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## U.S. House of Representatives

### COMMITTEE ON VETERANS' AFFAIRS

ONE HUNDRED EIGHTEENTH CONGRESS

364 CANNON HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

<http://veterans.house.gov>

May 14, 2024

The Honorable Denis R. McDonough  
 Secretary  
 U.S. Department of Veterans Affairs  
 810 Vermont Avenue, NW  
 Washington, DC 20420

Dear Mr. Secretary:

As you know, we have received troubling allegations from credible sources regarding the Hampton Veterans Affairs Medical Center (Hampton VAMC) and its Surgical Services department. After hearing these serious allegations, we sent VA a letter on April 9, 2024 requesting VA provide documents and answer questions by April 26, 2024 to further our Hampton VAMC investigation. Because the allegations directly impacted patient safety, we requested VA provide a response on an expedited and rolling basis. Disappointingly, VA has yet to provide a single document or answer a single question.

The enclosed April 9, 2024 letter includes our previous asks. Specifically, that VA produce various documents and answer specific questions on a rolling basis. The allegations surrounding Hampton VAMC are incredibly serious. They have created serious concerns that Hampton VAMC lacks the competent leadership needed to repair an imploding Surgical Services department. We appreciate that civil service laws protect employment, however, VA employees should never remain in important leadership positions if they have shown a complete inability to lead a team responsible for caring for veterans.

Every day these allegations go unaddressed is another day patients may be at risk. I trust you agree patient safety must be VA's priority. As such, we ask that you immediately respond to our April 9, 2024 letter. Your response is vital to ensure Congress has proper oversight of this situation, so we can work together to ensure that Hampton VAMC is free of unacceptable danger to patients who receive its care.

Sincerely,



MIKE BOST  
 Chairman



JEN KIGGANS  
 Chairwoman  
 Subcommittee on Oversight and Investigations

Cc: The Honorable Mark Takano, Ranking Member  
 The Honorable Frank J. Mrvan, Ranking Member, Subcommittee on Oversight & Investigations

Enclosure: Letter sent from Chairman Bost to Secretary McDonough, April 9, 2024

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April 9, 2024

The Honorable Denis McDonough  
 Secretary  
 U.S. Department of Veterans Affairs  
 810 Vermont Avenue, NW  
 Washington, DC 20420

Dear Secretary McDonough:

We have received disturbing information from credible sources regarding the Hampton Veterans Affairs Medical Center (Hampton VAMC) and its Surgical Services department. Allegedly, the [REDACTED] has created a dangerous environment where retaliation against VA employees who report patient safety concerns is commonplace, and gross medical incompetence is prevalent and goes unaddressed. Most troubling, however, is that allegedly when these serious issues are flagged to Hampton VAMC leadership, including the [REDACTED] [REDACTED] and [REDACTED] issues are swept under the rug and their root causes continue to go unaddressed.

As you know, patient safety should be VA's highest priority. To hear allegations that substandard care may be present at the Hampton VAMC, and that when it is flagged by medical professionals who have a responsibility and oath to their patients later leads to retaliation is incredibly concerning. I trust you would agree that this is unacceptable. We hope to work with you to ensure that the Hampton VAMC is a facility where all veterans in Hampton Roads can proudly and safely seek their healthcare.

Given the extreme nature of these allegations involving a direct risk to veterans' lives, we ask you expedite this request. Please provide on a rolling basis, but no later than **Friday, April 26, 2024**, responses to the following questions, including copies of all responsive documents.

1. Please provide copies of all memoranda and final documents related to the decision to detail [REDACTED] out of [REDACTED] position from February 2023 to August 2023.
2. Please provide copies of all documentation, including investigation transcripts and all written communications produced since January 1, 2023, related to any

Administrative Investigations Board (AIB), fact finding, and any other administrative investigations of [REDACTED]

3. Please provide copies of all memoranda and final documents related to proposed or actual disciplinary actions, against the following Hampton VAMC employees:  
[REDACTED]
4. Please provide copies of all Ongoing Professional Practice Evaluations ("OPPE") and Focused Professional Practice Evaluations ("FPPE") of [REDACTED] and [REDACTED] [REDACTED] between January 2022 and present.
5. Please provide copies of all Joint Patient Safety Reports (JPSRs) related to Hampton VAMC's surgical services department between January 2023 and present.
6. Please confirm whether there has been any proposed or final administrative action taken against [REDACTED] following [REDACTED] return to the [REDACTED] [REDACTED] position in August 2023. If no proposed or final action was taken, please explain the reasoning behind this inaction.
7. Please provide copies of all Veteran Integrated Service Network 6 ("VISN 6") reports, on Hampton VAMC, including its Surgical Services Department, drafted between January 2022 and present.
8. Please confirm who directed [REDACTED] to access [REDACTED] personal employee medical chart on September 19, 2023, and [REDACTED] to access [REDACTED] [REDACTED] personal employee medical chart on October 7, 2022.
  - a. Please provide copies of any related written communication to or from [REDACTED] [REDACTED] and [REDACTED] on, or about, the date of the employee medical chart access.
9. Please provide copies of all Hampton VAMC specific bylaws including all versions, effective between January 2022 and present.
10. Please provide a copy of any recording and transcript of the Hampton VAMC meeting held September 6, 2023, 3:30PM-4:15PM, titled Mandatory Surgery Service and Associated Services All Hands Meeting.
11. Please provide any VA/VHA policies governing the cleaning of exam and procedure rooms where surgical services/procedures are conducted.
  - a. Are doctors responsible for cleaning exam and procedure rooms? If not, who is responsible for their cleaning?
  - b. How often are the Hampton VAMC exam and procedure rooms cleaned? What does the cleaning involve? Who performs the cleaning?
    - i. Please provide any documentation showing the cleaning schedule of the Hampton VAMC Med Subspecialty clinic from January 2023 to present.
12. Please provide copies of all complaints, and any related investigations, regarding the cleanliness of Hampton VAMC.

13. Please explain how Hampton VAMC is planning to address its anesthesiologist shortage?
- a. Are Certified Registered Nurse Anesthetists being considered as an option to supplement the lone permanent available anesthesiologist at Hampton VAMC?
  - b. What is Hampton VAMC's procedure for treating veterans, including conducting emergency surgery, when an anesthesiologist is unavailable? Please provide any written documentation which includes Hampton VAMC's plans to ensure patient safety risks caused by anesthesiologist shortages are minimized.
14. Please provide copies of all documents produced by "The Joint Commission," and its affiliates, regarding Hampton VAMC. Please include all Joint Commission reports, including corrective action plans and survey reports, and any other associated supporting documents.

When producing documents, please do not alter them in any way, including but not limited to application of redactions or a watermark. Additionally, digital copies should be provided in a format that enables their printing and copying by the House Committee on Veterans' Affairs. Thank you for your attention to this important issue. Please do not hesitate to have your staff contact our staff with any questions.

Sincerely,



**MIKE BOST**  
Chairman



**JEN KIGGANS**  
Chairwoman  
Subcommittee on Oversight & Investigations

Cc: The Honorable Mark Takano, Ranking Member  
The Honorable Frank J. Mrvan, Ranking Member, Subcommittee on Oversight & Investigations