

Calendar No. 705

118TH CONGRESS
2D SESSION

S. 131

[Report No. 118-299]

To amend chapter 81 of title 5, United States Code, to cover, for purposes of workers' compensation under such chapter, services by physician assistants and nurse practitioners provided to injured Federal workers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2023

Mr. BROWN (for himself, Ms. COLLINS, Mr. WHITEHOUSE, Ms. WARREN, Mrs. SHAHEEN, Mr. SANDERS, Mr. BLUMENTHAL, Mr. HICKENLOOPER, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 17 (legislative day, DECEMBER 16), 2024

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend chapter 81 of title 5, United States Code, to cover, for purposes of workers' compensation under such chapter, services by physician assistants and nurse practitioners provided to injured Federal workers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Access to
 5 Workers’ Compensation for Injured Federal Workers Act
 6 of 2023”.

7 **SEC. 2. INCLUSION OF PHYSICIAN ASSISTANTS AND NURSE**
 8 **PRACTITIONERS IN FEDERAL EMPLOYEES’**
 9 **COMPENSATION ACT.**

10 (a) INCLUSION.—Section 8101 of title 5, United
 11 States Code, is amended—

12 (1) in paragraph (3), by inserting “; other eligi-
 13 ble providers,” after “osteopathic practitioners”;

14 (2) by striking “and” at the end of paragraphs
 15 (18) and (19);

16 (3) by striking the period at the end of para-
 17 graph (20) and inserting “; and”; and

18 (4) by adding at the end the following:

19 “(21) ‘other eligible provider’ means a nurse
 20 practitioner or physician assistant within the scope
 21 of their practice as defined by State law.”.

22 (b) CONFORMING AMENDMENTS.—Chapter 81 of
 23 title 5, United States Code, is amended—

24 (1) in section 8103(a)—

1 (A) by inserting “or other eligible pro-
2 vider” after “physician” in each instance; and

3 (B) in paragraph (3), by inserting “or
4 other eligible providers” after “physicians”;

5 (2) in section 8121(6), by inserting “or other
6 eligible provider” after “physician”; and

7 (3) in section 8123(a)—

8 (A) by inserting “or other eligible pro-
9 vider” after “The employee may have a physi-
10 cian”; and

11 (B) by inserting “or other eligible pro-
12 vider” after “United States and the physician”.

13 (c) REGULATIONS.—Not later than 6 months after
14 the date of enactment of this Act, the Secretary shall final-
15 ize rules to carry out the amendments made by this Act.

16 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

17 The budgetary effects of this Act, for the purpose of
18 complying with the Statutory Pay-As-You-Go Act of 2010,
19 shall be determined by reference to the latest statement
20 titled “Budgetary Effects of PAYGO Legislation” for this
21 Act, submitted for printing in the Congressional Record
22 by the Chairman of the House Budget Committee, pro-
23 vided that such statement has been submitted prior to the
24 vote on passage.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Improving Access to*
 3 *Workers’ Compensation for Injured Federal Workers Act”.*

4 **SEC. 2. INCLUSION OF PHYSICIAN ASSISTANTS AND NURSE**
 5 **PRACTITIONERS IN FEDERAL EMPLOYEES’**
 6 **COMPENSATION ACT.**

7 *(a) INCLUSION.—Section 8101 of title 5, United States*
 8 *Code, is amended—*

9 *(1) in paragraph (3), by inserting “, other eligi-*
 10 *ble providers,” after “osteopathic practitioners”;*

11 *(2) in paragraph (18), by striking “and” at the*
 12 *end;*

13 *(3) in paragraph (19), by striking “and” at the*
 14 *end;*

15 *(4) in paragraph (20), by striking the period at*
 16 *the end and inserting “; and”; and*

17 *(5) by adding at the end the following:*

18 *“(21) ‘other eligible provider’ means a nurse*
 19 *practitioner or physician assistant within the scope of*
 20 *the practice of that individual as defined by State*
 21 *law.”.*

22 *(b) CONFORMING AMENDMENTS.—Subchapter I of*
 23 *chapter 81 of title 5, United States Code, is amended—*

24 *(1) in section 8103(a)—*

1 (A) by inserting “or other eligible provider”
2 after “physician” each place that term appears;
3 and

4 (B) in paragraph (3), by inserting “(or
5 other eligible providers)” after “physicians”;

6 (2) in section 8121(6), by inserting “or other eli-
7 gible provider” after “physician”; and

8 (3) in section 8123(a)—

9 (A) in the second sentence, by inserting “or
10 other eligible provider” after “The employee may
11 have a physician”; and

12 (B) in the third sentence, by inserting “or
13 other eligible provider” after “United States and
14 the physician”.

15 (c) *REGULATIONS.*—Not later than 180 days after the
16 date of enactment of this Act, the Secretary of Labor shall
17 finalize rules to carry out the amendments made by this
18 Act.

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