

SUPPORTING STATEMENT

EXPANDED ACCESS TO NON-VA CARE THROUGH THE VETERANS CHOICE PROGRAM

OMB 2900-AP24

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

The Veterans Access, Choice, and Accountability Act of 2014 (the Act) requires implementing measures to allow the Secretary of Veterans Affairs to improve health care for veterans who have not been seen within established wait-time goals or who experience challenges based on their place of residence. The Act directs VA to provide hospital care and medical services to eligible veterans through agreements with eligible non-VA health care entities or providers. VA seeks to collect information to process the following forms:

- a) VA Form 10-10143, Election to Receive Authorized Non-VA Care and Selection of Provider for the Veterans Choice Program, will allow eligible veterans to elect to receive coverage under the VA Choice Program. Veterans can elect to either schedule a VA appointment, be placed on a VA waiting list, or have VA authorize the veteran to receive care from an eligible non-VA health care provider.
- b) VA Form 10-10143a, Health-Care Plan Information for the Veterans Choice Program, will be required for eligible veterans who elect to receive non-VA care. Veterans will submit other health insurance information under 38 CFR 17.1510(d). Submission of this information is required by law and essential to ensuring that liabilities are assigned in accordance with the Act.
- c) VA Form 10-10143b, Submission of Medical Record Information under the Veterans Choice Program, will require non-VA health care entities and providers to submit information about health care provided to eligible veterans through the Veterans Choice Program. Submission of this information is required by the Act. Without receipt of this information, VA will not have the necessary information to prevent fraud and properly pay claims.
- d) VA Form 10-10143c, Submission of Information on Credentials and Licenses by Eligible Entities and Providers, will require non-VA health care entities and providers to submit credentialing and licensing information to establish their eligibility to furnish hospital care and medical services through the Veterans Choice Program. To be eligible to provide services under the Choice Program, non-VA health care providers must maintain at least the same or similar credentials and licenses as those required of VA health care providers, as determined by the Secretary of Veterans Affairs. This form authorizes VA to ensure that these standards have been properly met.

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

Approval of the forms and collection of information are required to properly adjudicate and implement the requirements of the Choice Act.

- a. Contractor staff will use VA Form 10-10143 to collect veteran election information on whether they would like to participate in the Choice Program. If a Veteran is receiving non-VA care through the Program and requires care in excess of 60 days (the statutory limit under section 101(h)), the Veteran or their provider will request additional care through the contractor.
- b. VA Form 10-10143a collects other health insurance information from veterans electing to participate in the Choice Program. The information on this form is necessary for proper billing of medical services and collected via telephone.
- c. VA Form 10-10143b would require non-VA health care providers to submit veteran health records to the agency. A copy of all medical and dental records (including but not limited to images, test results, and notes or other records of what care was provided and why) related to a Veteran's care provided under this Program must be submitted to VA for entry into the veteran's electronic medical record. Providers will be required to submit records produced as a result of care authorized after the beginning of the Program.
- d. VA Form 10-10143c would ensure that all non-VA health care providers furnishing care through the Veterans Choice Program meet the credentialing and licensing criteria as set forth by the Secretary of Veterans Affairs. VHA Handbook 1100.19, *Credentialing and Privileging*, and VHA Directive 2012-030, *Credentialing of Health Care Professionals*, define these requirements and are available at: <http://www.va.gov/vhapublications/>.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

In accordance with the Government Paperwork Reduction Act (GPEA), this collection meets the established goals as respondents are permitted to submit information electronically via the internet or by phone. Electronic versions of these forms will reduce the amount of outgoing paper from the agency. Similarly, such an adjustment will reduce the costs acquired from printing and storage of hard copy forms, postage, and hours required in delivering these forms to the public. Providers may submit medical records, as required by VA Form 10-10143b and information concerning their credentials and licenses, as required by VA Form 10-10143c, through an online portal.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

. The information gathered from respondents will be unique and not readily available from other VA sources. As a result, there would be no duplication of information collected.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The collection of information on VA Forms 10-10143 and 10-10143a is limited to veterans and does not involve responses from small businesses or other entities. VA Form 10-10143b (Submission of Medical Record Information under the Veterans Choice Program) and VA Form 10-10143c (Submission of

