



HOUSE COMMITTEE ON
VETERANS' AFFAIRS
Chairman Phil Roe, M.D.

H.R. 5521: the VA Hiring Enhancement Act

Background:

The Veterans Health Administration (VHA) is experiencing a significant shortage of physicians. This problem is exacerbated by the average age of Department of Veterans Affairs (VA) physicians. VHA data indicates that the average age of its physician workforce is 51.5 years of age and 18% of VA physicians are eligible for retirement. As such, VA is at-risk for having an even greater gap between physician supply and need in the coming years. Local physicians who wish to move from their practice to their local VHA facility are often precluded from doing so by non-compete clauses in their employment contracts despite generally serving a different patient population at VHA. Additionally, VHA is limited in its ability to recruit residents because of its dependence on accurate forecasting methods which it currently does not yet possess.

H.R. 5521 would: (1) Negate the enforcement of a non-compete agreement that prevents a physician from working at a VA facility; and (2) Require a physician to have successfully completed residency training prior to being appointed to a position at a VA facility but authorize VA to offer contingent appointments to physicians in training, pending completion of residency training, for a period of time up to two years prior to the completion of that training.

The Message:

- VHA is already experiencing a significant shortage of physicians and factors, like the average age of physicians, puts VA at-risk for having an even greater gap between physician supply and need in the coming years.
- This provider shortage provides a challenge to veterans and impacts VHA's ability to provide access to care.
- This legislation will remove two obstacles that prevent VHA from hiring and retaining quality providers by negating enforcement of non-compete agreements and allowing residents to be appointed to positions pending completion of their training.