

November 22, 2022

VETERANS TRANSPORTATION SERVICE ELIGIBILITY FOR PATIENTS WITH BEHAVIORAL PATIENT RECORD FLAGS

1. PURPOSE

This notice establishes interim policy related to VHA Directive 1695, Veterans Transportation Services, dated September 18, 2019, regarding the eligibility of patients with a Behavioral Patient Record Flag (BPRF) to use Veterans Transportation Services (VTS). The information in this notice is incorporated as an amendment to VHA Directive 1695.

2. BACKGROUND

The Veterans Health Administration (VHA) is committed to patient and staff safety and access to, and delivery of, safe health care. BPRFs provide information needed in the initial moments of an encounter about behavioral risks posed by a patient and the actions needed to provide care safely. The mere presence of a BPRF may not be used as the sole criterion to restrict access to services for which a patient is otherwise eligible. As stated in VHA Directive 1160.08(1), VHA Workplace Violence Prevention Program, dated August 23, 2021, the Department of Veterans Affairs (VA) medical facility Chief of Staff (CoS) may issue an Order of Behavioral Restriction (OBR) when needed, following completion of an evidence-based, data-driven behavioral threat assessment, that places restrictions on the time, place and/or manner in which services are provided to that specific patient. This may include VTS. When an OBR is issued, a BPRF is placed in the patient's electronic health record.

3. RESPONSIBILITIES

a. **VA Medical Facility Veterans Transportation Services Mobility Manager.** In addition to the responsibilities stated in VHA Directive 1695, the VA medical facility VTS Mobility Manager is responsible for:

(1) Ensuring that all VTS drivers successfully complete online Prevention and Management of Disruptive Behavior (PMDB) Part 1 training (Talent Management System (TMS) # 37659) annually, as well as "VTS Video for PMDB" (TMS # 12747), specifically designed for this employee group. **NOTE:** *If additional training is desired and optimal, options include PMDB Part 2 for Low-Risk Workplaces (TMS # 39522) and VTS Driver Education for Special Needs Populations- Managing Anxious Riders (TMS # 12746).*

(2) Ensuring that all reports of disruptive behavior occurring during VTS transport of eligible patients are reported through the Disruptive Behavior Reporting System (DBRS). **NOTE:** *If the VTS driver does not have a valid VA login, or is unwilling or unable to make a DBRS report, then the VA medical facility VTS Mobility Manager must*

enter the report in DBRS on the VTS driver's behalf. Data collection and event reporting in DBRS are described further in VHA Directive 1160.08(1).

(3) Ensuring that a patient with a BPRF is not routinely prohibited from using VTS unless or until an OBR directly addressing transportation safety protocols has been issued by the VA medical facility CoS. The VTS driver retains the responsibility to prohibit or remove a patient who exhibits serious behavioral problems causing safety concerns at the moment.

(4) Regularly reviewing the status of all patients using, or scheduled to use, VTS to ensure they do not have an OBR and accompanying BPRF restricting ridership. This review must occur prior to first usage of VTS for each referred patient and at least monthly thereafter, or when more than a month has lapsed since the patient's most recent usage.

b. **Veterans Transportation Services Drivers.** In addition to the responsibilities stated in VHA Directive 1695, VTS drivers are responsible for reporting events of disruptive behavior occurring during VTS transport to the VA medical facility VTS Mobility Manager. For further details, see paragraph 4.b.

4. LIMITATIONS ON ELIGIBILITY FOR VETERANS TRANSPORTATION SERVICES

a. A person may be restricted from using VTS if a behavioral threat assessment by the VA medical facility Disruptive Behavior Committee (DBC), in collaboration with the VA medical facility Veterans Transportation Program (VTP) Board of Directors, determines that the person's behavior likely threatens the health or safety of other eligible users of VTS or of VA staff or VTS drivers, or is likely to significantly interfere with the safe transportation of eligible persons. Restrictions on access to VTS must be stipulated and described in a resulting OBR issued by the VA medical facility CoS and communicated in a BPRF (see VHA Directive 1160.08(1)). In accordance with VHA Directive 2010-053, Patient Record Flags, dated December 3, 2010, this decision to assign a BPRF and the ensuing restrictions are reviewed on a recurrent basis, at least every 2 years and as appropriate (see VHA Directive 1160.08(1)).

b. On occasion, the VTS driver may determine in the moment that a passenger or prospective passenger poses a credible threat to passenger or driver safety, or to safe transportation conditions, due to disruptive or violent behavior. The driver in such a situation may restrict the passenger's access to that specific VTS ride. If such a restriction is made, based on the passenger's behavior, the VTS driver must report the behavior to the VA medical facility VTS Mobility Manager, and to the VA medical facility DBC via a DBRS report, at the first opportunity. **NOTE:** *If the VTS driver does not have a valid VA login, or is unwilling or unable to make a DBRS report, then the VA medical facility VTS Mobility Manager must enter the report in DBRS on the VTS driver's behalf.* The VA medical facility DBC, in collaboration with the VTP Board of Directors, must consider the passenger's access to future rides following established DBC processes. (See VHA Directive 2010-053 and VHA Directive 1160.08(1).)

5. TRANSPORTING PATIENTS WITH SPECIAL NEEDS

a. Patients Who Have Engaged in Disruptive Behavior.

(1) Eligibility for transport of passengers who have engaged in disruptive behavior will be determined collaboratively by each VA medical facility DBC and VTP Board of Directors. The mere existence of a BPRF is not sufficient cause to routinely restrict or deny access to Veterans transportation. Restricting transportation eligibility of passengers with a prior history of disruptive behavior is authorized solely through an OBR issued by the VA medical facility CoS, in collaboration with the VA medical facility Associate Director for Patient Care Services (ADPCS), following a behavioral threat assessment completed by the VA medical facility DBC in consultation with the VTP Board of Directors. (See VHA Directive 1160.08(1) and 38 C.F.R. § 17.107.)

(2) All VTS staff, including VTS drivers, must complete Part 1 PMDB training (TMS # 37659) annually.

(3) All VTS drivers must successfully complete “VTS Video for PMDB” (TMS # 12747), specifically designed for this employee group. **NOTE:** *If additional training is desired, useful options include PMDB Part 2 for Low-Risk Workplaces (TMS # 39522) and “VTS Driver Education for Special Needs Populations- Managing Anxious Riders” (TMS # 12746).*

b. Transport of Patients on Involuntary Mental Health Hold. The transport of patients who are on involuntary hold for mental health reasons and need to go to a court hearing is determined on a case-by-case basis by each VA medical facility VTP Board of Directors in collaboration with the VA medical facility Mental Health Service.

6. REFERENCES

a. 38 C.F.R. § 17.107.

b. VHA Directive 1160.08(1), VHA Workplace Violence Prevention Program, dated August 23, 2021.

c. VHA Directive 1695, Veterans Transportation Services, dated September 18, 2019.

d. VHA Directive 2010-053, Patient Record Flags, dated December 3, 2010.

7. All inquiries regarding this notice should be addressed to VHA Member Services, Veterans Transportation Program (15MEM) at VHAMSVTPLEADERSHIP@va.gov.

8. This VHA notice will expire and be archived on November 30, 2023.

November 22, 2022

VHA NOTICE 2022-15

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

/s/ RimaAnn O. Nelson
Assistant Under Secretary for Health
for Operations

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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.*