7 Veterans Health Administration an Office of the Ombuds-  
8 man (in this section referred to as the ‘Office’). The Office  
9 shall be headed by an Ombudsman appointed by the Sec-  
10 retary. The Ombudsman shall report directly to and be  
11 under the general supervision of the Secretary, but shall  
12 not report to, or be subject to supervision by, any other  
13 officer of the Department of Veterans Affairs. Neither the  
14 Secretary nor any other such officer may prevent or pro-  
15 hibit the Ombudsman from carrying out the duties of the  
16 Ombudsman.

17 “(b) DUTIES OF OFFICE.—The Office shall carry out  
18 the following duties:

1           “(1) Identify, investigate, and resolve com-  
2           plaints that—

3                   “(A) are made by, or on behalf of, covered  
4           patients; and

5                   “(B) relate to action, inaction, or decisions  
6           made by employees of the Department that may  
7           adversely affect the health, safety, welfare, or  
8           rights of covered patients.

9           “(2) Assist covered patients in finding patient  
10          advocates, veterans service organizations, or other  
11          similar entities to represent and advocate for the  
12          health, safety, welfare, and rights of the covered pa-  
13          tient.

14          “(3) Inform covered patients of the means of  
15          obtaining assistance described in paragraph (2).

16          “(4) Ensure that covered patients have regular  
17          and timely access to the services provided by the Of-  
18          fice, including with respect to receiving timely re-  
19          sponses to complaints.

20          “(5) Analyze, monitor, and provide comments  
21          and suggestions to the Secretary with respect to the  
22          development and implementation of actions made by  
23          the Secretary relating to the health, safety, welfare,  
24          and rights of covered patients.

1           “(6) Administer the reporting system described  
2           in subsection (d).

3           “(7) Provide training to local ombudsmen and  
4           volunteers described in subsection (c).

5           “(8) Other activities that the Secretary con-  
6           siders appropriate.

7           “(c) LOCAL OMBUDSMEN.—(1) Using amounts oth-  
8           erwise authorized to be appropriated for the medical facili-  
9           ties of the Department, each medical facility shall have  
10          a local ombudsman responsible for carrying out the duties  
11          of the Office at such location.

12          “(2) A local ombudsman shall—

13               “(A) carry out the assistance described in para-  
14               graph (2) of subsection (b) to ensure the protection  
15               of the health, safety, welfare, or rights of covered  
16               patients;

17               “(B) ensure that covered patients have regular,  
18               timely access to the Office, including with respect to  
19               receiving timely responses to complaints described in  
20               paragraph (1) of such subsection;

21               “(C) identify, investigate, and determine how to  
22               resolve such complaints; and

23               “(D) train local volunteers from civic organiza-  
24               tions to assist the local ombudsman by working di-  
25               rectly with covered patients to develop individual ac-

1           tion plans relating to the health, safety, welfare, and  
2           rights of the covered patient.

3           “(d) REPORTING SYSTEM.—The Ombudsman shall  
4           establish and administer a uniform reporting system to  
5           collect and analyze data relating to complaints described  
6           in subsection (b)(1) in order to identify to the Secretary  
7           and determine how to resolve significant problems in the  
8           medical facilities of the Department.

9           “(e) COOPERATION.—The Secretary shall ensure that  
10          each medical facility of the Department cooperates with  
11          the Office in carrying out this section.

12          “(f) ANNUAL REPORT.—The Ombudsman shall sub-  
13          mit to the Secretary and Congress an annual report that  
14          contains the following with respect to the year covered by  
15          the report:

16                 “(1) A description of the activities carried out  
17                 by the Office.

18                 “(2) An analysis of the data described in sub-  
19                 section (d).

20                 “(3) An evaluation of the problems experienced  
21                 by, and the complaints made by or on behalf of, cov-  
22                 ered patients.

23                 “(4) Recommendations for—

24                         “(A) improving the quality of care and life  
25                         of covered patients; and

1           “(B) protecting the health, safety, welfare,  
2           and rights of covered patients.

3           “(5) An analysis of the success of the Office,  
4           including—

5           “(A) a description of the services provided  
6           to covered patients as described in subsection  
7           (b)(2); and

8           “(B) an identification of barriers to the  
9           Office for better carrying out the duties of the  
10          Office.

11          “(6) Any comments and suggestions described  
12          in subsection (b)(5).

13          “(7) Any other information the Ombudsman  
14          considers appropriate.

15          “(g) COVERED PATIENT DESCRIBED.—In this sec-  
16          tion, the term ‘covered patient’ means an individual who  
17          is receiving medical care or hospital services at a medical  
18          facility of the Department.”.

19          (b) CLERICAL AMENDMENT.—The table of sections  
20          at the beginning of such chapter is amended by inserting  
21          after the item relating to section 7309 the following new  
22          item:

“7310. Office of the Ombudsman.”.

