

RETURNING DONATED VANS TO DONORS

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides policy requiring written agreements between the Department of Veterans Affairs (VA) and the Disabled American Veterans (DAV) or other donors, to facilitate accepting and returning donated vans to donors. The written agreement provides for the donation of a van from the donor for use in the Volunteer Transportation Network (VTN) which sets forth the conditions on VA's use and possible return of the van. ***NOTE:** Even without an agreement, a VA health care Facility Director may return a donated van to the donor when the condition of the vehicle is unacceptable for use or it is no longer needed for use in the facility's VTN.*

2. BACKGROUND: For many years, VA has been the beneficiary of the contribution of vans to meet the special needs of Veteran patients. DAV established a VTN to benefit Veteran patients who do not have necessary transportation from their homes to VA facilities. DAV has donated hundreds of vans to support this activity. DAV has a plan to replace many of the vans. and recognizes the possible benefit to local DAV chapters if the vans could be returned for disposal or other use.

3. POLICY: It is VHA policy to return donated vans to DAV, or other donors, when the Facility Director determines the condition of the van makes it unacceptable for use, or it is no longer needed in the facility VTN.

4. ACTION

a. **Facility Directors.** The Facility Director is responsible for:

(1) Ensuring that an agreement between VA and DAV, or other donors, on the disposition of donated vans in the VTN has been drafted (see Att. A). The agreement must be signed by a DAV representative, or other donor, as necessary, and the VA Facility Director, or designee, prior to receiving a van donation.

(2) Complying with the provisions of the signed agreement by offering to return the donated van to the donor organization, as required by the agreement.

(3) Determining if:

(a) The condition of the van makes it unacceptable for use in the VTN, or

(b) The van is no longer needed in the facility VTN.

THIS VHA DIRECTIVE EXPIRES MAY 31, 2014

VHA DIRECTIVE 2009-024

May 7, 2009

(4) Approving all return of vans. If there was no prior agreement, a van may be returned only when the condition of the vehicle is unacceptable for use or it is no longer needed for use in the facility's VTN. Also, the donor must agree to accept the van. When DAV requests that the van(s) to be returned, a letter is be drafted authorizing the return of the van(s) and a copy of the letter is provided to the Office of Acquisition and Logistics (OAL), along with a request for a "Standard Certificate to Obtain Title" (SF-97), which is sent to VA Central Office, Office of Acquisition and Logistics (001AL-P2A) by email or fax, to the attention of the "National Utilization Officer."

b. **Facility Accountable Officers (AO)**. The Facility AO is responsible for:

(1) Updating the official inventory of record and making a request for the SF-97 from OAL (001AL-P2A). In making a request, the AO must provide specific vehicle information for the completion of the SF-97 along with the signed approved letter from the facility Director for the return of the van. OAL will complete, sign and issue the SF-97 back to the facility AO. **NOTE:** "Certificates of Origin" may be used in lieu of an SF-97 when applicable.

(2) Ensuring that the AO, upon receipt the original SF-97, sign the Odometer Disclosure Statement (above the AO's typed name) certifying that the mileage information is correct prior to providing the donor the document.

5. REFERENCES

a. Title 38 United States Code (U.S.C.) 8304

b. Delegation of Authority from Secretary of Veterans Affairs to Health Care Facility Directors dated December 17, 2008. This delegation expires on December 17, 2010.

6. FOLLOW-UP RESPONSIBILITY: The Voluntary Service Office (10C2) is responsible for the contents of this Directive. Questions may be addressed to (202) 461-7300.

7. RESCISSIONS: VHA Directive 2007-021 is rescinded. This VHA Directive expires May 31, 2014.

Michael J. Kussman, MD, MS, MACP
Under Secretary for Health

DISTRIBUTION: E-mailed to VHA Publications Distribution mail group 05/11/09

ATTACHMENT A

**SAMPLE AGREEMENT BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS (VA)
AND THE DISABLED AMERICAN VETERANS (DAV), OR OTHER DONOR, ON THE
DISPOSITION OF DONATED VANS IN THE VOLUNTEER TRANSPORTATION NETWORK
(VTN)**

ARTICLE I: INTRODUCTION

1-1. Purpose: This agreement provides for the donation of a van from the Disabled American Veterans (DAV), or other donor, to the Department of Veterans Affairs (VA) for the Volunteer Transportation Network (VTN) and sets forth the conditions on VA's use, and possible return, of this vehicle. DAV has assisted VA in establishing and operating this VTN to benefit Veteran patients who do not have transportation from their homes to VA medical facilities. In addition, for many years, DAV has donated hundreds of vans to support the VTN's operation.

1-2. Authority: VA has authority to accept gifts including gifts of vehicles under Title 38 United States Code (U.S.C.) Sections 8301-8305. The Director of this VA Facility has been delegated the authority to accept gifts for the benefit of patients or the facility.

ARTICLE II: AGREEMENT

2-1. Delivery and Transfer of Title: A copy of the Certificate of Origin must be provided when the van is picked up. The original Certificate of Origin is maintained by the Office of Acquisition and Logistics in VA Central Office.

2-2. VA Use: VA will use the van for the transportation of veterans at the [___ Name of facility, group of facilities, or Veterans Integrated Service Network (VISN) ___] in accordance with VA rules and regulations. VA will not transfer the van to another VA facility, group of facilities, or VISN for its use without the written consent of DAV, or other donor, unless it is needed to respond to a local or national emergency declared by the State Governor or President of the United States. VA is responsible for the van's repair and maintenance. If the van is damaged, VA is not required to repair it prior to offering the van's return to DAV or other donor.

2-3. Possible Return of the Van: VA agrees to offer to return the van to DAV, or other donor, when the Facility Director determines (1) that the condition of the van makes it unacceptable for use in the VTN, or (2) that it is no longer needed for use in the facility's VTN. DAV, or other donor, must notify VA within 90 days of receiving VA's offer to return the van if it does not want the van. If DAV, or other donor, has not assumed possession of the van after this 90-day period, VA may dispose of the van in accordance with established procedures. If DAV, or other donor, agrees to the return of the van(s), VA must transfer the van title to DAV, or other donor, upon physical possession of the van(s). *NOTE: Generally, DAV, or other donor, takes physical possession of the van at the VA facility.*

For the Department of Veterans Affairs

For the Disabled American Veterans, or other donor

Director, VA Facility

(Title)

Date: _____

Date: _____