



FSHCAA FTCA Deemed Status Badge: Guidelines for Use

The Federally Supported Health Center Assistance Acts of 1992 and 1995 (FSHCAA), 42 U.S.C. 233(g)-(n), authorized the Health Center Federal Tort Claims Act (FTCA) Program, which is administered by the Health Resources and Services Administration's (HRSA) Bureau of Primary Health Care (BPHC). BPHC has adopted a FSHCAA FTCA Deemed Status Badge. The badge can only be used and displayed in a manner that is consistent with the terms of usage by health centers that currently have been deemed as Public Health Service employees by HRSA.

Guidelines for Use:

Display of the FSHCAA FTCA Deemed Status Badge (hereinafter "Badge") is a way of providing public notice that your health center has been deemed by HRSA as a Public Health Service employee for purposes of liability protections under FSHCAA; however, please bear in mind that under FSHCAA, this deeming status only applies to activities and eligible services that constitute the performance of medical, surgical, dental, or related functions within your Health Center Program grant-supported scope of project. Activities undertaken by a deemed employee health center outside its scope of project constitute another line of business and are ineligible for FTCA liability protections. Additionally, when FTCA matters become the subject of litigation, the Department of Justice and the federal courts assume significant roles in certifying or determining whether or not a given activity falls within the scope of employment for purposes of FTCA coverage.

Display Guidelines:

The following guidelines should be adhered to by all health centers that use the Badge:

- 1. You may only use the Badge while currently deemed as a Public Health Service employee by HRSA. If your health center ceases to be an FTCA deemed entity, you should immediately remove the Badge from all areas, materials, or items on which the Badge appears.**
2. You may use the Badge on webpages, nametags, and documents such as promotional materials, brochures, signs, and posters to demonstrate deemed Public Health Service employment status to the public and patients.
3. Do not change or alter the format or style of the Badge, excluding adjustments to the size of the Badge, in order to fit promotional materials, web content, and other documents. Do not alter the Badge design (i.e., the elements of the Badge should remain in the same proportional relationship as the provided Badge).
4. Do not add graphic elements to or modify the Badge, including other words or slogans.
5. Optional Action: If you use the Badge on your website, you may link the image of the Badge back to the HRSA [FTCA website](#) or the [FTCA Deemed Search Tool](#).
6. Document in the health center's business files when (what date) the Badge is added to promotional materials, web content, physical space, or for other uses. Include dates on materials and web content, preserve dated screen shots or photos, etc.).

For more information, please see the [FTCA website](#), [FTCA Policy Manual](#), and [the FTCA Deemed Search Tool](#).

Please direct general questions to the FTCA/BPHC Health Center Program Support either by phone: 877-464-4772 Option 1, 8:00 AM to 5:30 PM (ET) or online at: <https://hrsa.force.com/support/s/>.

Please consult your health center Information Technology (IT) staff for assistance with technical issues related to posting the Badge on your website.

