# Military Health Law Network - MHLN Research Helper

\*ONLINE Sources:

•DHA Issuances [available at https://health.mil/About-MHS/OASDHA/Defense-Health-Agency/Resources-and-Management/DHA-Publications]

•TRICARE Manuals (available at <a href="https://manuals.health.mil/">https://manuals.health.mil/</a>]

•MHS Health Care Glossary [available at <u>https://health.mil/Reference-Center/Glossary-</u> Terms?refVector=000000010000000&refSrc=135]

The Air Force has a host of information on the AF Medical Service Knowledge Exchange. Anyone with a CAC should be able to request access: <u>https://kx.health.mil/\_Layouts/15/Login/Privacy.aspx?ReturnUrl=%2f\_layouts%2f15%2fAuthenticate.as</u> <u>px%3fSource%3d%252F&Source=%2F</u>.

IDAR site the AF maintains at https://cs2.eis.af.mil/sites/12957/IDAR/SitePages/Home.aspx

# Abortion

•10 U.S.C. 1093 [Note: in 2013 Pub. L. 112–239 inserted in Subsec. (a): "or in a case in which the pregnancy is the result of an act of rape or incest" before period at end.]

- •AR 40-400, paras 2-18 and 3-39
- •AFI 44-102 Medical Care Management
- •BUMEDINST 6300.16A

# **Abused Dependents**

•Transition Compensation for Abused Dependents is authorized by 10 USC 1059. Individuals in receipt of Trans Comp payments are eligible for TRICARE benefits as set forth under 10 USC 1076(e) and 1079(k), and the implementing regulations set forth at 32 CFR 199.3(b)(2)(iii)(B)(1).

•DoD Instruction 1342.24, "Transitional Compensation for Abused Dependents," 5/23/95

- •OPNAVINST 1750.3
- •AFI 51-201, Administration of Military Justice

# Access Standards

•HA Policy 11-005, "TRICARE Policy for Access to Care," 2/23/11 [Pending revision as of Nov 2019]

•AFMAN 41-210, TRICARE Operations and Patient Administration

## **Accession Standards**

•DoDI 6130.03, "Medical Standards for Appointment, Enlistment, of Induction," 4/28/10

•AFI 48-123, Medical Examinations and Standards; see also AFI 36-3212, Physical Evaluation for Retention, Retirement, and Separation

- Acquisition Regulations
- •Federal Acquisition Regulation, 48 CFR Chapter 1.
- •Defense Federal Acquisition Regulation Supplement, 48 CFR Chapter 2.
- •AF 64 series publications

# **Acquired Immune Deficiency Syndrome (AIDS)**

•See HIV

# **Advance Medical Directives**

•10 U.S.C. 1044c

•See also applicable state law concerning healthcare decision-making and proxies

# **Advisory Committees**

- •DoD Instruction 5105.4, "Department of Defense Federal Advisory Committee Management Program," 8/6/07
- •Federal Advisory Committee Act, 5 U.S.C. Appendix
- DHA-IPM 19-002, "Standard Processes for Establishing and Maintaining Patient and Family Partnership Councils (PFPCs) as Advisory Committees at MTFs," 2/12/19
- AFI 90-1401, Department of Defense Federal Advisory Committee Management Program

# **Aeromedical Evacuation**

•See Patient Movement

#### **Alcohol & Drug Abuse Control Programs**

•See Substance Abuse

## **Ambulance Services**

- •32 CFR 119.4(d)(3)(v)
- •TRICARE Policy Manual (TPM), Chapter 8 Other Services, Section 1.1 Ambulance Services
- •TRICARE Operations Manual (TOM) Chapter 1 Administration, Section 3 TRICARE Processing Standards
- •TRICARE Reimbursement Manual (TRM), Chapter 1 General, Section 14 Ambulance Services

#### **Ambulance Support**

- •BUMEDINST 6700.42
- •BUMEDINST 11240.5
- •AFI 44-102, Medical Care Management

#### **Animal Access to DHA Facilities**

- •DoD Instruction 1300.27, "Guidance on the Use of Service Dogs by Service Members," January 7, 2016
- •Technical Bulletin Medical 4, "DoD Human-Animal Bond Program Principles and
- Guidelines," August 3, 2015
- •Army Regulation 40-905, "Veterinary Health Services," August 16, 1994
- •Army Regulation 690–12, "Civilian Personnel Equal Employment Opportunity and Diversity," December 22, 2016, as amended
- •Army Regulation 700-81, "DoD Military Working Dog (MWD) Program," December 1, 1990
- •Field Manual 4-02.51, "Combat and Operational Stress Control," July 6, 2006
- •Navy Judge Advocate General, The Advisor, "Service and support Animals on Military Installations." December 2015

•Walter Reed National Military Medical Center Administrative Instruction 3000.07, "Animals in the Medical Center," January 29, 2018

# Animal Research and Training – See also Laboratory Animals below

- •DoDI 3216.01, Animals in DoD Research & Training (3/20/19)
- AFMAN 40-401, The Care and Use of Laboratory Animals in DOD Programs

## **Animals – Service Dogs**

- •DoDI 1300.27, Guidance on the Use of Service Dogs by Service Members (1/27/16)
- AFI 34-1101, Warrior and Survivor Care

## **Anthrax Vaccine Immunization Program**

- •DoD website (link is external)
- •10 U.S.C. 1110
- •SECNAVINST 6230.4
- •AFI 44-102
- •AFI 48-110\_IP, Immunizations and Chemoprohylaxis for the Prevention of Infectious Diseases

# **Anti-Deficiency Act**

- •31 U.S.C. 1341 et seq.
- •AFI 65-601V1, Budget Guidance and Procedures
- •AFMAN 65-605V1, Budget Guidance and Technical Procedures

# **Appropriations**

•Appropriations Lapse, DSD Memo, 1/18/18.

