

VOLUNTEER TRANSPORTATION NETWORK (VTN)

1. REASON FOR ISSUE: This Veterans Health Administration (VHA) Handbook defines the Volunteer Transportation Network (VTN) and its relationship to a VHA facility. This Handbook 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.

2. SUMMARY OF MAJOR CHANGES:

- a. Incorporates policy on returning donated vans to donors.
- b. Incorporates appointment authority for volunteers and adds statutory and policy references.
- c. Incorporates policy that 15-passenger vans are not to be used in the VTN, as well as reference to supportive literature.
- d. Corrects regulatory references.
- e. Incorporates the requirement for a separate volunteer position description for driving assignments for the Veterans Transportation Service (VTS) or Rural Health.
- f. Incorporates a brief description of the VTS and how that program complements the VTN.

3. RELATED ISSUES: VHA Directive 1620 and VHA Handbook 1620.01.

4. RESPONSIBLE OFFICE: The Voluntary Service Office is responsible for the contents of this Handbook. Questions may be addressed to 202-461-7300.

5. RESCISSIONS: VHA Handbook 1620.02, dated May 24, 2007 and VHA Directive 2009-024, dated May 7, 2009 are rescinded.

6. RECERTIFICATION: This VHA Handbook is scheduled for recertification on or before the last working day of September, 2019.

Carolyn M. Clancy
Interim Under Secretary for Health

DISTRIBUTION: E-mailed to the VHA Publications Distribution List on 09/11/2014.

CONTENTS

VOLUNTEER TRANSPORTATION NETWORK (VTN)

PARAGRAPH	PAGE
1. Purpose	1
2. Background	1
3. Volunteer Transportation Network	1
4. Scope	2
5. Responsibilities	2
6. Returning Donated Vans to Donors	6
7. References	7
APPENDICES	
A Sample of Facility Memorandum for Transportation Volunteer Drivers	A-1
B Training Outline for Volunteer Drivers	B-1
C Sample of a Transportation Volunteer Contact Sheet	C-1
D Volunteers Transporting Patients in Cars Owned by Volunteers	D-1
E Sample Agreement Between VA and DAV, or Other Donor, on the Disposition of Donated Vans in the Volunteer Transportation Network	E-1

VOLUNTEER TRANSPORTATION NETWORK

1. PURPOSE: This Veterans Health Administration (VHA) Handbook defines the Volunteer Transportation Network (VTN) and its relationship to a VHA facility. This Handbook 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. **AUTHORITY:** 38 U.S.C. 111A, 7301(b).

2. BACKGROUND:

a. Changes in the level of funding for the Beneficiary Travel program led the Department of Veterans Affairs (VA) to accept alternative options for transportation of eligible Veterans seeking VA services. VTN was established to provide needed transportation for ambulatory Veterans seeking services from a VA facility or an authorized non-VA facility. VA also provides transportation to Veterans who are seeking VA services or benefits, and to accompanying caregivers, or service animals, if the caregivers' or service animals' presence is medically indicated (see Title 38 United States Code (U.S.C.) 111A(b), 901(f), and 1720G). VTN guidelines permit volunteer participation in providing transportation to Veterans using a volunteer's privately-owned conveyance or a government-owned vehicle, including Veterans Transportation Service (VTS) and Rural Health vans, donated vehicles, county vehicles, and DAV Department (State) or Chapter (local) vehicles. The Secretary of Veterans Affairs is authorized by 38 U.S.C. 513 and 7405(a)(1)(D), and VA Handbook 5005, Staffing, Part II, Chapter 2, Section A, Paragraph 4.c., to accept uncompensated services of persons as deemed appropriate. VAVS volunteers are appointed under 38 U.S.C. 513 and 7405(a)(1)(D). The services provided by VAVS volunteers are for supplementing (not replacing) VA compensated staff. Volunteers (individuals or groups) are not to be permitted to participate in or conduct a program for patients in a VA facility independent of VA direction, control, and supervision.

