

**SUMMARY OF CHANGES:** Educational Relationships: 1400.03 (Revision of Prior Policy)

**Major Changes from Prior Policy:**

1. VHA Facilities are now required to get OAA approval for Designated Education Officer (DEO) appointments.
2. OAA now recommends (but does not require) that a DEO be a physician for sites with more than 20 physician residents.
3. It is now emphasized that Affiliation Agreements may not be amended or changed without concurrence from OAA, and in the case of the legal terms of the agreements, without concurrence from OGC.
4. Field affiliation partnership councils (APCs) are brought under the Federal Advisory Committee Act and report through the National Academic Affiliations Council (NAAC), consistent with OGC recommendations to make them compliant with FACA and statute.
5. Consistent with recommendations from the GAO, recommending that the Associate Chief of Staff for Research, and the Executive Director of the local Non-Profit Corporation attend Affiliation Partnership Council meetings.
6. Adding that DEOs and VA Site Directors may have conflicts of interest that prevent them from executing some duties of their positions per OGC recommendations.

**Minor Changes from Prior Policy:**

1. Revises the definitions of accreditation, disbursement agreement, sponsoring institution; adds definitions for academic affiliate, Health Professions Trainee, sponsoring institution Program Director and educational Program Letter of Agreement; and removes the definitions for Associate Chief of Staff for Education, accrediting agency, affiliation, affiliation agreement and Designated Education Officer (DEO) (see paragraph 3).
2. Revises responsibilities of the Chief Officer, Office of Academic Affiliations; VA medical facility Director; VA medical facility Chief of Staff; Associate Chief of Staff for Education/DEO; and VA Site Director and adds roles and responsibilities for the Under Secretary for Health; Assistant Under Secretary for Health for Discovery, Education and Affiliate Networks; Assistant Under Secretary for Health for Operations; Associate Director for Patient Care Services; and the Sponsoring Institution Program Director.
3. Revises the following paragraphs: Affiliation Agreements (paragraph 6) and Establishing Academic Educational Relationships (paragraph 7).

4. Revises language in paragraph 9 describing the Affiliation Partnership Council workgroups to comply with the Federal Advisory Committee Act (5 U.S.C. App. 2), the new VHA oversight structure and the United States Government Accountability Office Report, VA RESEARCH: Opportunities Exist to Strengthen Partnerships and Guide Decision-Making with Nonprofits and Academic Affiliates (GAO-20-570).
5. Relocates information regarding maintenance of educational relationships to new Appendix A.
6. Relocates information regarding academic calendar reports and forms to new Appendix B.

### **Field Input**

OAA received approximately 100 field comments and four non-concurs for this directive. OAA met directly with all non-concurring offices and sites and accommodated their input in the final text.

### **OGC Input**

10BRAP determines if OGC review is necessary or required during the standard VHA concurrence process. For this directive, OAA was already working with OGC on the legal issues surrounding affiliation partnership councils and the federal advisory committee act, affiliation agreement changes, and conflicts of interest for site directors and DEOs (see major changes above) so no additional consultation was necessary.