

Federal Tort Claims Act for Volunteer Health Professionals



Protecting Volunteer Health Professionals' Ability to Serve at Community Health Centers

Volunteer Health Professionals (VHPs) provide invaluable workforce support to community health centers and their patients. The Federal Tort Claims Act (FTCA) currently provides medical malpractice coverage for these volunteers. However, this protection expires on October 1, 2022. **Severe primary care workforce shortages both before and during the COVID-19 pandemic highlight the critical urgency for unpaid medical professional volunteers to receive continued FTCA medical malpractice protection.**

The Facts

- The Federal Tort Claims Act (FTCA) provides medical malpractice coverage for eligible health center employees through the U.S. government.
- In 2016, Congress passed the bipartisan 21st Century Cures Act, which extended FTCA coverage for Volunteer Health Professionals at Community Health Centers. **However, these volunteers will no longer be able to serve health center patients when this authority expires on October 1, 2022.**
- **These volunteers include primary care physicians, nurses, dentists, behavioral health care providers, optometrists, and medical assistants,** along with many other medical staff.
- The program allows over 500 Volunteer Health Professionals to serve at over 110 Community Health Centers across the nation providing thousands of patient visits and that number has increased year after year.
- Credentialed and licensed VHP's go through a rigorous vetting process to serve at a community health center and provide many essential services, **including COVID-19 vaccinations and testing, assisting in school immunization campaigns, homeless and migrant camp outreach, and delivering behavioral health care.**
- **Importantly, there has not been a tort claim against a volunteer health professional through the program.**

The Impact

- Medical malpractice coverage made available to health centers employees and their Volunteers Health Professionals (VHPs) through the FTCA **saves Health Center Program grantees millions of dollars yearly that they can then invest to increase health care services and fund quality improvement activities.**
- An extension would head off further strain to an already fatigued health center workforce during the COVID-19 pandemic.
- **Denying access to VHPs will only worsen outcomes for patients while shifting more duties onto overtaxed community health center staff and force** health centers to transfer limited budget funds to pay for higher malpractice insurance premiums for volunteer health professionals.

How you can help:

- Permanently extend the Federal Torts Claim Act (FTCA) coverage for Community Health Center Volunteer Health Professionals (VHPs). **This extension is currently included in the bipartisan Senate HELP discussion** draft of the **PREVENT Pandemics Act** and in the **Help Expand Liability Protections (HELP) for Volunteers Act (S. 3569)**, sponsored by Sens. John Thune (R-SD) and Bob Casey (D-PA).
- **Sponsor a House companion to the HELP for Volunteers Act (S. 3569).**