

June 13, 2011

**PROCESS FOR OBTAINING CONCURRENCE FROM VHA'S OFFICE OF
REGULATORY AFFAIRS IN WRITTEN POLICY DOCUMENTS**

1. PURPOSE: This Veterans Health Administration (VHA) Memorandum establishes a policy that VHA's Office of Regulatory Affairs (10B4) must concur in all written VHA policy documents.

2. DEFINITION: For the purposes of this memorandum, the term "written policy documents" means documents that state mandated action, usually Directives, Handbooks, VHA Memoranda, and Federal Register Notices.

3. POLICY: It is VHA policy that 10B4 must concur in all written policy documents.

4. ACTION

a. VHA program offices will continue to submit written policy documents to the Office of Forms and Publications (19E1). 19E1 will obtain concurrence from 10B4.

b. 10B4 reviews written policy documents for the following purposes:

(1) To determine whether the written policy document has adequate statutory and regulatory authority and that such authority is identified in the document.

(2) To identify real or potential conflicts with existing statutes, codified regulations, regulations in development, and/or written policy documents.

(3) To determine whether VA's Office of General Counsel should review all or part of the written policy document, and obtain such review when appropriate.

c. Program offices may request 10B4 assistance before submitting written policy documents to 19E1.

d. Attachment A of this Memorandum explains in detail how the revised concurrence process will operate.

5. REFERENCES: None.

6. RESPONSIBILITY: The Director, VHA's Office of Regulatory Affairs (10B4), is responsible for the contents of this VHA Memorandum. Questions may be directed to 202-461-6003.

7. RESCISSION: This VHA Memorandum expires June 30, 2016.

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Under Secretary for Health

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ATTACHMENT A

**CONCURRENCE PROCESS FOR VETERANS HEALTH ADMINISTRATOIN (VHA)
WRITTEN POLICY DOCUMENTS**

1. The Program Office drafts the document.
2. The Program Office obtains concurrence from other appropriate offices within VHA and/or within the Department of Veterans Affairs (VA), including, at the Program Office's discretion, the Office of General Counsel (OGC). Any guidance from OGC should be included in the VAIQ folder.
3. The Program Office assigns to Forms and Publications (19E1).
4. 19E1 makes any necessary changes, in coordination with the program office, and assigns to the Office of Regulatory Affairs (10B4).
5. 10B4 makes any necessary changes, in coordination with the program office and, when necessary, OGC; 10B4 concurs (or non-concurs); and returns document to 19E1 with edits highlighted.
6. 19E1 makes any necessary changes, and assigns to 101B for Under Secretary for Health signature.