

July 11, 1997

1. Transmitted is a change to the Department of Veterans Affairs (VA), Veterans Health Administration (VHA) Supplement to Manual, MP-5, Part II, Chapter 6, "Proficiency Rating System." Brackets have not been used to identify changes in text.

2. Principal changes include:

a. Directors, Veterans Integrated Service Network (VISN), VISN Clinical Managers and employees appointed under Title 38 United States Code (U.S.C.) 7306 are excluded from the provisions of this chapter. These employees will be evaluated using the Senior Executive Service appraisal system.

b. The appraisal period for Chiefs of Staff is changed to October 1 through September 30.

3. **Filing Instructions:**

Remove Pages

6-1 through 6-2
6-5 through 6-6
6A-3a through 6A-4

Insert Pages

6-1 through 6-2
6-5 through 6-6
6A-3 through 6A-4

5. **RESCISSIONS:** Partial rescission: DM&S Supplement MP-5, Part II, Chapter 6, pages 6-1, 6-2, and 6A-3a, dated June 30, 1993, and pages 6-5, 6-6, 6A-3b and 6A-4, dated October 12, 1993.

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CHAPTER 6. PROFICIENCY RATING SYSTEM**6.01 SCOPE**

a. This chapter implements MP-5, Part II, Chapter 6, by establishing the procedures for the proficiency rating system for full-time, part-time, and intermittent physicians, dentists, podiatrists, optometrists, nurses, nurse anesthetists, physician assistants and expanded-function dental auxiliaries. This chapter also implements a separate performance appraisal system for Chiefs of Staff. **NOTE:** *Unless otherwise indicated, the terms proficiency report, proficiency rating, etc., will cover the performance appraisal system for Chiefs of Staff.* The preceding categories of individuals are included in the term employees, as used in this chapter unless otherwise specified.

b. Excluded from the provisions of this chapter are:

(1) **Distinguished Physicians.**

(2) **Health Care Facility Directors.** Health care facility Directors appointed under authority of Title 38 United States Code (U.S.C.) 7401(1). Directors will be evaluated using the same policies and practices that apply to the Senior Executive Service (SES) in accordance with provisions of MP-5, Part I, Chapter 920, Section F.

(3) **Directors, Veterans Integrated Service Network (VISN) and VISN Clinical Managers.** The performance of employees appointed under 38 U.S.C. to the positions of Director, VISN, or VISN Clinical Manager, will be evaluated using the SES appraisal system.

(4) **Health Care Executives Appointed Under 38 U.S.C. 7306.** Employees appointed under 38 U.S.C. 7306 will be evaluated using the SES appraisal system.

(5) **Residents.** Residents will be evaluated in accordance with the provisions of M-8, Part II.

(6) **Individuals Appointed Under 38 U.S.C. 7401(3) or 38 U.S.C. 7405(a)(1)(B).** This includes such employees as certified respiratory therapy technicians, registered respiratory therapists, Licensed physical therapists and licensed practical or vocational nurses. These employees will be evaluated in accordance with the 5 U.S.C. provisions contained in MP-5, Part I, Chapter 430.

(7) **The Under Secretary for Health.**

6.02 REFERENCES

a. Title 38 U.S.C. Chapters 73 and 74.

b. MP-5, Part II, and its VHA Supplement, Chapters 4, 6, 8, and 9.

6.03 DEFINITIONS

a. **Rating Official.** An employee designated to prepare a proficiency rating on an employee under that person's supervision.

b. **Approving Official.** An employee designated to review and approve a proficiency rating.

c. **Proficiency Rating.** The overall adjective rating assigned to an employee based on a total evaluation of proficiency.

6.04 PURPOSES

a. The proficiency rating system is designed to ensure the effective and efficient utilization of covered employees and to ensure that dealings with the public are consistent with the Department of Veterans Affairs (VA's) mission to provide the best possible care to our country's veterans. Proficiency ratings and the processes of review, analysis and evaluation will be used to:

- (1) Provide a basis for keeping employees informed of what is expected of them, of the level of their performance in their assignments, and to serve as a guide in developing their skills and abilities.
- (2) Assist in planning for the utilization of skills and assignment of personnel.
- (3) Provide a basis for effecting advancements within the grade.
- (4) Serve as one of the factors for determining eligibility for promotion to higher grade.
- (5) Serve as a basis for action in cases where service is unsatisfactory.
- (6) Provide a basis for improving the effectiveness of personnel by indicating needs for training and development.
- (7) Provide a basis for strengthening employee-supervisor relationships.
- (8) Provide evidence of outstanding service.

b. The processes of review, analysis, and evaluation embodied in the proficiency rating system, and the procedural steps and requirements of the system, will not prevent or otherwise limit the review of probationary employee performance, or impede the separation of such an employee under the provisions of Chapter 4 and under 38 U.S.C. 7403(b). **Authority:** 38 U.S.C. 7421; 7304.

