

AMENDMENT TO H.R. 5620
OFFERED BY MR. KILMER OF WASHINGTON

Page 54, after line 2, insert the following:

1 **SEC. 11. MANAGEMENT AND ACCOUNTABILITY OMBUDS-**
2 **MAN.**

3 (a) IN GENERAL.—Chapter 3 of title 38, United
4 States Code, is amended by inserting after section 312A
5 the following new section:

6 **“§ 312B. Management and accountability ombudsman**

7 “(a) IN GENERAL.—(1) There is in the Department
8 an Office of the Management and Accountability Ombuds-
9 man (in this section referred to as the ‘Office’). There is
10 at the head of the Office an Ombudsman, who shall be
11 appointed by the President from among individuals with
12 a background in enterprise risk management.

13 “(2) The Ombudsman shall report directly to the Sec-
14 retary but the Secretary may not prevent or prohibit the
15 Ombudsman from initiating, carrying out, or completing
16 any responsibility of the Ombudsman.

17 “(3) The Secretary shall determine the appropriate
18 level of staffing and distribution of responsibility to ensure
19 the success of the Office.

20 “(b) RESPONSIBILITIES.—The Ombudsman shall—

1 “(1) receive and address reports from employ-
2 ees and employee representatives of the Veterans
3 Health Administration Affairs and assist in resolv-
4 ing problems with the management, administration,
5 and delivery of care of the Veterans Health Agency;

6 “(2) communicate to the Secretary the observa-
7 tions and findings received pursuant to paragraph
8 (1);

9 “(3) conduct inspections of medical facilities of
10 the Veterans Health Administration, including non-
11 Department facilities that provide care pursuant to
12 a contract entered into under chapter 17 of this title
13 as necessary;

14 “(4) establish a program under which the Om-
15 budsman and the Secretary shall—

16 “(A) provide incentives to employees of the
17 Veterans Health Administration who suggest
18 methods to improve the management and oper-
19 ations of the Veterans Health Administration;

20 “(B) carry out in a pilot program the sug-
21 gestions that are likely to be successful; and

22 “(C) if such a pilot program demonstrates
23 that a suggestion causes a marked improvement
24 in such management and operations—

1 “(i) reward the employee who made
2 such suggestion; and

3 “(ii) carry out such suggestion
4 throughout the Veterans Health Adminis-
5 tration; and

6 “(5) not less frequently than once each calendar
7 quarter, provide to the Secretary a summary and
8 relevant statistics concerning the activities and find-
9 ings of the Ombudsman, including a summary of the
10 suggestions made and carried out pursuant to para-
11 graph (4).

12 “(c) REQUEST FOR INVESTIGATIONS.—The Ombuds-
13 man may request the Inspector General of the Department
14 to conduct an inspection, investigation, or audit. Upon
15 such a request, the Inspector General shall respond to the
16 Ombudsman explaining the plan of the Inspector General
17 to comply with such request or the rationale of the Inspec-
18 tor General for denying such request.

19 “(d) COORDINATION.—The Secretary shall ensure
20 that each element of the Department has procedures to
21 provide the Ombudsman with formal responses to any rec-
22 ommendation submitted by the Ombudsman to the head
23 of such element.

24 “(e) ANNUAL REPORTS.—Not later than June 30 of
25 each year, the Ombudsman shall submit to the Commit-

1 tees on Veterans' Affairs of the Senate and the House of
2 Representatives a report on the objectives of the Ombuds-
3 man for the fiscal year beginning in such calendar year.

4 Each report shall—

5 “(1) contain a full and substantive analysis, in
6 addition to statistical information; and

7 “(2) set forth any recommendations the Om-
8 budsman has made on improving the management
9 and accountability of the employees of the Depart-
10 ment and any responses received under subsection
11 (d) with respect to the estimates described in section
12 117(b) of this title.

13 “(f) RISK MANAGEMENT DEFINED.—In this section,
14 the term ‘risk management’ means the processes that are
15 used to identify, assess, monitor, mitigate, and report on
16 risks to achieving a the mission, goals, and objectives of
17 a department, agency, or program using resources and
18 processes appropriate to the nature of risks and resources
19 available.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of such chapter is amended by inserting
22 after the item relating to section 312A the following new
23 item:

“312B. Management and Accountability Ombudsman.”.

