

VOTING ASSISTANCE FOR VA INPATIENTS AND RESIDENTS

1. REASON FOR ISSUE: This Veterans Health Administration (VHA) directive updates policy for providing inpatients and residents with information on voter registration and voting, as well as policy to assist inpatients and residents to register to vote and to vote.

2. SUMMARY OF MAJOR CHANGES: Major changes include:

a. Incorporation of responsibilities for the VA medical facility Social Work Chief or Executive to collaborate with the VA medical facility Voluntary Service Program Manager to assist inpatients and residents requesting or requiring voting assistance, and to ensure voting assistance is provided in the absence of a Voluntary Service Program Manager.

b. Incorporation of responsibilities for the VA medical facility Public Affairs Officer to post information about voter registration and assistance within the VA medical facility.

c. Deletion of a requirement to establish a local policy.

3. RELATED ISSUES: None.

4. RESPONSIBLE OFFICE: The Voluntary Service Office (10B2A) is responsible for the contents of this Directive. Questions may be referred to 202-461-7300.

5. RESCISSIONS: VHA Directive 1060, Voting Assistance for VA Patients, dated March 31, 2014 is rescinded.

6. RECERTIFICATION: This VHA directive is scheduled for recertification on or before the last working day of October 31, 2024. This VHA directive will continue to serve as national VHA policy until it is recertified or rescinded.

**BY THE DIRECTION OF THE UNDER
SECRETARY FOR HEALTH:**

/s/ Lawrence B. Connell
VHA Chief of Staff

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NOTE: *All references herein to VA and VHA documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.*

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VOTING ASSISTANCE FOR VA INPATIENTS AND RESIDENTS

1. PURPOSE

This Veterans Health Administration (VHA) directive establishes policy for providing information to inpatients and residents about registering to vote and voting, as well as for assisting inpatients and residents to register to vote and to vote. **AUTHORITY:** Title 38 United States Code (U.S.C.) 901 and 1721; Title 38 Code of Federal Regulations 17.33(a)(4)(iv).

2. BACKGROUND

The right to register and vote is guaranteed to all Department of Veterans Affairs (VA) inpatients under 38 CFR 17.33(a)(4)(iv), and VHA is committed to assisting inpatients and residents who wish to exercise their voting rights. Information about these rights is posted throughout VA medical facilities, and all inpatients and residents are informed of the opportunity to receive additional information related to voting assistance.

3. POLICY

It is VHA policy that inpatients and residents, particularly hospital inpatients and those residents of VHA Community Living Centers and Domiciliaries with limited access to voter registration and information resources, will be provided with information regarding voter registration, and with assistance in registering to vote and voting. **NOTE:** Assistance provided by state and local election officials and nonpartisan groups is welcome, but must be coordinated with the local District Chief Counsel to avoid disruptions and ensure consistency with 38 CFR 1.218(a)(14).

4. RESPONSIBILITIES

a. **Under Secretary for Health.** The Under Secretary for Health is responsible for ensuring that VA inpatients and residents are provided with information and assistance concerning voting registration and voting.

b. **Deputy Under Secretary for Health for Operations and Management.** The Deputy Under Secretary for Health for Operations and Management is responsible for:

(1) Communicating the contents of this directive to each of the Veterans Integrated Services Networks (VISNs).

(2) Ensuring that each VISN Director has the sufficient resources to implement this directive in all VA medical facilities within that VISN.

(3) Providing oversight of VISNs to assure compliance with this directive, relevant standards, and applicable regulations.

c. **Veterans Integrated Service Network (VISN) Director.** The VISN Director is responsible for ensuring that each VA medical facility in their respective VISN provide information and assistance to VA inpatients and residents who seek to exercise their right to register and to vote.

d. **VA Medical Facility Director.** The VA medical facility Director is responsible for:

(1) Ensuring that the VA medical facility Public Affairs Officer posts information on voting assistance throughout the VA medical facility. **NOTE:** *In addition to the prohibition on partisan activity at VA medical facilities imposed by 38 CFR 1.218(a)(14), VA personnel must also be mindful of the Hatch Act (5 U.S.C. 7321 through 7326) restrictions on the partisan political activities of Federal employees.*

(2) Ensuring that the time, place, and manner of voter registration and voter assistance activities do not disrupt services offered in the VA medical facility.