Information on Credentials and Licenses by Eligible Entities and Providers) will not impose a significant impact on these businesses as they only request essential information from each provider.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

Failure to collect this information would prohibit VA from properly implementing the requirements of the Veterans Choice Act. Specifically, failure to collect this information would make it impossible for the agency to establish eligibility or to allow veterans to elect participation in the Choice Program. VA would also be unable to make payments on claims related to care or services furnished under the Program if it does not have information about the veteran's other health insurance or the medical records from the non-VA provider. VA would also be unable to properly evaluate providers for proper credentials to establish their eligibility to participate in the Veterans Choice Program.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

PL 113-146 requires that information be collected prior to each use of the program. Information will be collected telephonically by contract staff.

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

The notice of Information Collection Activity was first published in the Federal Register on November 5, 2014 (79 FR 65571, 65582) as part of an interim final rule, and VA was granted a six month clearance from 11/4/14-5/4/15 under OMB control number 2900-0823. VA received one comment to the interim final rule that was related to VA Form 10-10143b, Submission of Medical Record Information under the Veterans Choice Program, which requires non-VA health care entities and providers to submit information about health care provided to eligible veterans through the Veterans Choice Program. This comment suggested that VA develop a more streamlined process to share medical records with non-VA providers that participate in the Veterans Choice Program, such as through electronic medical records sharing. We do not make any changes to VA Form 10-10143b based on this comment, because VA Form 10-10143b is related to collecting information regarding medical treatment of a Veteran by a non-VA provider under the Choice Program, and is not related to VA electronically sharing medical records. VA next published 60-day and 30-day notices in the Federal Register (at 80 FR 8950 and 80 FR 28049, respectively) to extend the six month approval of the collections. VA received one comment on the 30-day notice, which requested that VA alter the 40-mile distance requirement in the Veterans Choice regulations. This comment relates to an eligibility criterion for the Choice Program and is beyond the scope of the collections of information in the Choice Program, and VA therefore does not make any changes to the collections based on this comment.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

Outside consultation will be conducted with the public through the Federal Register comment notice period.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gifts will be provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Information collected on these forms is protected by the Privacy Act of 1974, VA confidentiality statutes 38 USC § 5701 and 38 USC § 7332 and 45 CFR Parts 160 and 164, Health Insurance Portability and Accountability Act. Respondents are informed that the information collected will be included as a part of the system of records identified as 54VA16, Health Administration Center Civilian Health and Medical Program Records-VA as set forth in the 2005 Compilation of Privacy Act Issuances via online GPO access at <http://www.gpoaccess.gov/privacyact/index.html> and disclosures made in accordance with the statute.

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

VA Form 10-10143b, Submission of Medical Record Information under the Veterans Choice Program, requires a provider to furnish a copy of a medical record relating to any care furnished under the Choice Program. This is claim-specific medical information, including information that is considered sensitive, but would be known to the veteran based on the consultation with the non-VA health care provider. Examples of documentation are identified within the document.

12. Estimate of the hour burden of the collection of information:

a. The number of respondents, frequency of responses, annual hour burden, and explanation for each form is reported as follows:

Form #	Respondents	Response	X Minutes ÷ 60	Annual Hours
10-10143	440,794	12.64	10	928,606

10-10143a	440,794	1.2	10	88,159
10-10143b	187,000	29.80	5	464,383
10-10143c	187,000	1	5	15,583
TOTALS				1,496,731

The number of respondents for VA Form 10-10143 and 10-10143a are based on the estimated number of veterans who are most likely to utilize the Veterans Choice Program. The estimated number of responses is based on their expected need to submit the required information.

The number of respondents for VA Form 10-10143b and 10-10143c are based on the estimated number of eligible providers furnishing hospital care and medical services to eligible veterans through the Veterans Choice Program. The estimate is based off the number of providers furnishing non-VA care under the Patient Centered Community Care (PC3) initiative; the number of participating providers in that program for one of the two vendors (85,000) was doubled and subsequently increased by an additional 10 percent to reflect the anticipated number of providers who would furnish care under the Veterans Choice Program.

