



Federal Tort Claims Act Coverage of Free Clinic Volunteer Health Care Professionals

Malpractice insurance has long been a primary concern for retired medical professionals who are interested in volunteering their time and skills in a free medical clinic. Section 194 of HIPAA, the Federal Tort Claims Act Coverage of Free Clinic Volunteer Health Care Professionals (FTCA), now in effect, has decreased this barrier for physicians, nurses and other medical professionals who wish to volunteer in VIM Clinics and other free health care clinics across the country.

For volunteer health care professionals who meet all the requirements of the program, the free clinic will sponsor them to be “deemed” federal employees for the purposes of FTCA medical malpractice coverage. This FTCA deemed status provides the volunteer health care professional with immunity from medical malpractice lawsuits relating to their performance within the scope of their work at the free clinic.

A “free clinic” in this context refers to a health care facility that does not accept reimbursement from third party payers or impose charges for services on patients.

Although there is no cost to participate, free clinic must submit an annual FTCA deeming application on behalf of their volunteer health care professionals. The application, instructions, and specifics about the program can be found on the Bureau of Primary Health Care’s website <http://bphc.hrsa.gov/policiesregulations/policies/pal201109.html>. For further information, email FreeClinicsFTCA@hrsa.gov.