Volunteer Health Care Provider Protected Clinic Fact Sheet

Volunteer Health Care Provider Program

The Volunteer Health Care Provider Program (VHCPP) hopes to increase volunteerism by competent health care professionals by providing legal protection to Individual Volunteer Health Care Providers and Protected Clinics providing the free, uncompensated health care services.

The VHCPP is established in Iowa Code 135.24 and Iowa Administrative Rules can be found in 641-Chapter 88. The Volunteer Health Care Provider Program is administered by Iowa Department of Public Health.

Protected Clinic

What is a Protected Clinic?

- A Protected Clinic is a field dental clinic, free clinic, or specialty health care provider office providing free care to the uninsured and underinsured as an agent of the state.
- Each Protected Clinic location must have a signed Protection Agreement to receive defense and indemnification as a Protected Clinic.

What does the Protection Agreement for the Volunteer Health Care Provider Program provide for a Protected Clinic?

- The Protection Agreement is a signed contract between a Protected Clinic and the Volunteer Health Care Provider Program which authorizes the Protected Clinic to be defended and indemnified as a state agency.
- The agreement covers "health care services" that are volunteer, uncompensated services.

Can a Protected Clinic charge for health care services provided?

- No. The Protected Clinic agrees must not charge or accept direct monetary compensation for health care services provided under the VHCPP by the Protected Clinic.
- For health care services to qualify as volunteer, uncompensated services the Protected Clinic must receive no compensation for any health care services provided and must not bill or accept compensation from the person, or any public or private third-party payor, for the health care services provided by the Individual Volunteer Health Care Provider.

What information is required to apply as a Protected Clinic for the Volunteer Health Care Provider Program?

The following information must be submitted:

- Volunteer Health Care Provider Program application/agreement
- Proof of current licensure to the extent required by law for the facility
- Proof of 501(c)(3) status (Internal Revenue Code), if applicable
- Proof of current general liability insurance
- Documentation for all health care providers at the Protected Clinic, who provide the free health care services, includes:
    - A current Protection Agreement with the Volunteer Health Care Provider Program **or**
    - Proof of current professional liability insurance and proof of an active unrestricted license to practice in Iowa
- A list of the current clinic board of directors contact information

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If a Specialty Health Care Provider "rents" space in a hospital can the office be a Protected Clinic?

Yes, if the Specialty Health Care Provider office is within the hospital but not part of the hospital structure, it is eligible to apply for the Protected Clinic status.

If a Specialty Health Care Provider has a Hospital-owned office can the office be a Protected Clinic?

No, if the Specialty Health Care Provider office is owned by the hospital and part of the hospital structure it is not eligible to apply for the Protected Clinic status. In this instance, the hospital would apply as a Sponsor Entity to allow the Individual Volunteer Health Care Provider protection through VHCPP.

When does the Protection Agreement expire?

The agreement is effective for two years from the date of Iowa Department of Public Health signature on the agreement.

What happens if a claim is filed against a Protected Clinic?

- In the event of a claim seeking damages, the Protected Clinic will be provided defense by the Iowa Department of Justice at no cost.
- Indemnification will be provided to the full extent of any judgment brought against the Protected Clinic provided each of the conditions of the Protection Agreement is satisfied.

Additional Volunteer Health Care Provider Program Questions

Does specialty health care provider office have to enroll as a Protected Clinic or Sponsor Entity in order for the specialty health care provider office and the specialty health care provider to be indemnified?

Yes. In order for the specialty health care provider to receive the benefits (defense and indemnification) as an Individual Volunteer Health Care Provider, each location at which the specialty health care provider provides the free health care services must have a fully executed Protection Agreement or Sponsor Entity Agreement.

Has the website been updated, or when will it be updated?

The website, application materials, and fact sheets are updated to reflect the rule changes.

What does defense and indemnification mean?

- The state will pay for the defense of the Individual Volunteer Health Care Provider and Protected Clinic.
- The defense will be provided by the Iowa Department of Justice/Attorney General's Office at no cost to the Individual Volunteer Health Care Provider or Protected Clinic.
- The state will pay the cost of the claim, in the event of a malpractice finding.