b. In 2010, under authority of 38 U.S.C. 111A, VTS was established to help Veterans overcome transportation barriers to treatment, especially Veterans who are visually impaired, elderly, or immobilized due to disease or disability, and those living in highly rural areas. Through the VTS program, VA provides funding to local VA facilities for mobility managers, transportation coordinators, and vehicles to complement the existing services that volunteers provide through VTN. VHA coordinates the VTN and VTS to manage access to care in a manner that is most cost effective and ensures the programs complement each other.

c. Since 1987, the DAV, with the support of VA Voluntary Service (VAVS), has staffed and funded a nationwide volunteer-based transportation network. In some instances, DAV Departments and/or Chapters have donated vehicles to VA medical facilities. The DAV established and funded the position of Hospital Service Coordinator (HSC), an individual who is a VAVS volunteer, and who assumes the responsibility for coordination of the VTN. The HSC coordinates with VA staff to ensure the availability and utilization of the full range of community transportation resources to meet the needs of the local facility.

3. VOLUNTEER TRANSPORTATION NETWORK: The VTN is designed to provide transportation services to Veterans seeking benefits at VA facilities, including Veterans Benefits Administration (VBA) offices, and who have no other means of transportation. The VTN is not to be used for recreational events, patient outings, or for any other purpose beyond providing

needed transportation for ambulatory Veterans seeking services from a VA medical facility or an authorized non-VA facility. Volunteer transportation services include, but are not limited to:

- a. Transportation by privately-owned vehicles;
- b. Transportation by DAV Department or Chapter vehicles; and
- c. Transportation by government-owned vehicles, including VTS and Rural Health vans, donated vehicles, and county vehicles. Volunteers may drive VTS vehicles when VTN vehicles are not an option for Veterans requiring transportation, provided they have a separate volunteer position description for the VTS assignment, and if they have met all of the requirements to be a volunteer driver outlined in this Handbook, including any additional training to use special equipment such as wheelchair lifts, and securing and transporting wheelchairs.
- d. Vans with a 15-passenger capacity are not permitted for use in the VTN. VA medical facilities have been directed to discontinue acquisition and use of 15-passenger vans through purchase, lease, or donation, since the National Transportation Safety Board (NTSB) issued a safety report warning on the rollover hazard of 15-passenger vans in 2002. (*See National Transportation Safety Board, Safety Report: Evaluation of Rollover Propensity of 15-passenger Vans, NTSB/SR-02/03, adopted October 15, 2002 at <http://www.nts.gov/doclib/safetystudies/SR0203.pdf>*).

4. SCOPE:

- a. VA medical facility staff is encouraged to establish VTNs and/or cooperate with DAV representatives and other organizations to provide assistance, within available resources, in the development, implementation, and operation of a VTN that meets the needs of their facility.
- b. An HSC or Volunteer Coordinator must be in place and registered as a VAVS volunteer before the VTN can become operational. Space accommodations for the position may be determined locally.

5. RESPONSIBILITIES:

- a. **VA Medical Facility Director.** The VA medical facility Director assigns program responsibility to Voluntary Service, which uses the following instructions as guidance for implementing the program.

(1) VA medical facilities or Veterans Integrated Service Networks (VISN) without an existing VTN are strongly encouraged to establish a task group to determine the transportation needs of eligible beneficiaries, research existing transportation services, and analyze potential support from voluntary organizations and individuals. The task group needs to be composed of representatives from Health Administration Service (HAS) or an equivalent program office, Social Work Service, Voluntary Service, DAV, and other services and service organizations, as deemed appropriate.

(2) Appropriate HAS and Voluntary Service personnel are to collaborate with the DAV HSC or VTN coordinator in establishing local procedures to schedule transportation to meet the needs

of the Veteran patient. *NOTE: The HSC or Volunteer Coordinator assumes coordination of the VTN.*

(3) Linkage needs to be established between the DAV HSC and the VA facility Community Service Coordinator to ensure the availability and utilization of the full range of community transportation resources.

(4) Using Appendix A as a model, each VA medical facility or VISN must develop a policy memorandum governing the acceptance and use of transportation volunteers.

(5) A training program for volunteers who accept assignments as volunteer drivers and other assignments, as deemed necessary, needs to be established at each VA medical facility. Training programs need to be held in locations most convenient to the volunteers being trained (see Appendix B).

