

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) program offices and facilities by the Office of Inspector General (OIG) Hotline Complaint Center.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES:** No substantive changes have been made to this updated directive. The directive provides VA policy, procedures and responsibilities in the processing of hotline complaints received from VA employees and the general public concerning suspected criminal activity, waste, fraud, abuse, and mismanagement of VA programs and operations. The directive contains procedures and guidance on the following:
 - a. Responsibilities;
 - b. Types of Hotline referrals;
 - c. Review and documentation of findings;
 - d. Privacy safeguards of Hotline data;
 - e. Complainant confidentiality; and
 - f. Methods of contact for 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, *Hotline Complaint Center* (October 19, 2011).
5. **RESCISSION:** VA Directive 0701, *Office of Inspector General Hotline Complaint Referrals* dated, January 15, 2009.

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
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Principal Executive Director, Office of
Acquisition, Logistics and Construction
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/s/
Robert L. Wilkie
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1. **PURPOSE.** This directive provides Department of Veterans Affairs (VA) with policy and procedures for reviewing, documenting, and preparing the report of findings for Office of Inspector General (OIG) hotline complaint referrals. OIG forwards such referrals to VA facilities and program offices for review and action.
2. **POLICY.**
 - a. It is VA policy to receive, review, document and respond to hotline complaints from Veterans, VA employees and the public concerning alleged criminal activity, waste, abuse, and mismanagement involving VA programs and operations.
 - b. The Hotline Division classifies complaints referred by OIG to VA facilities or program offices as either case referrals or non-case referrals. Case referrals require the assigned VA entity to review the matter and provide a formal response to OIG in accordance with the requirements outlined by this directive, as well as in accordance with any additional internal procedures established by administrations and staff offices. Non-case referrals do not require the VA entity to provide a response to OIG; OIG refers these matters for whatever action the VA entity deems appropriate.
3. **RESPONSIBILITIES.**
 - a. **The Inspector General.** The Inspector General shall provide policy, administrative, managerial and leadership support in implementing and maintaining the OIG's hotline complaint system.
 - b. **Under Secretaries, Assistant Secretaries and Other Key Officials** shall ensure that hotline complaint referrals are properly reviewed, documented and answered within specified timeframes.
4. **REFERENCES.** The authority for this directive is the Inspector General Act of 1978 as amended (5 United States Code (U.S.C.) App. 3).
5. **HOTLINE CASE REFERRAL:** The Office of Inspector General Hotline Division (53E) is responsible for receiving and controlling allegations of criminal activity, fraud, waste, abuse, and mismanagement related to VA programs and operations. The Hotline Division assigns a unique control number (e.g., 2017-1234-HL-4321) to each hotline case as a means to identify, track and monitor the case and any associated documents and correspondence. While OIG handles some hotline cases directly, in other instances OIG refers hotline cases to other entities within VA for review and response. Hotline case referrals generally remain open until OIG receives and reviews VA management's report of findings. Occasionally, OIG's Congressional Relations Division (50B) may generate a case referral with an assigned control number (e.g. 2017-1234-CR-4321). This directive also applies to a Congressional Relations Division case referral.

6. 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 written findings to the Hotline Division within 60 business days, unless an extension is requested and approved. The Hotline Division may grant brief time extensions to complete a case if the request is properly justified and made prior to the due date. Shorter deadlines may be set when necessary based upon the circumstances of the case.

- a. All responses to hotline case referrals must be signed in written or digital format by a responsible individual in the organization tasked by OIG for the review and generally should 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) Evidence of a specific review of each allegation;
 - (3) Findings as to each allegation and a clear statement of whether the allegation is substantiated ("founded") or unsubstantiated ("unfounded");
 - (4) A description of any corrective action taken or proposed as a result of a substantiated allegation, (e.g., change in procedures, disciplinary or adverse action taken);
 - (5) Supporting documentation for the review (e.g., copies of pertinent documents or a summary report of the board of investigation); and
 - (6) A designated 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 OIG subsequently requests them within the required record retention period.
- c. On a case-by-case basis, the Hotline Division may accept responses that do not include all information listed above.

7. COMPLAINANT CONFIDENTIALITY OR ANONYMITY: OIG takes seriously its obligation to protect the identity of individuals who report suspected wrongdoing. OIG will not disclose a complainant's identity outside of OIG without the complainant's prior consent or unless the Inspector General or his/her designee determines that such disclosure is unavoidable during the course of an investigation. VA facility and program office managers who receive hotline case referrals should not attempt to identify the complainant. Employee complainants may be provided protection as Federal whistleblowers under the Whistleblower Protection Act of 1989, Pub. L. No. 101-12 (codified as amended at 5 U.S.C. §§ 2302(b)(8)-(9)) and the Whistleblower Protection Enhancement Act of 2012, Pub. L. No. 112-199 (further amending 5 U.S.C. § 2302).

- 8. NON-CASE REFERRALS:** Non-case referrals result from allegations that the Hotline Division determines are administrative in nature. Hotline Division forwards non-case referrals to VA facilities and program 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 information regarding the status of a benefit claim. OIG does not require a response from the facility or program office after they have reviewed the matter. If the Hotline Division erroneously sends a non-case referral to the wrong facility or program office, the recipient should redirect it to the appropriate office and immediately notify the Hotline Division by email.
- 9. PRIVACY SAFEGUARDS OF HOTLINE REFERRAL DATA:** While in the custody of OIG, hotline case referral and non-case referral documents and the information contained therein (referred to as "data") are official records maintained in the system of records titled 66VA53 "Inspector General Complaint Center Records-VA," and are covered by the Privacy Act, 5 U.S.C. § 552a. OIG will provide a summation of the data to VA facilities and programs with an official need to know and may in certain situations, determined by OIG, provide the complainant's correspondence and/or data in order to review and respond to hotline case referrals. In accordance with the Inspector General Act of 1978, as amended, and as a matter of policy, VA facilities and program offices must seek OIG's approval prior to making disclosures of OIG Hotline data.
- a. Persons interviewed are not authorized by 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 the following address:

FOIA/Privacy Act Officer (50C1)
Office of Inspector General Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

10. CONTACTING THE HOTLINE: There are various ways to contact the OIG Hotline Complaint Center:

- a. Calls to 1-800-488-8244 (Monday–Wednesday and Friday between 9:00 a.m. to 4:00 p.m. (Eastern Time) or Thursday 9:00 a.m. to 1:00 p.m. (Eastern Time), with the hotline closed on Federal holidays);

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

- b. Written correspondence to OIG Hotline (53E), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420;
- c. Intradepartmental VA mail addressed to VA OIG Hotline Division (53E);
- d. Fax to 202-495-5861; and
- e. Online submission at [OIG Hotline Link](#).