

MEMORANDUM OF UNDERSTANDING

The following constitutes an agreement between the Department of Veterans Affairs, Veterans Health Administration (VHA) and the American Federation of Government Employees, AFL-CIO, National Veterans Affairs Council #53 (NVAC) concerning VHA Directive, "Use of Unlicensed Assistive Personnel (UAP) in Administering Medication."

1. VHA shall consider workload generated by utilization of unlicensed assistive personnel in determining appropriate staffing levels of licensed personnel. Procedures by which management shall consider these issues are appropriate for local bargaining.
2. Licensed personnel staff will immediately notify the appropriate management official when the staff believes a work assignment would place a patient, the employee or another staff member in an unsafe situation. The supervisor will determine whether or not the assignment should be carried out.
3. Licensed personnel will be held harmless when their actions and conduct are compliant with local policy, a VHA Directive and this MOU. In such cases where the licensed nursing personnel and the Department's interests are aligned VA will defend the employee.
4. UAPs will be under the delegated authority of a licensed clinician. The national parties agree that any changes in the current VHA Directive requires that the NVAC will be given a formal written notice and the opportunity to bargain as appropriate.
5. In VHA Directive 2006-049 dated September 12, 2006, the Medical Center Director is responsible for authorizing the use of Unlicensed Assistive Personnel that may administer medications at the Director's discretion based upon a written recommendation of the Nurse Executive. The local Union will be provided a copy of all approved UAP letters by the Medical Center Director based upon those written recommendations of the Nurse Executive.
6. The appropriate management official shall provide a copy of this MOU to the local union president, upon their receipt.



For the Department (VHA)



For the National VA Council #53

2-12-07
Date

02-08-07
Date