(6) A VA medical facility or VISN with a VTN is required to administer physical examinations and health screenings for volunteer drivers at a minimum of once every 4 years on a regular basis at the local VA facility or VISN.

NOTE: Guidance for volunteers transporting Veterans in privately-owned vehicles is found in Appendix D.

b. **Voluntary Service Program Manager.** The responsibilities of the Voluntary Service Program Manager (VPM) include, but are not limited to:

(1) Assisting in recruiting transportation volunteers and providing oversight in ensuring:

(a) Volunteers have proof of a safe driving record and a valid driver's license. Current automobile insurance or private liability insurance is required for all VTN drivers. Proof must be verified by the VPM. This documentation is kept in the volunteer's file in the Voluntary Service Office. The volunteer must inform the HSC or coordinator of any changes in his or her driving record, insurance, or any other pertinent changes in information throughout the volunteer's term of service.

(b) Volunteers complete and sign the waiver of compensation on VA Form 10-7055, Application for Voluntary Service, or facsimile.

(c) VAVS Program Managers are the authorized appointing official for all VAVS volunteers, and must complete the appropriate signature block indicating a volunteer's official appointment on VA Form 10-7055.

(d) Volunteers complete a volunteer orientation with the VPM or designee.

(e) All appropriate training required is completed and documented.

(f) Volunteers' vehicles are in good working condition, have the proper vehicle registration, and pass any applicable state inspection when using a personal vehicle to transport VA patients.

- (2) Interviewing, orienting, and scheduling the necessary job-specific training for volunteer drivers.
- (3) Ensuring that the appropriate security background check and safe driving record check of the volunteer driver is secured, prior to assigning the potential volunteer driver any driving duties.
- (4) Maintaining volunteer files and establishing a tracking mechanism by which each volunteer's credentials, training, and health records can be updated regularly.
- (5) Maintaining a record of the volunteers' hours.
- (6) Bestowing appropriate recognition on volunteers for the hours of service contributed.
- (7) Reporting significant events (i.e., major accidents and incidents) and transportation network concerns and issues which have not been resolved at the local level to the VAVS Central Office.
- (8) Ensuring that a volunteer position description is on file and is communicated to the volunteer driver. Volunteers who drive VTS or Rural Health vans must have a separate written volunteer position description for such driving assignments.
- (9) Ensuring that annual safe driver training is completed by all volunteer drivers.
- (10) Ensuring an annual inspection of the volunteer driver's documents (i.e., driver's license, proof of current insurance, etc.) to ensure that these documents are current.
- (11) Ensuring that physicals are obtained for all volunteer drivers at a minimum of once every 4 years and that all health information is documented in the volunteer's folder.
- (12) Ensuring that additional annual training occurs in patient safety and the handling of emergency situations and that all training is documented in the volunteer's folder at the local facility.
- (13) Creating a VHA local policy regarding the VTN specific to that facility in accordance with this Handbook.
- (14) Ensuring that the local VTN is closely coordinated with all other patient transportation services that support the facility.

c. **Hospital Service Coordinator or Volunteer Coordinator.** The HSC or Volunteer Coordinator is responsible for:

- (1) Setting up a VTN Office and making sure that it is adequately staffed.
- (2) Coordinating the volunteers assigned to the VTN.
- (3) Keeping adequate records of the VTN. This includes keeping a record of the:

- (a) Names of volunteers;
- (b) Individual volunteer hours;
- (c) Mileage traveled;
- (d) Date, time, place, and names of Veterans transported; and
- (e) Incidents and/or accidents.

(4) Coordinating the VTN activities with the Chief, Voluntary Service to ensure:

(a) VA recognition of all volunteers involved as transportation network VAVS volunteers; and

(b) The transportation network VAVS volunteer's hours are recorded as official VAVS hours.

(5) Ensuring that all transportation provided by volunteers has been approved by the designated VA employee as an official VAVS activity, if other than the VAVS assignment of patient transport.

(6) Keeping the VA facility VAVS representative informed of the activities of their organization volunteers in the VTN.

