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## Health Centers

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Since its enactment in 1946, the Federal Tort Claims Act (FTCA) has been the legal mechanism for compensating people who have suffered personal injury by the negligent or wrongful action of employees of the U.S. Government. Under Section 224 of the Public Health Service Act, as amended by the Federally Supported Health Centers Assistance Act of 1992 and 1995, employees of eligible health centers may be deemed to be federal employees qualified for protection under the FTCA.

Eligible health centers must submit an original deeming and annual renewal deeming applications to the U.S. Department of Health and Human Services, Health Resources and Services Administration, Bureau of Primary Health Care.

There is no cost to participating health centers or their providers, and they are not liable for any settlements or judgments that are made. The Federal Government assumes responsibility for these costs. The health center, their employees, and eligible contractors are considered federal employees immune from suit for medical malpractice claims while acting within the scope of their employment.

Once deemed, centers are not liable for any settlements or judgments that are made under the FTCA. The Federal government assumes responsibility for these costs. Deemed health center program grantees are immune from medical malpractice lawsuits resulting from the performance of medical, surgical, dental, or related functions within the approved scope of project.

A patient who alleges acts of medical malpractice by a deemed health center cannot sue the center or the provider directly, but must file the claim against the United States Government.

These claims are reviewed and/or litigated by the U.S. Department of Health and Human Services, Office of the General Counsel and the Department of Justice according to FTCA requirements.

### Search Deemed Health Centers

#### TA Webcast for PAL 2013-05 and CY 2014 FTCA Application

The Bureau of Primary Health Care held a technical assistance webcast about the [Program Assistance Letter \(PAL\) 13-05](#). This [webcast](#) discussed the FTCA application process for Calendar Year (CY) 2014 coverage.

[View the webcast](#)

[Presentation: CY 2014 Application Technical Assistance 2/26](#) - (PPT 1.2 MB)

[Presentation: CY 2014 Application Technical Assistance 2/28](#) - (PPT 1.3 MB)

**Please note that applications are DUE by May 3, 2013**

#### Health Center Policies

[New Program Assistance Letter \(PAL 2013-05\): Calendar Year 2014 Requirements for Federal Tort Claims Act \(FTCA\) Medical Malpractice Coverage for Health Centers](#)

[PIN 2011-01 - Health Center FTCA Policy Manual](#)

[PIN 2002-22-Bureau of Primary Health Care Credentialing & Privileging Policy](#)

#### Additional Resources

[Electronic Handbook \(EHB\)](#)

