

MIAMI VA HEALTHCARE SYSTEM
MIAMI, FLORIDA

MEDICAL CENTER POLICY MEMORANDUM
NO.....05-67-07

March 9, 2007

WITHOUT COMPENSATION (WOC), FEE BASIS AND STIPEND
APPOINTMENTS, INCLUDING STUDENT TRAINEES AND CONSULTANTS

I. PURPOSE:

Establishes policy/procedures for appointment of without compensation, stipend and fee basis personnel, and student trainees at the Miami VA Healthcare System (MVAHS).

II. POLICY:

- A. Without compensation (WOC) and fee basis services must be approved in advance to ensure quality patient care and safety, and protect the MVAHS against tort and injury claims.
- B. WOC appointments are only authorized for:
 - 1. students/trainees assigned under the terms of an approved, current affiliation agreement;
 - 2. scientific, technical, and clerical personnel and collaborating investigators of associated medical or dental schools, or the South Florida VA Foundation for Research and Education, assigned to the VA to engage in medical or dental research;
 - 3. instructors of affiliated institutions assigned as student preceptors at the VA;
 - 4. enrollees in federal grant programs and clients of the Training Applicant Skills (TASK) Program.
- C. Credentials and Clinical Privileges/Scope of Practice: WOC and fee basis personnel, except for students, must possess the license, certification and/or registration required for their occupation or have an appropriate waiver approved. Chief of Staff's approval is required for direct patient care positions operating under clinical privileges or a scope of practice prior to utilization. A professional standards board is required to approve credentials for clinical privileges. Refer to Medical Center Policy Memorandum 11-02-04, "Credentialing & Privileging," dated June 23, 2004.
- D. U.S. Citizenship is generally required for paid appointments. Non U.S. citizen students must have a current visa authorizing them to receive VA training and may only be

appointed on a WOC basis. Paid appointment of non-U.S. citizen students is prohibited.

- E. English proficiency is required for assignment to all direct patient care positions.
- F. WOC, fee basis, and stipend basis appointees must complete processing requirements after approval of their appointments prior to utilization.
- G. Services requesting permission to allow individuals access for observation only must have a letter of approval signed in advance by the Director or designee. Such individuals will not be given any type of appointment, WOC or otherwise. Clinical Services must contact the Chief of Staff's office for instructions. Observers are prohibited from participating in any aspect of the care or treatment of patients, reviewing patient records, or receiving any credit for training or education purposes. Observation is limited to short periods of time, not to exceed 60 days.

III. DEFINITIONS:

- A. WOC appointment - official, written authorization to provide services; participate in training, educational, or research activities; or utilize VA facilities and equipment, without receipt of pay.
- B. Fee basis personnel - temporary personnel paid a flat sum for each visit, case or period of service rendered. Federal income tax and FICA/Medicare are deducted from fees paid. This includes paid consultants.
- C. Stipend student trainees - those paid on an annual or biweekly stipend basis for a pre-planned number of training hours.

IV. RESPONSIBILITIES:

- A. Chief, Human Resources Management Service or designee is responsible for regulatory review of appointments, giving guidance on utilization, coordinating approval of fee basis rates, approving, and processing appointments.
- B. Supervisors, managers and training coordinators are responsible for adherence to this policy and coordination with Human Resources Management Service, to ensure timely review, approval, and processing of appointments. It also includes coordination with affiliated schools and universities.
- C. Chief of Staff and Associate Director recommend approval/disapproval of WOC or fee basis appointments in their respective areas and ensure compliance with this policy.

V. PROCEDURES:

A. General Requirements for All Appointees

1. A complete employment application package as indicated below with necessary supporting documents (i.e., copies of current licensure, certification or registration if required for the occupation), must be submitted to Human Resources Management Service (05) one week prior to assignment, to allow time for review and necessary approvals. If required, clinical privileges/scope of practice must be approved prior to action by Human Resources Management Service.
2. WOC medical or dental students, and podiatry and nursing students, may be processed without an employment application, provided they are U.S. citizens and will be assigned for short periods of time (see paragraph V.C.3. below).
3. Application Forms: Employment application forms appropriate to the occupation are as follows:
 - a. VAF 10-2850, Application for Physicians, Dentists, Podiatrists and Optometrists
 - b. VAF 10-2850a, Application for Employment - Professional Nurse
 - c. VAF 10-2850C, Application for Associated Health Occupations, (physical/ occupational therapists, pharmacists, physician assistant, certified or registered respiratory therapists, licensed practical nurse, expanded-function dental assistant)
 - d. Application for Federal Employment, OF-612 (for all others)
 - e. Applications forms are available in Room 2D-100, Human Resources Management (05).
4. Service Cover Memo: A cover memorandum from the recommending Service is required for all WOC and fee basis appointments. A standardized WOC appointment memorandum format is included as Attachment A.
5. VAF Letter 10-294, "Letter of Authorization," must be signed by individuals being assigned on a without compensation (WOC) basis, prior to utilization.
6. Fee basis personnel must sign a written agreement to perform services at an authorized rate of pay before services are accepted.
7. Final commitments must be given to proposed appointees after approval by Human Resources Management Service.