(7) Recruiting transportation volunteers who meet the criteria outlined in this Handbook.

(8) Publicizing the VTN and the need for more volunteers.

(9) Working with the DAV National Service Officer (NSO) and/or the DAV Department supervisor to assist DAV in establishing a budget for the VTN (for the HSC, if applicable).

(10) Reporting office activities to the DAV Department, DAV National Headquarters, and the VA facility Voluntary Service Office on a monthly basis, or more often if warranted, (i.e., major accidents or incidents, workload, transportation network concerns, issues, etc.) that have not been resolved at the local level.

d. **Transportation Volunteer Driver.** The Transportation Volunteer Driver is responsible for:

(1) Providing Voluntary Service and DAV with proof of a safe driving record, a valid driver's license, and current automobile or private insurance.

(2) Notifying the HSC of any changes related to the safe driving record or insurance.

(3) Completing required training and required volunteer physicals and health screenings.

(4) Carrying out the assignment as outlined by the volunteer position description.

(5) Reporting to the HSC, or Volunteer Coordinator, the following:

- (a) Name(s) and number of patients transported;
- (b) Miles driven;
- (c) Volunteer hours; and
- (d) Any significant events (i.e., traffic accidents) and problems encountered while on duty.

e. **Disabled American Veterans HSC.** The DAV HSC is responsible for working in close cooperation with the VPM in providing oversight and coordination of the VTN, and is instrumental in helping recruit volunteer drivers for the VA medical facility. When possible, this individual is stationed at a VA medical facility.

6. RETURNING DONATED VANS TO DONORS:

a. This Handbook requires written agreements between VA and the 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 VTN and sets forth the conditions on VA's use and possible return of the van. 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. ***NOTE: Even without an agreement, a VA medical 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.***

b. **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 did 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.

c. **Delegation of Authority.** A delegation of authority memorandum from the Secretary of Veterans Affairs is issued every 2 years to facility directors and VISN directors to return donated vans to the donor when the condition of the vehicle(s) is unacceptable for use or no longer needed for use in the facility's VTN. VAVS is responsible for coordinating this delegation of authority.

d. **Responsibilities.**

(1) **Medical Facility Directors.** The medical facility Director is responsible for:

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

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

(c) Determining if:

1. The condition of the van makes it unacceptable for use in the VTN, or
2. The van is no longer needed in the facility VTN.

(d) Approving all returns 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 the DAV or other donor requests that the van(s) be returned, a letter is to be drafted for the medical facility Director's signature authorizing the return of the van(s), and a copy of the letter is to be provided to the Office of Acquisition, Logistics, and Construction (OALC), 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, (003A3), Logistics, Policy, and Supply Chain Management – LPSCM (003A3) by email or fax, to the attention of the "National Utilization Officer."

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

(a) Updating the official inventory of record and making a request for the SF-97 from Logistics, Policy, and Supply Chain Management - LPSCM (003A3). 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. LPSCM 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.

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

7. REFERENCES:

- a. 5 CFR Part 930, Subpart A, Motor Vehicle Operators.
- b. 5 CFR, Part 339, Subpart B, Physical and Medical Qualifications.
- c. 28 U.S.C. 1346(b) and 2671-2680, Federal Tort Claims Act.
- d. 38 U.S.C. 111A.
- e. 38 U.S.C. 513.
- f. 38 U.S.C. 7405(a)(1)(D).
- g. 38 U.S.C. 8301 through 8305.
- h. VA Handbook 5005/21, Staffing, Part II, Chapter 2, Section A, Paragraph 4.c.
- i. National Transportation Safety Board, Safety Report: Evaluation of Rollover Propensity of 15-passenger Vans, NTSB/SR-02/03, adopted October 15, 2002.

j. Delegation of Authority from Secretary of Veterans Affairs to Health Care Facility Directors dated June 21, 2013 to Return Donated Vans to Donors. This delegation expires on June 21, 2015.