(3) Ensuring that, where necessary or otherwise appropriate, procedures are established for coordinating offers of assistance in providing voter registration and voter assistance from state and local governments and nonpartisan organizations, and for consulting with District Chief Counsel regarding determining the nonpartisan character of groups offering such assistance.

e. **VA Medical Facility Voluntary Service (VAVS) Program Manager.** The VA medical facility VAVS Program Manager is designated by the VA medical facility Director. **NOTE:** *In the absence of a VA medical facility VAVS Program Manager, the VA Social Work Chief or Executive is responsible for the following.* The VA medical facility VAVS Program Manager is responsible for:

(1) Ensuring all VA medical facility VAVS personnel, including volunteers, prior to providing any information or assistance to VA inpatients and residents who seek to register to vote or vote, annually review and complete VA Form 10-0462, Political Activities Fact Sheet and Certification, and that a signed copy of the form is maintained in the personnel file. **NOTE:** *VA Form 10-0462 is available by search at: <http://www.va.gov/vaforms/>.*

(2) Obtaining and maintaining all relevant materials used to assist with voter registration and voting, and collaborating with VA medical facility Social Work Chief or Executive to provide voting assistance to inpatients and residents requesting or requiring assistance with the voting process. **NOTE:** *Because the requirements and procedures for registering to vote and voting vary widely by state, VAVS offices at each VA medical facility must maintain current and accurate state voting information.* Nonpartisan voter resources include but are not limited to the following:

(a) National Voter Registration Form available at: <https://www.eac.gov/voters/national-mail-voter-registration-form/>. **NOTE:** *Additional voter registration information is available from the U.S. Government at: <https://www.usa.gov/how-to-vote> and U.S. Election Assistance Program at: <https://www.eac.gov/>.*

- (b) State, local, and county government Election Officials and Voter Registrars.
- (c) Nonpartisan organizations with an expertise in voter registration.

(3) Providing assistance for registering to vote and for voting by absentee ballot to inpatients and residents who are unable to leave the VA medical facility. **NOTE:** *Because there is currently no single form that allows a voter in the United States to request an absentee ballot from any or all states, VAVS offices at each VA medical facility must maintain current and accurate state voting information.*

(4) Coordinating requests or offers of assistance from state and local governments and nonpartisan organizations to facilitate voter registration or absentee ballot voting on VA property, and forwarding all of these requests and offers to the local District Chief Counsel for review to determine the nonpartisan character of groups offering such assistance.

(5) Providing the VA medical facility Public Affairs Officer with information about voter registration and assistance for posting within facilities.

f. **VA Medical Facility Social Work Chief or Executive.** The VA medical facility Social Work Chief or Executive is responsible for:

(1) Ensuring social work staff who care for inpatients and residents requesting or requiring assistance with the voting process alert the VA medical facility Voluntary Service Program Manager.

(2) Collaborating with the VA medical facility Voluntary Service Program Manager to ensure that voting assistance is made available for inpatients and residents and, in the absence of a VA medical facility Voluntary Service Program Manager, ensuring that voting assistance is made available for inpatients and residents.

g. **VA Medical Facility Public Affairs Officer.** The VA medical facility Public Affairs Officer is responsible for posting information about voter registration and assistance within facilities or preparing other suitable communications for inpatients and residents to ensure knowledge and access.

5. TRAINING

The following training is required: All VA medical facility VAVS personnel, including volunteers, must annually review and complete VA Form 10-0462, "Political Activities Fact Sheet and Certification," available by search at: <http://www.va.gov/vaforms/>.

6. RECORDS MANAGEMENT

All records regardless of format (e.g., paper, electronic, electronic systems) created by this directive shall be managed per the National Archives and Records Administration (NARA) approved records schedules found in VA Records Control

Schedule 10-1. Questions regarding any aspect of records management should be addressed to the appropriate Records Manager or Records Liaison.

7. REFERENCES

- a. Pub. L. 76–252 (“Hatch Act”).
- b. 5 U.S.C. 7321 through 7326.
- c. 38 U.S.C. 901.
- d. 38 U.S.C. 1721.
- e. 38 CFR 17.33(a)(4)(iv).
- f. 38 CFR 1.218(a)(14).
- g. VA Form 10-0426, available at: <http://www.va.gov/vaforms/>.
- h. National Voter Registration Form, available at: <https://www.eac.gov/voters/national-mail-voter-registration-form/>.
- i. U.S. Election Assistance Program at: <https://www.eac.gov/>.
- j. U.S. Government, How to Vote or Register to Vote at: <https://www.usa.gov/how-to-vote>.