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

Page 54, after line 2, insert the following:

SEC. 11. MANAGEMENT AND ACCOUNTABILITY OMBUDSMAN.

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

“§ 312B. Management and accountability ombudsman

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

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

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

“(b) RESPONSIBILITIES.—The Ombudsman shall—
“(1) receive and address reports from employees and employee representatives of the Veterans Health Administration Affairs and assist in resolving problems with the management, administration, and delivery of care of the Veterans Health Agency;

“(2) communicate to the Secretary the observations and findings received pursuant to paragraph (1);

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

“(4) establish a program under which the Ombudsman and the Secretary shall—

“(A) provide incentives to employees of the Veterans Health Administration who suggest methods to improve the management and operations of the Veterans Health Administration;

“(B) carry out in a pilot program the suggestions that are likely to be successful; and

“(C) if such a pilot program demonstrates that a suggestion causes a marked improvement in such management and operations—
“(i) reward the employee who made such suggestion; and

“(ii) carry out such suggestion throughout the Veterans Health Administration; and

“(5) not less frequently than once each calendar quarter, provide to the Secretary a summary and relevant statistics concerning the activities and findings of the Ombudsman, including a summary of the suggestions made and carried out pursuant to paragraph (4).

“(c) REQUEST FOR INVESTIGATIONS.—The Ombudsman may request the Inspector General of the Department to conduct an inspection, investigation, or audit. Upon such a request, the Inspector General shall respond to the Ombudsman explaining the plan of the Inspector General to comply with such request or the rationale of the Inspector General for denying such request.

“(d) COORDINATION.—The Secretary shall ensure that each element of the Department has procedures to provide the Ombudsman with formal responses to any recommendation submitted by the Ombudsman to the head of such element.

“(e) ANNUAL REPORTS.—Not later than June 30 of each year, the Ombudsman shall submit to the Commit-
tees on Veterans’ Affairs of the Senate and the House of Representatives a report on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall—

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

“(2) set forth any recommendations the Ombudsman has made on improving the management and accountability of the employees of the Department and any responses received under subsection (d) with respect to the estimates described in section 117(b) of this title.

“(f) Risk Management Defined.—In this section, the term ‘risk management’ means the processes that are used to identify, assess, monitor, mitigate, and report on risks to achieving a the mission, goals, and objectives of a department, agency, or program using resources and processes appropriate to the nature of risks and resources available.”.

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 312A the following new item:

“312B. Management and Accountability Ombudsman.”.