SAMPLE OF FACILITY MEMORANDUM FOR TRANSPORTATION VOLUNTEER DRIVERS

Date:

To:

SUBJ: Transportation Volunteer Drivers

1. Transportation Volunteer Drivers are regularly scheduled volunteers whose assignment is specifically stated as providing transportation to and from Department of Veterans Affairs (VA) facilities for Veterans in the community who seek services or benefits from VA. Transportation Volunteer Drivers may utilize their own vehicles in the process of escorting Veterans to and from VA facilities, and they provide this service without compensation (WOC) from VA, the Veteran patient, and/or a service organization (with the possible exception of out-of-pocket expenses).

2. Transportation Volunteer Drivers must meet the following criteria:

a. Provide proof of safe driving record and a valid driver's license. Current motor vehicle bodily-injury liability and property damage insurance or personal insurance is required for all Volunteer Transportation Network (VTN) drivers. This documentation must be reviewed annually by the Voluntary Service Office to ensure all documentation is current, and copies must be kept in the volunteer's personnel file in the Voluntary Service Office. The volunteer must inform the Hospital Service Coordinator (HSC) of any moving violations, traffic accidents, expiration of automobile insurance, and/or any other pertinent information throughout the volunteer's term of service.

b. Complete and sign the waiver of compensation on VA Form 10-7055, Application for Voluntary Service.

c. Pass driver physicals and health screenings as required by current Veterans Health Administration (VHA) policy.

d. Complete a volunteer orientation with the Voluntary Service Program Manager (VPM), or designee.

e. Receive all annual training required by the assignment.

f. Provide a vehicle in good working condition that has the proper vehicle registration and has passed any applicable state inspection when using a personal vehicle to transport VA patients.

g. Pass the appropriate security background check.

2. Specific assignments may be made to volunteer drivers by the Disabled American Veterans (DAV) HSC, or designee, or the VPM. VA staff may contact the HSC Office when transportation is required. Every attempt must be made by the HSC to make the necessary arrangements as soon as possible. At times, VTN Drivers may not be available and service to

the Veteran might be delayed. In such instances, Veterans who require transportation assistance may personally contact local DAV chapters for assistance in making suitable arrangements. Appropriate personnel must submit the names of the Veterans to the Beneficiary Travel Clerk upon arrival on station. Veterans utilizing the VTN are not eligible for beneficiary travel funds.

3. Transportation Volunteer Drivers are considered “WOC employees” within the purview of the Federal Tort Claims Act (FTCA). Therefore, while they are acting in the scope of their employment, they are afforded the protection of FTCA. This coverage extends only to the period in which they are performing the assignment. For example, a volunteer driver who makes a side trip to the bank or laundry is operating outside the scope of their assignment and is, therefore, not covered under the FTCA for such a side trip. For this reason, it is required that all Transportation Volunteer Drivers carry adequate motor vehicle bodily-injury liability and property damage insurance, or personal insurance, regardless of whether they drive a privately-owned vehicle during their VA assignment or not. It is also required that Transportation Volunteer Drivers refrain from making side trips while in the performance of their assignment unless emergency situations dictate otherwise, and that they take the most direct route to and from the VA medical facility.

4. While acting in the scope of their employment, VTN Drivers also are considered “WOC employees” within the purview of the Federal Employees’ Compensation Act (FECA), 5 U.S.C. 8101, et seq. FECA provides for compensation and medical services for the disability or death of an employee resulting from personal injury sustained incident to the employee’s service. The determination that the injury or death was “incident to service” must be made by the Department of Labor (DOL) or, ultimately, by the courts.

5. Transportation Volunteer Drivers must record their hours on the assignment sheet. They may record the time from the beginning of the assignment until completion of the assignment.

6. Rescission: None.

7. Follow-up Responsibility: Voluntary Service Program Manager (VPM) (135).

Facility Director
Distribution

TRAINING OUTLINE FOR VOLUNTEER DRIVERS

1. Purpose of the Volunteer Transportation Network

- a. VTN history and background information;
- b. Eligibility of Veterans needing transportation; and
- c. Unique needs of local facility.

