



*(February 8, 2016)*

In order to further improve the lines of communication and to respond to the concerns between the National VA Council and you our members, I have established a National VA Council Briefing. This NVAC Briefing will bring you the latest news and developments within DVA and provide you with the current status of issues this Council is currently addressing. I believe that this NVAC Briefing will greatly enhance the way in which we communicate and the way in which we share new information, keeping you better informed.

**Alma L. Lee**  
National VA Council, President

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## **In This Briefing: VA Handbook 5019 National Grievance Settled**

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In July 2015, the National VA Council filed National Grievance 6/30/2015 regarding the VA's illegal request for employee personal medical data in conjunction with fitness for duty and annual physical examinations.

After months of work and negotiations, the NVAC has signed the attached Settlement Agreement to end this illegal practice and protect those who have been affected (attached). The Agency has agreed to the following terms:

- Employees will not be required to sign forms authorizing the Agency to access their personal medical information.
- The Agency cannot use any employee personal health information unless provided by the employee.
- The Agency will make whole any employee disciplined for failing to authorize the Agency to access their personal health information.
- The Agency will destroy any personal health information that has been acquired.
- The Agency will observe all relevant health privacy laws including HIPAA, the Privacy Act, etc.

A HRML will be sent out in the near future to explain these terms to facilities across the nation. If you have any employees who have been affected by this practice, you may

and should point to this settlement to protect them from discipline. Any questions regarding this matter may be directed to Greg Meditz at [meditz.nvac@gmail.com](mailto:meditz.nvac@gmail.com).