8. U.S. Citizenship: Fee basis employment of non-citizens is not generally permitted. In the absence of U.S. citizens, permanent U.S. residents receive priority over other non-citizens, if an exception can be made.
9. Pre-appointment Drug Testing: Direct patient care and certain other positions are subject to random drug testing prior to assignment, whether paid or WOC. Student trainees are exempt from this requirement.
10. Tuberculosis screening requirements:

WOC and fee basis personnel, and student trainees who will work in the same room with patients or have direct patient contact must have a current PPD (TB skin test) prior to utilization. A chest x-ray or medical clearance letter may be required by the Employee Health Office for those having a positive PPD prior to utilization. Appointees may present evidence of a current PPD, current chest x-ray, or letter of medical clearance (based on degree of TB risk for the intended assignment area). Human Resources Management Service will determine those who can be given a PPD at MVAHS expense, based on current guidelines. Generally, paid employees will be eligible PPD testing through the Employee Health Office. WOC students and instructors must present evidence of a current negative PPD test, or if positive, a clear x-ray or letter of medical clearance, from their sponsoring school or university, prior to assignment to the MVAHS.
11. English Proficiency Determination - Assignments with significant patient interaction require a statement certifying English proficiency. Affiliated schools or universities may certify that all students proposed for rotation are English proficient. Self-certification of English proficiency (Attachment B) is required for all others.
12. Security clearance requirements - Appointments of more than six months require a security National Agency Check with Investigations (NACI), unless the individual will be utilized no more than 30 days during each calendar year.
13. Commitments may be made upon approval of appointment (and clinical privileges/Scope of Practice when required), by the servicing Personnel Management Specialist, who will coordinate a processing date with the Service Chief or designee.
14. The Service Chief or designee must ensure that the appointee "processes in"

for verification. U.S. citizenship is verified from appropriate original documents during processing. For non-citizens, the original alien registration card or a visa permitting the individual to work or receive training with the VA must be shown for verification.

15. WOC or paid appointees are required to agree to the Medical Center Policy regarding patient abuse at the time of processing.

B. Additional Requirements for Fee Basis Personnel

1. Fee Basis Rates must be approved before Human Resources Management Service can process a fee basis appointment. They are based on an appropriate schedule of fees for procedures to be performed. If there is no directly applicable fee, the Service Chief is to make a written recommendation for a rate based on fees charged by representative members of the profession for similar services offered to the general public in the vicinity of the MVAHS. Recommendations must document written or telephonic contacts with a representative sample of providers or show any other basis of comparison (i.e. 80% of the prescribed Medicare rate).
2. Requests to change existing rates or annual limitations must be requested and justified in advance.
3. A Fee Basis Agreement Letter must be signed by the appointee prior to assignment to document agreement between the MVAHS and the employee for the acceptance of fee basis services. Additional forms required for payment of fees are completed at the time of processing.

C. Additional Requirements for WOC Appointments

1. WOC student trainees may only be appointed under an approved affiliation agreement on file with the Education Coordinator (141).
2. Appointees in VA research programs must be approved and coordinated by the Administrative Office, ACOS/Research (151).
3. For medical, dental, and nursing students only, a listing of names may be attached to the Service WOC appointment memorandum without an application. The following information must be included:

Name, academic level (freshman, sophomore, etc.), and beginning and ending dates of assignment to the VA. The cover memorandum or the attachment must clearly certify that all students on the list are U.S. citizens, have English proficiency, and have a current PPD, clear

Miami/Jackson Memorial Hospital disbursement agreements are not covered by this policy.

- B. WOC, fee basis, stipend and student trainee appointees are subject to the clearance requirements of Medical Center Policy Memorandum 04-26-98, "Employee Clearance Procedures."

VII. REFERENCES:

Medical Center Policy Memorandum (MCPM) No. 141-01-00, "Training Agreement with Non-VA Institutions," dated Dec. 15, 2000.

MCPM No. 05-71-98, "Employee Orientation," dated May 19, 1998.

MCPM No. 11-02-04, "Credentialing and Privileging," dated June 23, 2004.

VHA Manual M-8, Part I, Chapter 2, and Part II, Chapter 2, dated January 26, 1992.

VHA Handbook 5005, Part II, Chapter 2, dated April 15, 2002.

VIII. RESCISSION:

None

IX. FOLLOW-UP RESPONSIBILITY:

Chief, Human Resources Management Service (05)

- X. This Medical Center Policy Memorandum will expire on March 9, 2010.

Stephen M. Lucas
Director

Distribution: A (Electronic)