

ONE HUNDREDTH DEPARTMENT CONVENTION  
OF  
THE AMERICAN LEGION  
SPOKANE VALLEY, WA  
JULY 20-21, 2018

Department Resolution No. 005: In-State Licensure of Veterans Affairs Healthcare Providers

Origin: Grandview Post 57

Convention Committee: Veterans Affairs and Rehabilitation

- WHEREAS,** The Department of Veterans Affairs (VA) employs healthcare providers to examine, evaluate, treat and manage veterans with health care concerns; and
- WHEREAS,** The VA requires those healthcare providers to be licensed in any state or territory in or of the United States (US); and
- WHEREAS,** Licensure for physicians can be more easily obtained in some states or territories than others due to less stringent requirements or background and training investigation or validation; and
- WHEREAS,** The relative ease in obtaining a license from those states is widely-known among healthcare providers seeking to obtain a state license to practice medicine; and
- WHEREAS,** Some healthcare providers are unable to obtain or maintain licensure except in states with less stringent requirements due to lack of qualifications or previous legal or malpractice issues; and
- WHEREAS,** Some healthcare providers may attempt to obscure lack of qualification or a negative legal or malpractice background by obtaining or maintaining a license in a state with less stringent requirements and in which they do not intend to practice; and
- WHEREAS,** Those licenses are used to obtain employment at a VA healthcare facility or place themselves in a *locums* or temporary pool for employment in a VA healthcare facility anywhere in the United States or its territories; and
- WHEREAS,** Unlike healthcare providers within the Department of Defense or Public Health Service, VA employees do not move to other locations with any significant frequency but rather stay in one location for long periods of time or permanently; and
- WHEREAS,** Local states where VA healthcare facilities are located have no jurisdiction or control over the practice of VA healthcare providers who are licensed in other states; and
- WHEREAS,** States who issued or maintain licenses of providers who practice in other states have no interest in taking action against them for actions of malpractice, harm or abuse against patients occurring in another state; and

**WHEREAS,** Issues of malpractice, harm or abuse of veterans continues with increasing regularity with no governmental or regulatory action taken against those VA healthcare providers; and

**WHEREAS,** In-state licensure of healthcare providers is the industry standard of care in order to provide healthcare to patients for all other healthcare facilities in the US; and,

**WHEREAS,** A requirement of in-state licensure in order to continue work as a healthcare provider in a VA healthcare facility within that state poses no issue of lack of job mobility but rather validates the qualifications and safety for that healthcare provider to treat veterans in that state; Now be it

**RESOLVED,** By The American Legion Department of Washington in Department Convention assembled in Spokane Valley, Washington, July 20-21, 2018, That The American Legion shall endorse and support policies and legislation that VA healthcare providers shall be required to obtain in-state licensure within one (1) year of their employment and location at a VA healthcare facility within that state; and be it further

**RESOLVED,** That this requirement shall apply for all states in which the healthcare provider may provide healthcare outside their primary facility; and be it finally

**RESOLVED,** That VA healthcare provider is defined as one who examines, diagnoses, prescribes to, treats and manages veterans in a VA healthcare facility, including *locums*, temporary or other contracted individuals.

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COMMITTEE: \_\_\_\_\_

APPROVED \_\_\_\_\_ REJECTED \_\_\_\_\_

FOR DEPARTMENT ACTION \_\_\_\_\_

FOR NATIONAL ACTION \_\_\_\_\_

CONSOLIDATED WITH \_\_\_\_\_

OTHER ACTION \_\_\_\_\_

SIGNATURE \_\_\_\_\_  
(CHAIRMAN)

AMENDED: \_\_\_\_\_

CONVENTION:

DENIED \_\_\_\_\_

APPROVED \_\_\_\_\_