

To: Julie Wise
Office of Management and Budget (OMB)

From: Lisa Wright-Solomon
Health Resources and Services Administration (HRSA)

Re: Terms of Clearance- Privacy Documentation (0906-0032)

Date: 11/28/2017

Background

Per the Terms of Clearance (0906-0032) noted in the Notice of Action dated 10/10/2017, HRSA submits the additional documentation requested for the Federal Tort Claims Act (FTCA) Program Deeming Applications for Health Center Volunteer Health Professionals (CURES) information collection request.

Section 224(q) of the Public Health Service (PHS) Act (42 U.S.C. 233(q)), as amended, authorizes the “deeming” of certain individuals as PHS employees for the purposes of receiving Federal Tort Claims Act (FTCA) coverage. Section 224(q) relates to volunteer health professionals (VHPs) of Health Center Program grantees that have been deemed as PHS employees. The Health Center FTCA Program is administered by HRSA’s Bureau of Primary Health Care (BPHC). Sponsoring health centers are required by law to submit deeming applications in the specified form and manner on behalf of named individuals for review and approval, resulting in a “deeming determination” that includes associated FTCA coverage for these individuals.

After submitting the required documentation for the Paperwork Reduction Act (PRA) information collection request to OMB, HRSA received OMB’s Notice of Action approving the FTCA Program Deeming Applications for Health Center Volunteer Health Professionals (CURES) with the following Terms of Clearance:

Approved consistent with the understanding that HHS/HRSA will clarify the applicability of its privacy responsibilities, described in OMB circular A-130 and 5 USC §552a(e)(3), to this information collection. HRSA will document the reasons it has determined that a Privacy Act system records notice, Privacy Act statement, and privacy impact assessment are or are not required, and submit such documentation as deemed necessary to OMB as a change request within 6 months of the date of approval for the current ICR.

Privacy Act System Records Notice

Health center entities seeking FTCA deeming are required to complete and submit an application in order to receive benefits under the FTCA medical malpractice program for individually sponsored VHPs. The online electronic application is entered and stored in HRSA’s Electronic

Handbooks (EHB) system. A Privacy Act system of records notice is not applicable because the records are not retrieved by any personally identifiable information.

Privacy Act Statement

A Privacy Act statement is not applicable because the application records are not retrieved by any personally identifiable information.

Privacy Impact Assessment

HRSA submits a Privacy Impact Assessment as an attachment to this memo.

Attachment

Privacy Impact Assessment