6.05 AUTHORITY AND RESPONSIBILITY

a. The facility Director is responsible for the proper functioning of the proficiency rating system and for seeing that each subordinate supervisor is trained in the proficiency rating system and aware that any preestablished distribution of levels of ratings for employees covered under this section is prohibited. For VA Central Office employees, this function is the responsibility of the Deputy Under Secretary for Health; for VISN employees, this function is the responsibility of the VISN Director. This includes supervisory responsibility for furthering equal employment opportunity and, in the case of second or higher line officials, training in how to evaluate supervisory performance in this area. This training will be provided as soon as possible after the individual assumes supervisory responsibilities.

b. Supervisors are responsible for evaluating the proficiency of employees they supervise, for counseling employees to improve the quality of service and to correct deficiencies, for taking action if performance does not improve (see Chapters 4, 8, and 9 for further guidance), for explaining the proficiency rating system to employees, and for understanding and applying appropriate principles and techniques to ensure equitable and useful ratings.

c. A rating official will carefully evaluate the performance of and prepare a proficiency rating for an employee and will be responsible for timely preparation of the Proficiency Report.

(c) Fully Successful. The achievement level(s) for one (or more) critical element(s) is (are) designated as fully successful. Achievement levels for other critical and non-critical elements are designated as at least fully successful or higher.

(d) Excellent. Achievement levels for all critical elements are designated as exceptional. Achievement levels for non-critical elements are designated as at least fully successful. Some, but not all, non-critical elements may be designated as exceptional.

(e) Outstanding. Achievement levels for all elements are designated as exceptional. (An outstanding rating reflects an extraordinary level of individual achievement and major contribution to accomplishment of organizational goals and objectives.)

e. Annual Rating Dates for Chiefs of Staff

Appraisal periods for Chiefs of Staff will be from October 1 through September 30. Ratings will be prepared by the rating official at the end of the appraisal period and will be documented on VA Form 10-2623b. Completed ratings will be forwarded through channels by August 15, to the Director of the appropriate VISN..

f. Annual Rating Dates

(1) Due dates will be the anniversary date of grade, except that advancement of a nurse to a higher level within the grade will also establish a new date of grade.

(2) Due dates will not be affected by delayed annual ratings or special reports.

(3) The Human Resources Management Officer will send the Proficiency Report form to rating officials at least 110 days prior to the due date. Employees will normally receive their first and subsequent ratings at any time within the 90 days prior to the due date.

g. Delayed Annual Rating. Regular proficiency ratings will be made annually as indicated unless delayed under the following provisions:

(1) A regular rating may be delayed where there has been failure to meet counseling requirements or other procedural requirements of the proficiency rating system (see par. 6.07f); or when an employee is absent from duty for an extended period; or pending the results of VA Central Office and facility investigations or other actions affecting the employment status of an employee. A delayed rating will not extend the employee's probationary period or expiration of temporary appointment.

(2) A regular rating may be delayed in 90 day increments beyond the due date with the approval of the health care facility Director for facility employees; by the VISN Director for VISN employees and Chiefs of Staff; or, by the Deputy Under Secretary for Health, or designee, for VA Central Office employees.

(3) The employee will be notified in writing by the rating official of the reasons for delaying the rating. The Human Resources Management Officer will review the notice prior to issuance to ensure that provisions of this paragraph have been met.

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(4) The date of the subsequent regular proficiency rating will not be affected by a delayed rating, and the next rating period will be shortened accordingly.

h. **Special Report.** Any Proficiency Report other than the regular annual report is considered a special report. A special report will be prepared as follows:

(1) As soon as possible before a Professional Standards Board review or a Disciplinary Board hearing under the provisions of MP-5, Part II, Chapter 4 or 8, if more than 3 months have elapsed since the last annual report. The absence of a special Proficiency Report will not prevent the initiation or completion of Board proceedings.

(2) When the rating official is assigned to another position or transfers to another VA facility or separates from VA employment, when the assignment of the employee being rated changes, or when an employee in a probationary period transfers to another VA facility, and when more than 90 days have elapsed since the last Proficiency Report was completed; or when an employee has been detailed for 3 months or longer. These reports will be designated as "interim" ratings. After being incorporated in the regular annual rating, the "interim" rating will be destroyed. Since employees will normally receive their first and subsequent ratings at any time within the 90 days prior to the due date, if more than 9 months have elapsed since the last Proficiency Report, the regular annual report will be completed when the event occurs. (This will not affect the due date of subsequent annual proficiency ratings.)

(3) On an employee's separation, if more than 90 days have elapsed since the employee's appointment or last annual rating. The approving official, after consulting with the rating official, will record the reason(s) for the separation, the employee's stated reason(s) if substantially different from the approving official's opinion, the effective date of separation, and a statement as to whether reemployment would be recommended. Human Resources Management staff will forward copies of the Proficiency Report and of the SF (Standard Form) 50B, Notification of Personnel Action, effecting the separation to the employee and will file copies in the Official Personnel Folder. It is preferable that the final Proficiency Report be completed and the employee given a copy prior to separation. Otherwise, a copy will be forwarded to the employee.

