

May 5, 2008

VOTING ASSISTANCE FOR VA PATIENTS

1. PURPOSE: This Veteran Health Administration (VHA) Directive defines the policy for assisting patients who seek information on voter registration and voting.

2. BACKGROUND: VHA is committed to assisting veterans exercise their Constitutional right to vote; longstanding Department of Veterans Affairs (VA) policy ensures patients' assistance and the opportunity to exercise their voting privilege. The right to register and vote is one of the explicit rights set forth in the VA patients' rights regulation at Title 38 Code of Federal Regulations (CFR) § 17.33. Pursuant to this regulation, information about these rights, including the right to vote, is posted at each nursing station, and each patient is provided a copy when they are admitted to a VA facility. This policy establishes a uniform approach to assembling and providing information on voter registration and voting to veterans who request it.

3. POLICY: It is VHA policy to assist patients who seek to exercise their right to register and vote; however, due to Hatch Act (Title 5 United States Code (U.S.C.) §§ 7321-7326) requirements and to avoid disruptions to facility operations, voter registration drives are not permitted.

4. ACTION

a. Veterans Integrated Service Network (VISN) Directors, and facility Directors are responsible for ensuring that each facility has a policy that addresses assistance to VA patients who seek to exercise their right to register and vote.

b. Each facility Director must ensure:

(1) There is a written published policy on voter assistance that addresses the following:

(a) Patients are granted authorized absence for such periods of time as are necessary to register and to vote, subject to the opinions of their healthcare providers.

(b) If patients are unable to leave the facility, assistance is provided for registering and for voting by absentee ballot.

(c) Information on the voting assistance program is posted on inpatient wards, domiciliaries, and nursing homes.

(2) The facility Voluntary Service Officer, or designee is responsible for:

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(a) Informing all inpatients or residents of the opportunity to receive voting assistance information. *NOTE: This also needs to be done when the patient is admitted to the facility.*

(b) Ensuring all VA Voluntary Service (VAVS) personnel (including volunteers), prior to providing any information or assistance to VA patients who seek to register to vote or vote, annually review and sign the attached “Political Activities Fact Sheet and Certification,” (VA Form 10-0462) and maintain the completed form in the volunteer’s file .

(c) Obtaining and maintaining all materials used to assist with voter registration and voting.

1. As the requirements and procedures for absentee voting vary widely by state and because there is currently no single form that allows a voter in the United States to request an absentee ballot from any and all states, VAVS offices at each facility need access to timely and accurate state voting information.

2. Non-partisan voter resources include the following:

a. National Voter Registration Form is available at:

<http://www.eac.gov/voter/Register%20to%20Vote> and <http://www.fabnit.com/nvra-update-09-12-06.pdf>),

b. Information is also available at:

<http://www.usa.gov/Citizen/Topics/Voting/Register.shtml> and www.eac.gov.

c. Local, county Government voter registrars.

(3) Any request by an outside organization to facilitate voter registration on VA property is forwarded to local Regional Counsel for review.

5. REFERENCES

a. Title 38 CFR § 17.33.

b. Title 38 CFR § 1.218(a)14.

6. FOLLOW-UP RESPONSIBILITY: The Office of Volunteer Services (10C2) is responsible for the contents of this Directive. Questions may be referred to (202) 461-7300.

7. RESCISSIONS: VHA Directive 2008-023 is rescinded. This VHA Directive expires May 31, 2013.

Michael J. Kussman, MD, MS, MACP
Under Secretary for Health

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ATTACHMENT A

VA FORM 10-0462, POLITICAL ACTIVITIES FACT SHEET AND CERTIFICATION

Below is an embedded copy of Department of Veterans Affairs (VA) Form 10-0462, Political Activities Fact Sheet and Certification. The fillable version of VA Form 10-0462 can be found on the VA Forms internet website <http://www.va.gov/vaforms> and intranet website <http://vaww.va.gov/vaforms> .



10-0462-fill.pdf