



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Bureau of Primary Health Care
Rockville MD 20857

DEC 26 2006

Mr. Gary Greshan Bayne
Executive Director
Volunteers in Medicine
FC0064
1465 East Madison Street
El Cajon, CA 92019

Reference: Malpractice Liability Coverage – Renewal Volunteer Free Clinic Health
Professional Deeming Letter
Coverage Effective January 1, 2007 through December 31, 2007

Dear Mr. Bayne:

The Health Resources and Services Administration (HRSA) in accordance with Section 224(o) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(o) (Section 194 of the Health Insurance Portability and Accountability Act of 1996), deems each volunteer free clinic health professional named on the enclosed list to be an employee of the PHS for purposes of Federal Tort Claims Act (FTCA) medical malpractice liability coverage, effective January 1, 2007.

This action is based on the assurances provided in your FTCA deeming application, as required under 42 U.S.C. § 233(o)(5)(C)(i), with regard to: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice; (2) implementation of a system whereby professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals are reviewed and verified; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.

To maintain FTCA coverage, the free clinic and each volunteer free clinic health professional must comply with statutory requirements detailed in the HRSA Free Clinic FTCA Program Information Notice (PIN) 2004-24 (enclosed). Per Section IV(L) of the deeming application, your free clinic has assured HRSA that each sponsored volunteer free clinic health professional has already been provided with a copy of PIN 2004-24 and that his/her questions regarding FTCA medical malpractice coverage have been addressed. Since your FTCA deeming application has now been approved, the free clinic should provide a copy of this letter and PIN 2004-24 to each deemed volunteer free clinic health care professional named on the enclosed list and should reconfirm that each one understands the statutory requirements and limitations on coverage, including but not limited to those detailed in sections III and IV of the PIN.