

Summary of Potential VA Expanded Responsibilities

The primary function of VHA is to provide a complete medical and hospital service for the medical care and treatment of eligible veterans. Various provisions in title 38, United States Code, authorize VHA to provide care to others, such as family members of veterans under CHAMPVA (the Civilian Health and Medical Program of the Department of Veterans Affairs). VHA also has authority to enter into agreements to share health-care resources.

Special circumstances that expand VA responsibilities:

VA Resource Sharing

- VHA has general authority to share health-care resources with any health care provider or entity according to local determination of needs through pre-established sharing agreements. Resources can also be provided in accordance with the National Response Plan. The National Response Plan may be implemented during a disaster or emergency declared by the President, during other Incidents of National Significance, or during a public health emergency declared by the Secretary of the Department of Health and Human Services. When the National Response is implemented, VA may be asked to provide resources through a Mission Assignment or sub-tasking (either with or without reimbursement) or through a request for Federal-to-Federal assistance. Information on Mission Assignments, sub-taskings, and Federal-to-Federal support is detailed in the Financial Management Support Annex of the National Response Plan. (See Appendix B-2: TABLE OF LEGAL AUTHORITIES AND POLICIES RELEVANT TO EMERGENCIES - Advice on Changes in Usual VA Practices During a Pandemic and Appendix C-1: REFERENCE LIST FOR VA EMERGENCY PLANS AND OTHER RESOURCES.)

Back Up to the Department Of Defense Medical System

- Under 38 USC § 8111A, VA serves as a back up for the Department of Defense health care system to care for active duty service members during war or a national emergency (see [Appendix B-2: TABLE OF LEGAL AUTHORITIES AND POLICIES RELEVANT TO EMERGENCIES - Advice on Changes in Usual VA Practices During a Pandemic](#)).

Care Provision to Non-Enrolled or Non-Veterans

- As stated above, VA may provide care for non-veterans or non-enrolled veterans through a Mission Assignment or sub-tasking, or through a request for Federal-to-Federal assistance, as described in the National Response Plan. Hospital care or medical services may also be provided as a humanitarian service in emergency cases (38 USC § 1784). The Secretary is obligated to charge for services provided under Section 1784. (See [Appendix B-2: TABLE OF LEGAL AUTHORITIES AND POLICIES RELEVANT TO EMERGENCIES - Advice on Changes in Usual VA Practices During a Pandemic](#).)

VA National Response Plan Responsibilities

- VA has expanded responsibilities under the Federal government's National Response Plan in terms of certain Emergency Support Functions (ESFs). An ESF is a response activity established to facilitate coordinated Federal delivery of assistance required during the response phase of a catastrophic event to save lives, protect property and health, and maintain public safety. These functions represent those types of Federal assistance which States, local governments, or tribal authorities will likely need most because of the overwhelming impact of a catastrophic event on local and State resources.

- VA is responsible for providing support under the following Emergency Support Functions:
 - ESF #3 Public Works and Engineering
 - ESF #5 Emergency Management
 - ESF #6 Mass Care, Housing, and Human Services
 - ESF #7 Resource Support
 - ESF #8 Public Health and Medical Services
 - ESF #13 Public Safety and Security
 - ESF #15 External Affairs

Unless otherwise directed by the Secretary, under the National Response Plan VA provides available resources as requested either directly by the Federal Emergency Management Agency (FEMA) or through the respective ESF lead agency (for example, HHS is the lead agency for ESF #8). These requests, or “sub-tasking,” are provided to the VA Readiness Operations Center (ROC) in VA Central Office which, in turn, directs them to the applicable administration or staff office for action. For VHA, the VA ROC will forward them the VHA Emergency Management Strategic Healthcare Group (EMSHG) Operations Center. (A table of laws and authorities that apply to VA’s responsibilities in a pandemic appear in [Appendix B-2: TABLE OF LEGAL AUTHORITIES AND POLICIES RELEVANT TO EMERGENCIES - Advice on Changes in Usual VA Practices During a Pandemic.](#))

Office of Public Health and Environmental Hazards (13)
 Veterans Health Administration, Department of Veterans Affairs
 Washington, DC 20420 - (202) 273-8567
<http://www.publichealth.va.gov>