

July 10, 2007

RETURNING DONATED VANS TO DONORS

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides policy requiring written agreements between the Department of Veterans Affairs (VA) and the Disabled American Veterans (DAV) or other donors to facilitate accepting and returning donated vans to donors; this is done by a written agreement providing for the donation of a van from the donor for use in the Volunteer Transportation Network (VTN) and to set forth the conditions on VA's use and possible return of the van. *NOTE: Even without an agreement, if the Secretary of Veterans Affairs deems it advantageous, donated vans may be returned to the donors for such terms as appropriate (see Title 38 United States Code (U.S.C.) 8304.*

2. BACKGROUND:

a. For many years, VA has been the beneficiary of the contribution of vans to meet the special needs of veteran patients. DAV established a VTN to benefit veteran patients who do not have necessary transportation from their homes to VA facilities to receive VA services. DAV has donated hundreds of vans to support this activity, and has a plan to replace many of the vans now in need of replacement; it recognizes the possibility of benefiting DAV local chapters if the vans could be returned for disposal or for other use.

b. An agreement between VA and DAV, or other donor, on the disposition of donated vans in the VTN has been drafted (see Att. A). It must be signed by a DAV representative, or other donor, as necessary, and the VA facility Director, or designee, prior to receiving a van donation, when the van's return has been requested.

3. POLICY: It is VHA policy to return donated vans to DAV, or other donor, when the facility Director determines the condition of the van makes it unacceptable for use, or it is no longer needed, in the facility VTN.

4. ACTION: The facility Director is responsible for:

a. Ensuring there is a signed agreement between the facility and DAV, or other donor, prior to receiving a van from the donor (see Att. A).

b. Complying with the provisions of the signed agreement by offering to return the donated van to the donor organization, when required by the agreement.

c. Determining if:

(1) The condition of the van makes it unacceptable for use in the VTN, or

(2) The van is no longer needed in the facility VTN.

THIS VHA DIRECTIVE EXPIRES JUNE 30, 2012

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d. Inquiring, in all cases, if the donor desires the return of vans. If the donor desires the van be returned, a request must be submitted through the Veterans Integrated Service Network (VISN) to the Office of the Deputy Under Secretary for Health for Operations and Management (10N). After notifying Voluntary Service (10C2), 10N forwards the request to the Under Secretary for Health, who forwards it to the Secretary of Veterans Affairs. Only the Secretary of Veterans Affairs may authorize such a return.

5. REFERENCES: Title 38 U.S.C. 8304.

6. FOLLOW-UP RESPONSIBILITY: The Voluntary Service Office (10C2) is responsible for the contents of this VHA Directive. Questions may be addressed to (202) 273-8952.

7. RESCISSIONS: VHA Directive 2001-041 is rescinded. This VHA Directive will expire June 30, 2012.

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Under Secretary for Health

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ATTACHMENT A

**SAMPLE AGREEMENT BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS (VA)
AND THE DISABLED AMERICAN VETERANS (DAV) ON THE DISPOSITION OF DONATED
VANS IN THE VOLUNTEER TRANSPORTATION NETWORK (VTN)**

ARTICLE I: INTRODUCTION

1-1. Purpose: This agreement provides for the donation of a van from the Disabled American Veterans (DAV) to the Department of Veterans Affairs (VA) for the Volunteer Transportation Network (VTN) and sets forth the conditions on VA's use, and possible return, of this vehicle. DAV has assisted VA in establishing and operating this VTN to benefit veteran patients who do not have transportation from their homes to VA medical facilities. In addition, for many years, DAV has donated hundreds of vans to support the VTN's operation.

1-2. Authority: VA has authority to accept gifts including gifts of vehicles under Title 38 United States Code (U.S.C.) Sections 8301-8305. The Director of this VA Facility has been delegated the authority to accept gifts for the benefit of patients or the facility.

ARTICLE II: AGREEMENT

2-1. Delivery and Transfer of Title: A copy of the Certificate of Origin must be provided when the van is picked up. The original Certificate of Origin is maintained by the Office of Acquisition and Materiel Management in VA Central Office.

2-2. VA Use: VA will use the van for the transportation of veterans at the [___ Name of facility, group of facilities, or Veterans Integrated Service Network (VISN) ___] in accordance with VA rules and regulations. VA will not transfer the van to another VA facility, group of facilities, or VISN for its use without the written consent of DAV, unless it is needed to respond to a local or national emergency declared by the State Governor or President of the United States. VA is responsible for the van's repair and maintenance. If the van is damaged, VA is not required to repair it prior to offering the van's return to DAV.

2-3. Possible Return of the Van: VA agrees to offer to return the van to DAV when the Facility Director determines (1) that the condition of the van makes it unacceptable for use in the VTN, or (2) that it is no longer needed for use in the facility's VTN. DAV must notify VA within 90 days of receiving VA's offer to return the van if it does not want the van. If DAV has not assumed possession of the van after this 90-day period, VA may dispose of the van in accordance with established procedures. If DAV agrees to the return of the van, VA must transfer the van title to DAV when DAV takes physical possession of the van. *NOTE: Generally, DAV takes physical possession of the van at the VA facility.*

For the Department of Veterans Affairs

For the Disabled American Veterans

Director, VA Facility

(Title)

Date: _____

Date: _____