2. Volunteer Involvement and Benefits

- a. Driver qualifications;
- b. Personal insurance requirements;
- c. Protection by Federal Tort Claims Act (FTCA);
- d. Health benefits;
- e. Volunteer meal coverage;
- f. Credit for volunteer hours (awards);
- g. Identification;
- h. Local parking regulations and locations; and
- i. Job-specific training, including proper vehicle operation, wheelchair lift operation, and wheelchair securing procedures (if wheelchair accessible vehicles are used), and securing oxygen bottles/tanks in vehicles.

3. Assignment Description for the Volunteer Transportation Driver. The Volunteer Transportation Driver must:

- a. Meet the appropriate personnel qualifications and physical requirements;
- b. Know the hours required by assignment;
- c. Know the volunteer's responsibilities, including the need to contact local authorities in case of emergency;
- d. Understand the need for using the direct route when on assignment;
- e. Understand the recording of information (see Appendix C);
- f. Undertake the supervision of assignments; and

g. Understand the reasons for terminating the assignment and/or the volunteer. They include:

(1) Driving record (see Title 5 Code of Federal Regulations (CFR) Part 930, Subpart A, Motor Vehicle Operators);

(2) Health 5 CFR Part 339, Subpart B, Physical and Medical Qualifications);

(3) Complaints (5 CFR Part 930, Subpart A);

(4) Inappropriate use of vehicle; and

(5) Inappropriate conduct or behavior.

4. Specific Responsibilities of Volunteer Drivers

a. Valid automobile or personal insurance is required for all Volunteer Transportation Network (VTN) drivers, regardless of whether the vehicle is privately owned or not.

b. Valid driver's license.

c. Telephone availability.

d. A definite time availability.

e. Completed volunteer orientation, plus the training for this specific program.

f. Maintenance of accurate and complete trip reports.

g. A vehicle in good working condition that has passed an applicable state inspection, with the proper vehicle registration for the personal transport of Department of Veterans Affairs (VA) patients.

h. Successful completion of physical or health screening.

i. Passage of appropriate security background check.

5. Additional Training Needs

a. Familiarity with the area assigned for pick-up of patients.

b. Knowledge of how to communicate and/or deal with disabled Veteran patients.

c. Appropriate use of vehicles to include:

(1) Training for wheelchair transport and other devices (e.g., oxygen), if applicable.

(2) Training for emergency procedures, including:

- (a) Cell phone usage;
- (b) Availability of emergency numbers to call;
- (c) Location of local emergency medical facilities along route;
- (d) Location and usage of fire extinguisher;
- (e) Location and usage of road hazard signs; and
- (f) Other procedures to be determined (TBD) locally.

- d. Scheduled appointments.
- e. Non-scheduled appointments.
- f. Patient activities.

6. Responsibilities of the Hospital Service Coordinator (HSC) or Volunteer Coordinator

- a. Coordinate the program with appropriate services;
- b. Provide all volunteer drivers with the HSC's or Coordinator's name, office location, and telephone number;
- c. Receive the transportation request and determine the transportation eligibility of patients;
- d. Supervise all the volunteer transportation drivers;
- e. Contact the volunteer transportation driver and make the assignment;
- f. Provide funds for transportation, as needed, to indigent and/or needy patients;
- g. Assist the VA facility and the DAV in providing publicity for the program;
- h. Prepare and distribute all reports to Department and National DAV Headquarters; and
- i. Report all incidents and accidents to the designated VA or DAV staff, as appropriate.

SAMPLE OF A TRANSPORTATION VOLUNTEER CONTACT SHEET

1. DATE OF CONTACT: _____
2. NAME OF VETERAN: _____
3. ADDRESS OF VETERAN: _____
4. SPECIAL DIRECTIONS: _____
5. TELEPHONE NUMBER OF VETERAN: _____
6. PICK UP TIME: _____
7. DATE OF APPOINTMENT: _____
8. PLACE OF APPOINTMENT: _____
9. FOR FUTHER INFORMATION CALL: _____
10. EMERGENCY NUMBER: _____
11. VOLUNTEER ASSIGNED: _____
12. TELEPHONE NUMBER OF VOLUNTEER: _____
13. DATE OF CONTACT: _____
14. ASSIGNMENT COMPLETED: DATE: _____ TIME: _____
15. SPEEDOMETER READING OUT: _____
16. SPEEDOMETER READING IN: _____
17. TOTAL MILES: _____ TOTAL HOURS: _____
18. COMPLETED BY: _____
19. RECEIVED BY HSC OR OTHER SUPERVISOR: _____