(4) Anytime the employee's services are deficient in any important assigned duties, regardless of the due date of the annual report. If the employee demonstrates inadequate proficiency or weak performance in one or more categories at anytime during the year, the employee will normally be counseled and given the opportunity to improve prior to the issuance of a Proficiency Report. (See par. 6.07 for counseling requirements.) If an unsatisfactory rating is assigned, action must be taken as indicated in paragraph 6.08.

***NOTE:** An unsatisfactory proficiency rating is not required to separate a probationary employee or to terminate a full-time, part-time, or intermittent employee appointed under 38 U.S.C 7405. Similarly, an unsatisfactory proficiency rating is not required in order to proceed with disciplinary action on a permanent employee under MP-5, Part II, Chapter 8, when the proficiency rating is not a basis for the proposed action. For example, if the disciplinary action is based on the employee's failure to observe VA policy on outside professional activities outlined in MP-5, Part II, Chapter 13, an unsatisfactory proficiency rating is not required.*

Authority: 38 U.S.C. 7421; 7304

2. On or before August 1 of each year, the Director and Chief of Staff are to review these standards together, discuss them fully, identify the applicable Category B standards and develop Category C standards by which the Chief of Staff will be rated. The Director will also discuss with the Chief of Staff the relative weight of the standards as they apply to that facility. These discussions will be documented in writing to ensure that, at time of appraisal, there is no misunderstanding that one standard had greater weight than another.

Section B. Progress Review

At least one progress review (on or before March 31st) is required during the appraisal year. The Chief of Staff must be informed of their level of performance as measured against the performance plan. Other progress reviews may be done as applicable.

Sections C-1. Actual Achievement and C-2. Specific Achievement

An adjective achievement level will be assigned for each critical and non-critical element of the Performance Plan for Categories A and C and applicable elements for Category B. Elements in each category should be evaluated separately, taking into consideration strong and weak points of performance and consistent with the employee's clinical privileges, if applicable. A guide defining the three achievement levels is contained in paragraph 6.06d(2). If an achievement level other than fully successful is assigned, actual accomplishments supporting that level must be documented in Section C-2. Specific Achievement. When an achievement level of fully successful is assigned, documentation of performance accomplishments is not required.

Section D. Summary Rating Level

Based on the achievement levels assigned in Section C-1, the rater will assign one of the five summary rating levels described in paragraph 6.06d(3). The overall evaluation should reflect the total work performance. Generally, an overall unsatisfactory rating will result when the Chief of Staff's performance has not met reasonable expectations, or the overall appraisal indicates weaknesses which would impair quality patient care, or there is inadequate proficiency or weak performance in one or more elements critical to adequate performance of the assignment. A minimally satisfactory rating will result when the Chief of Staff's performance usually met reasonable expectations but performance was sometimes marginal.

Section E. Narrative Summary

This section may be used to describe significant accomplishments not otherwise described any other place on the appraisal form. Remarks in this section may not be used to change the summary rating appropriately derived from assigned levels of achievement ratings.

Section F. Rating

The rating official objectively appraises overall competency based on the summary rating level assigned in section D and the narrative summary in section E. Following signature by the rater, the rater will provide a copy of the appraisal to the Chief of Staff along with notification of the right to provide a written response.

Section G. Chief of Staff Review

The Chief of Staff must be given adequate time to review the appraisal and rating and provide written comments on it before it is forwarded for higher level review and final approval. Three workdays is considered an adequate period of time. Any written response will be attached to the appraisal form.

Section H. Final Rating

The approving official will review the appraisal and rating and any comments, if applicable, made by the Chief of Staff and/or the higher level reviewer. The approving official will either approve the rating of the rater and/or higher level reviewer, or will change the rating according to the information available. The final rating of the approval official will be considered to be the rating of record and is not subject to higher level review. Should the Chief of Staff still not agree with the rating, the Chief of Staff may provide concise written comments concerning the rating as outlined in paragraph 6.06b.

E. SEQUENCE OF THE PROFICIENCY RATING PROCESS FOR POSITIONS WHICH GO ABOVE FACILITY LEVEL FOR RATING AND/OR APPROVAL

Employees will be rated by their immediate and higher level supervisors with the exceptions as follows:

1. If one of these supervisory assignments is vacant, the next higher level supervisor will serve as the approving official. If both these supervisory assignments are vacant, the next two higher level supervisors will serve as the rating and approving officials.

2. If the facility Director serves as the rating official, the VISN Director or higher level line official, after considering the comments of appropriate program officials, will serve as the approving official. Ratings forwarded for VA Central Office approval must be sent to the appropriate program office.

3. Facility Directors will rate Chiefs of Staff and will approve ratings of service chiefs. They will also approve ratings of staff physicians and others when irregular situations place them in the normal line of supervision. Ratings of employees which go above the facility level for rating or approval will be routed through the facility Director for initials on the Proficiency Report Form to indicate review or for comments, as appropriate.