

Department of
Veterans Affairs

Memorandum

Date: JUN 05 2019

From: Acting Deputy Under Secretary for Health for Operations and Management (10N)

Subj: Requirement to Utilize VA LEAF to Report Provider Licensure and DEA Issues

To: Veterans Integrated Service Network (VISN) Directors (10N1-23)
Medical Center Directors (00)

1. The purpose of this memorandum is to establish a requirement for VHA facilities to utilize the VA Light Enterprise Application Framework (LEAF) system whenever a provider fails to meet the qualification requirements pursuant to 38 U.S.C. § 7402(f) and/or the Department of Veterans Affairs (VA) Handbook 5005. **Note:** This requirement is in addition to the 10N memo *Documentation of Actions Taken on Licensure, Registration, or Certification (VIEWS# 147617)* implemented on January 28, 2018.
2. In accordance with 38 U.S.C. § 7402(f) and VA Handbook 5005, appointed Veterans Health Administration (VHA) providers must meet the following licensure, registration or certification qualification requirements:
 - a. Providers are required to maintain a full and active current license, registration or certification as required by their occupation-specific qualification standard;
 - b. Providers have not had a license, registration or certification revoked for cause where the license has not been fully reinstated; and
 - c. Providers have not relinquished a license, registration or certification in lieu of a revocation for cause where the license was not fully reinstated.
3. Pursuant to VA Handbook 5005, a provider who does not maintain active, current, licensure, registration and/or certification (if required), or who fails to show evidence of such when requested to do so, must be separated under appropriate procedures in VA Directive and Handbook 5021, Part VI, Employee/Management Relations¹.
4. In accordance with VHA Handbook 1100.19, physicians, dentists, and certain other professional practitioners may apply for and be granted renewable

¹Questions about whether to separate an employee based on failure to maintain current licensure or registration, should be referred to District Counsel.

certification/registration by the Federal and/or State Drug Enforcement Agency (DEA) and/or Controlled Dangerous Substance (CDS), to prescribe controlled substances as part of their practice. A practitioner's State license is considered restricted or impaired for purposes of VA practice if a State Licensing Board (SLB) has:

- a. Suspended the person's authority to prescribe controlled substances or other drugs;
 - b. Selectively limited the individual's authority to prescribe a particular type or schedule of drugs; or
 - c. Accepted an individual's offer for voluntary agreement to limit authority to prescribe.
5. In accordance with VA Handbook 5005, if action taken on a provider's DEA/CDS certificate/registration has the effect of restricting the individual's only State license, immediate action will be initiated to separate the provider under provision of VA Directive and Handbook 5021, Part VI, Employee/Management Relations. Additionally, if, as a result of the review of clinical privileges, a decision is made to propose a revocation of an employee's clinical privileges, separation action will be initiated using procedures in VA Directive and Handbook 5021, Part II, Employee/Management Relations.
6. **Effective immediately:** The following steps will be taken to ensure VHA's providers are thoroughly reviewed and appropriate steps are taken when they no longer meet the qualifications of the position and/or when their DEA registration is revoked/surrendered for cause:
- a. When the Medical Staff Affairs Office receives an alert generated from the National Practitioner Data Bank (NPDB) Continuous Query, they will populate the provider's information into the secure VA LEAF system and assign the alert to the appropriate Workforce Management & Consulting (WMC) officials as designated below in Paragraph 7. For purposes of this requirement, an "alert" is defined as one of the following provider actions:
 - i. License restricted, revoked or surrendered for cause; or
 - ii. DEA registration revoked or surrendered for cause.
 - b. WMC electronically assigns the alert to the appropriate VISN Human Resources Officer (HRO).
 - c. The VISN HRO assigns the alert to the appropriate Facility HRO. In addition, the VISN HRO will notify the Facility HRO that the following steps must be taken (in addition to taking the appropriate personnel action):

- i. Facility HRO details and enters the appropriate steps the facility has taken to resolve the provider issue.
- ii. Facility HRO drafts and uploads an issue brief (IB) to the VA LEAF system. The IB will include the following information:
 - Brief Statement of Issue and Status; and
 - Actions, Progress, and Resolution Date.**Omit names of providers and other PII in IB*
- iii. Facility HRO assigns alert back to VISN HRO once completed.
- iv. VISN HRO reviews the alert and IB to ensure the facility has included the necessary information and is taking appropriate personnel action to resolve the issue.
- v. Once reviewed and cleared, the VISN HRO assigns the alert back to Medical Staff Affairs.
- vi. Medical Staff Affairs sends a courtesy notice to the below WMC contacts confirming receipt of completed action.

Note: If WMC has additional follow-up questions concerning the content of the alert or IB, it is expected that the facility and VISN HROs will respond in a timely manner to WMC's inquiries.

Note: This requirement is in addition to the 10N memo *Documentation of Actions Taken on Licensure, Registration, or Certification (VIEWS# 147617)* implemented on January 28, 2018.

7. Questions concerning the IB requirement or access to the VA LEAF system should be directed to the following individuals:

- Steven Flatley at steven.flatley@va.gov
- Michelle Dominski at michelle.dominski@va.gov
- James Zeveski at james.zeveski2@va.gov
- Karen Kormelink at karen.kormelink@va.gov
- Scott Foster at scott.foster@va.gov


Renee Oshinski