VOLUNTEERS TRANSPORTING PATIENTS IN CARS OWNED BY VOLUNTEERS

1. The potential for liability on the part of the Government arising from permitting volunteers to use their privately-owned vehicles to transport Department of Veterans Affairs (VA) patients depends upon whether or not the volunteer is deemed to be an employee of the Government and acting within the scope of volunteer's employment. Where these requirements are satisfied, the Federal Tort Claim Act (FTCA), Title 28, United States Code (U.S.C.) sections 2671 through 2680, is the exclusive remedy for damage to, or loss of, property, personal injury, or wrongful death caused by the negligent or wrongful act or omission of the employee. VA Volunteer workers are generally regarded as employees of the Government within the purview of the FTCA.
2. When an employee is sued individually, whether in Federal or State court, the Attorney General (by the local United States Attorney), after determining that the employee was acting within the scope of employment, certifies such status to the Federal court, which thereafter dismisses the individual from the suit, substituting the U.S. as the sole Federal defendant. If the suit is initially filed in State court, this dismissal or substitution process occurs after the action is removed by the U.S. Attorney to the Federal Court. Volunteer-employees who operate Government motor vehicles or privately-owned vehicles on Government business must carry private liability insurance to cover the situation in which the employee may not be afforded the protection of the FTCA. For example, an employee would not be covered under the FTCA if the employee has an accident while driving a vehicle not in the scope of employment, such as when deviating from a generally traveled route in order to pick up personal laundry or to perform other personal errands. Additionally, as a rule, it is held that an employee is not within the scope of employment while driving between the employee's home and place of duty. In conformity with the provisions of the FTCA, the final decision as to immunity rests with the Attorney General of the U.S. and, ultimately, the Federal Court; therefore, personal liability insurance is required for all VTN volunteer drivers.
3. Regarding injuries to employees in the course of their duties, the provisions of the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8101, et seq., are applicable to VA volunteers. The Act provides for compensation and medical services for the disability or death of an employee resulting from personal injury sustained incident to the employee's service. The determination that the injury or death was "incident to service" must be made by the Department of Labor (DOL) or, ultimately, by the courts.
4. Finally, the Military Personnel and Civilian Employees Claims Act of 1964, as amended (PCA, codified at 31 U.S.C. 3721 *et. seq.*), authorizes the Secretary of Veterans Affairs, or designee, to settle and pay claims for not more than \$40,000 made by an employee for damage to, or loss of, property incident to the employee's service. Volunteers are eligible claimants under the PCA. However, no claim is to be paid if the loss or damage was caused by the employee's own negligence. If the employee has a right to recovery for the loss or damage from a carrier or insurer, a claim for such recovery must be filed before the claim against the U.S. is to be considered. The procedure in VA regulations must be followed (see Title 38 Code of Federal Regulations (CFR) section 14.664 through 14.669). The circumstances are very narrow under which damage to, or loss of, a privately-owned motor vehicle may be held to be incident to service and thus compensable. The motor vehicle must have been required to be used for official

Government business, not including travel between quarters and place of duty, parking, or vehicles incident to such travel, or use of the vehicle for the convenience of the owner.

SAMPLE AGREEMENT BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DISABLED AMERICAN VETERANS, OR OTHER DONOR, ON THE DISPOSITION OF DONATED VANS IN THE VOLUNTEER TRANSPORTATION NETWORK

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 and other donors have 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 through 8305. The Director of this VA medical 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, Logistics, and Construction 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 during its use in the VTN. However, VA is not required to repair a van prior to offering to return it 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 will transfer the van title to DAV or other donor upon transfer of 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
donor

For the Disabled American Veterans or other
donor

Director, VA Facility

(Title of DAV Signer or Other Donor)

Date: _____

Date: _____