

Notice for FTCA Deemed Health Centers

Recently, despite the many ways in which the federal status of Section 330 Health Center Program grantees is advertised or otherwise made known to the public, concerns have been raised that health centers can do more to make known their related federal status. Accordingly, HRSA encourages FTCA deemed Section 330 health centers to add the following information to your health centers' and subrecipients' website homepage and in other appropriate locations:

This health center is a Health Center Program grantee under 42 U.S.C. 254b, and a deemed Public Health Service employee under 42 U.S.C. 233(g)-(n).

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If your health center is asked who your insurance carrier is for purposes of filing medical malpractice claims, you should respond—in writing whenever possible—by stating that the health center and many/all of its providers are deemed federal employees, with resultant coverage under the Federal Tort Claims Act (FTCA) for actions within the scope of deemed employment, pursuant to 42 U.S.C. 233(g)-(n). Accordingly, claims or notice of medical malpractice claims should be submitted by a claimant to the Office of General Counsel. Further, the health center should retain a copy of this correspondence in their office files, rather than in patient medical records.

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Claims or notice of medical malpractice claims should be submitted by a claimant to the Office of General Counsel at the following address:

U.S. Department of Health and Human Services
Office of the General Counsel General Law Division
330 Independence Ave., S.W.
Room 4760 Mail Stop: Capitol Place
Washington, DC 20201