

OFFICE OF INSPECTOR GENERAL HOTLINE COMPLAINT REFERRALS

1. REASON FOR ISSUE: This directive updates information and procedures concerning the administration and processing of complaints referred to Department of Veterans Affairs (VA) offices and facilities by the Office of Inspector General (OIG) Hotline Complaint Center.

2. SUMMARY OF CONTENTS: The directive provides VA policy, procedures, and responsibilities in the processing of hotline complaints received from VA employees and the general public concerning criminal activity, waste, abuse and mismanagement of VA programs and operations. The directive contains procedures and guidance on:

- a. responsibilities;
- b. types of hotline referrals;
- c. review and documentation of findings;
- d. privacy safeguards of hotline data;
- e. complainant confidentiality or anonymity; and
- f. how to contact the OIG Hotline Complaint Center.

3. RESPONSIBLE OFFICE: Office of Inspector General, Assistant Inspector General for Management and Administration, Hotline Division (53E).

4. RELATED DIRECTIVE: OIG General Management Directive 316, June 28, 2002, OIG Hotline Complaint Center.

5. RESCISSION: MP-1, Part 1, Chapter 15, Office of Inspector General Complaint Center, dated May 23, 1984.

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OFFICE OF INSPECTOR GENERAL HOTLINE COMPLAINT REFERRALS

1. PURPOSE. This directive provides Department of Veterans Affairs (VA) policy and procedures for reviewing, documenting, and preparing the report of findings for Office of Inspector General (OIG) hotline complaint referrals that are forwarded to VA facilities and program offices for review and action.

2. POLICY

a. It is the policy of VA, in accordance with the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), to accept, review, document, and respond to hotline complaints from VA employees and the public concerning criminal activity, waste, abuse, and mismanagement involving VA programs and operations.

b. Hotline complaints referred to VA facilities or program offices are either case referrals or non-case referrals. Case referrals are reviewed and reported back to the OIG in accordance with internal procedures that may be established by administrations and staff offices. Non-case referrals are forwarded for whatever action is deemed appropriate, without any response to the OIG.

3. RESPONSIBILITIES

a. **Inspector General.** The Inspector General has overall responsibility for providing policy, administrative, managerial, and leadership support in implementing and maintaining the OIG's hotline complaint system.

b. **Departmental Heads.** General Counsel, Under Secretaries for Health, Benefits, and Memorial Affairs, Assistant Secretaries, Veterans Integrated Service Network Directors, Regional Office Directors, VA Medical Center Directors, and other key officials are responsible for ensuring that hotline complaint referrals are properly reviewed, documented, and responded to within specified timeframes.

HOTLINE COMPLAINT REFERRALS PROCEDURES

1. Hotline Case Referral. The OIG Hotline is responsible for receiving and controlling allegations of criminal activity, waste, abuse, and mismanagement. Each hotline case is assigned a control number (e.g., 2002-HL-0123) and that number is referenced in all correspondence and documents associated with the hotline case referral. While some hotline cases are handled directly by the OIG, many cases are referred to the Department for review and response. Hotline case referrals are not closed until a report of findings is received from VA management.

2. Review and Documentation of Findings. VA facilities and program offices assigned hotline case referrals are responsible for conducting an independent review of the allegations and promptly reporting their written findings to the Hotline Division within 60 days, unless an extension is requested. The Hotline Division may grant brief time extensions to complete a case if the request is properly justified. Shorter deadlines may be set when necessary based upon the circumstances of the case.

a. All responses to hotline case referrals must contain the following information:

(1) evidence of an independent review by an official separate from and at a higher grade than the subject/alleged wrongdoer;

(2) specific review of all allegations;

(3) findings of each allegation, which are clearly identified as either substantiated (“founded”) or unsubstantiated (“unfounded”);

(4) description of any corrective action taken or proposed as a result of substantiated allegation, (e.g., change in procedures, disciplinary or adverse action taken, etc.);

(5) supporting documentation for the review, such as copies of pertinent documents, a summary report of the board of investigation, etc.; and

(6) designation of a point of contact for additional information.

b. If pertinent records and a summary of the review are provided, it is not necessary to provide the OIG copies of voluminous transcripts of interviews or the entire claims folder or medical chart involved. However, such materials should be available if the OIG subsequently requests them within the required record retention period.

3. Complainant Confidentiality or Anonymity. A complainant may make a complaint anonymously or in confidence to the OIG. The OIG protects the identity of a complainant who chooses to remain confidential. The OIG will not disclose the

complainant's identity outside the OIG, unless, because of the gravity of the situation, the Inspector General or designee determines that release of the complainant's identity is essential to investigate the allegation. Unless this exception applies, the OIG cannot divulge the source of confidential complaints. VA facility and program office managers who receive Hotline case referrals should not attempt to identify an anonymous or confidential complainant. Employee complainants are provided protection as Federal whistleblowers.

4. Non-case Referral. Non-case referrals are handled differently from hotline case referrals. Non-case referrals result from allegations that are determined to be administrative in nature, and are forwarded to VA facilities and offices for appropriate action. The majority of non-case referrals contain issues and/or situations that warrant some type of administrative and/or managerial action by the facility or office, such as responding to a patient's correspondence or request for an appointment, or responding to a veteran's request for status of the veteran's benefit claim. The OIG does not require a response from the facility or program office after the case has been reviewed. If a non-case referral is sent to the wrong facility or program office, the recipient should redirect it to the appropriate office and immediately notify the Hotline Division via e-mail.

5. Privacy Safeguards of Hotline Referral Data. While in the custody of the OIG, hotline case referral and non-case referral documents and the information contained therein, herein called "data," are official records maintained in the system of records entitled 66VA53 "Inspector General Complaint Center Records-VA," and are covered by the Privacy Act, 5 U.S.C. §552a. The OIG will provide hotline data to VA facilities and programs with an official need to know the data in order to review and response to Hotline complaint referrals. In accordance with the Inspector General Act and as a matter of policy, VA facilities and program offices should seek the OIG's approval prior to making their own disclosures of the OIG Hotline data.

a. Persons interviewed are not authorized by the OIG to receive a copy of the referral or any information contained in the referral, other than that which is required to conduct an effective interview.

b. If a VA employee receives any request for information concerning the OIG hotline referrals, advise the requester to submit a signed request under the Freedom of Information Act (FOIA) (5 U.S.C. §552) to:

FOIA/Privacy Act Officer (53B)
Office of Inspector General
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

6. Contacting the Hotline. There are various ways to contact the OIG Hotline Complaint Center. They are:

a. telephone: Call 1-800-488-8244 toll-free 8:30 a.m. to 4:00 p.m. (Eastern Standard Time) Monday through Friday, except Federal Government Holidays;

Note: At all times other than the live call answering period indicated, recorded information is provided.

b. write: OIG Hotline, Department of Veterans Affairs, P.O. Box 50410, Washington, DC 20091-0410;

c. intradepartmental VA mail: VA OIG Hotline Division (53E);

d. fax: 202-565-7936;

e. e-mail: vaoighotline@mail.va.gov; or

f. hotline on-line: <http://www.va.gov/oig/hotline/hotline.htm>.