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-I.

The annualized cost to respondents is estimated at \$18,092,304 (753,846 hours x \$24 per hour).

(Department of Labor statistics, <http://www.bls.gov/>)

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

There are no costs to respondents for completing the forms.

13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- a. This collection does not have capital, start-up, operation or maintenance costs.
- b. Cost estimates are not expected to vary widely. The only estimated cost is that for the time of respondents.
- c. There are no anticipated recordkeeping burden beyond that which is considered usual and customary.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Administrative FTE Costs

VA has determined 81 FTEs will be required to carry out the provisions of this law, and, in particular, the new business processes that VA will have to manage as part of the Choice Program. The administrative staff will assist with processing non-VA care claims payments. They will also review non-VA care claims and supporting documentation for first party copayment billing. VHA will use existing capabilities at the VHA Health Resource Center (HRC) to provide customer service support with calls. VA projected appeals staff will be needed for denials of Veterans Choice benefits and non-VA care claims payments. VA will need staff at the Planning Systems Support Group (PSSG) for the geographic database in support of health care analysis and at the VHA Support Service Center (VSSC) for providing health care delivery analysis and evaluation reports.

Grade/Step & Locality	Yearly Salary	Benefits at 34%	FTE Unit Cost
Nurse 2/5 (Denver)	\$72,472	\$24,640	\$97,112
GS-6/7 (Rest of U.S.)	\$39,955	\$13,585	\$53,540
GS-7/5 (Rest of U.S.)	\$44,403	\$15,097	\$59,500
GS-7/5 (Denver)	\$47,654	\$16,202	\$63,856
GS-9/5 (Denver)	\$58,289	\$19,818	\$78,107
GS-12/5 (Denver)	\$84,530	\$28,740	\$113,270
GS-12/5 (Rest of U.S.)	\$78,762	\$26,779	\$105,541
GS-13/5 (Denver)	\$100,519	\$34,176	\$134,695
GS-13/5 (Atlanta)	\$97,869	\$33,275	\$131,144
GS-13/5 (Rest of U.S.)	\$93,660	\$31,844	\$125,504
GS-14/5 (Denver)	\$118,781	\$40,386	\$159,167

VA estimates the total administrative FTE costs to be \$6,285,462 in FY 2015 and \$18,856,387 over a three year period.

15. Explain the reason for any burden hour changes since the last submission.

These are new collections and all burden hours are considered a program increase. The notice of Information Collection Activity was first published in the Federal Register on November 5, 2014 (79 FR 65571, 65582) as part of an interim final rule, and VA was granted a six month clearance from 11/4/14-5/4/15 under OMB control number 2900-0823. VA received one comment to the interim final rule that was related to VA Form 10-10143b, Submission of Medical Record Information under the Veterans Choice Program, which requires non-VA health care entities and providers to submit information about health care provided to eligible veterans through the Veterans Choice Program. This comment suggested that VA develop a more streamlined process to share medical records with non-VA providers that participate in the Veterans Choice Program, such as through electronic medical records sharing. We do not make any changes to VA Form 10-10143b based on this comment, because VA Form 10-10143b is related to collecting information regarding medical treatment of a Veteran by a non-VA provider under the Choice Program, and is not related to VA electronically sharing medical records. VA next published 60-day and 30-day notices in the Federal Register (at 80 FR 8950 and 80 FR 28049, respectively) to extend the six month approval of the collections. VA received one comment on the 30-day notice, which requested that VA alter the 40-mile distance requirement in the Veterans Choice regulations. This comment relates to an eligibility criterion for the Choice Program and is beyond the scope of the

collections of information in the Choice Program, and VA therefore does not make any changes to the collections based on this comment.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There are no plans to publish the results of these collections.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

VA also seeks to minimize cost of collecting, processing and using the information by not displaying the expiration date. VA seeks an exemption to waive the displaying of the expiration date to increase efficiency for the agency and respondents. Moreover, the expiration date of the Veterans Choice Program is not known at this time. It will be no later than August 31, 2017 (absent further legislative action), but it could be sooner if the Veterans Choice Fund is exhausted before then.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

There are no exceptions.