•AFMAN 65-604, Appropriations Symbols and Budget Codes (Fiscal Year 2020)

#### **Armed Forces Medical Examiner System**

•DoD Instruction 5154.30, "Armed Forces Medical Examiner System Operations," 12/29/15

# Armed Forces Radiobiology Research Institute

•DoD Instruction 5105.33, "Armed Forces Radiobiology Research Institute," 3/29/06.

# Armed Forces Repository of Specimen Samples for the Identification of Remains

•See Armed Forces Medical Examiner System

•10 U.S.C. 1565a

## Arming and Use of Force

•AFI 31-117, Arming and Use of Force by Air Force Personnel

# **Assisted Suicide**

•Assisted Suicide Funding Protection Act of 1997, 42 U.S.C. 14401 et seq.

•42 USC 14402, 18113 – Key subjects: non-support of assisted suicide, prohibition against discrimination of providers who do not participate in assisted suicide.

# Autism Care and Applied Behavior Analysis (ABA)

•TRICARE Operations Manual 6010.59-M, April 1, 2015. Chapter 18, Section 4

#### Autopsies

•10 U.S.C. 1471

•BUMEDINST 5360.1

•AR 40-2, Army MTFs General Administration, C-1, para. 4-4

•See also Armed Forces Medical Examiner System

•NAVMED P-5065

# "Baby Doe" Regulations

•HHS Regulations: 45 CFR 1340.15; 1340 Appendix

# **Bill of Rights**

•DoD Instruction 6000.14, "DoD Patient Bill of Rights and Responsibilities in the Military Health System (MHS)," 9/26/11

•DHA PI 6025.10 Standard Processes, Guidelines, and Responsibilities of the DoD Patient Bill of Rights and Responsibilities in the MHS MTFs, October 9, 2018, change 1 dated December 20, 2019

#### **Bioethics**

•BUMEDINST 5420.3

•BUMEDINST 6320.2

#### **Biological Select Agents**

•See Select Agents

# **Blood Program**

•DoD Instruction 6480.04, "Armed Services Blood Program (ASBP) Operational Procedures," 8/13/12

•See Related Web Site: TRICARE/Military Health & Clinical Resources/Armed Services Blood Program

•OPNAVINST 6530.4A

•BUMEDINST 6530.15A (Donors)

- •AR 40-2, C1, Ch 12
- •AR 600-110, para. 2-3b
- •AFI 44-102
- •AFI 44-105, The AF Blood Program

# **Bone Marrow Registry**

•42 U.S.C. 274k

•DoD Registry Web Site

# CHAMPUS

- •10 U.S.C. 1079, 1086
- •32 CFR Part 199
- •AR 40-400, Patient Administration, Ch 5.
- •See also TRICARE

# **CHAMPUS Maximum Allowable Charge (CMAC)**

•32 CFR 199.14(h)

# **Chaperones (Standbys)**

- •AFI 44-102
- •BUMEDINST 6320.83A

# Child Abuse & Neglect

•See Family Advocacy Program

# **Chiropractic Care**

•H.A. Policy 13-001, "Expansion of Chiropractic Program," 3/18/13

•AFI 44-102

# **Civilian Employees Health Care**

- •Emergency-Essential Civilian Employees
- •10 U.S.C. 1558
- Overseas
- •10 U.S.C. 1599b

# **Civilian Health Care Providers**

•10 U.S.C. 1599c

•Section 728 of National Defense Authorization Act for Fiscal Year 2008, P.L. 10-181 (re military to civilian conversions)

•HA Policy 08-005, "Policy for Mandatory Seasonal Influenza Immunizations for Civilian Health Care Personnel Who Provide Direct Patient Care in DoD MTFs," 4/4/08

- •DoDI 1400.25, "DoD Civilian Personnel Management System"
- •Vol. 543, "Pay Plan for DoD Civilian Physicians and Dentists Covered by General Schedule," 8/18/10
- •Vol. 540, "Pay Pursuant to Title 38 Additional Pay for Certain Healthcare Professionals," 4/6/09

# **Clinical Investigation Programs**

•DoD Instruction 6000.08, "Defense Health Program Research and Clinical Investigation Programs," 1/22/14

- •DHA PI 3200.02, Clinical Investigation Program in Military Medical Treatment Facilities
- •BUMEDINST 6000.12BAR 40-38, Clinical Investigation Program
- •DODI 3216.02\_AFI 40-402

# **Clinical Laboratories**

- •DoD Instruction 6440.02, "Clinical Laboratory Improvement Program(CLIP)", 5/29/14
- •DoD Manual 6440.02-M, "Clinical Laboratory Improvement Program(CLIP) Procedures", 5/29/14
- •DoD Instruction 6440.03, "DoD Laboratory Network (DLN)," June 10, 2011
- •DODI 3216.02\_AFI 40-402

# **Clinical Quality Management Programs – See Quality Programs below**

#### **Competency for Duty Exams**

- •BUMEDINST 6120.20CConfidentiality
- •See Quality Assurance Program Regulation
- •Army MEDCOM, 1999 Medical-Legal Desk Book (Volume I): Confidentiality Of Medical Information
- •See also Health Insurance Portability and Accountability Act Privacy Regulations web site
- •See also Privacy Act
- •See also Privacy Regulations

#### **Complaints**

•AFI 90-301, Inspector General Complaints Resolution

# Confidentiality

- •See Quality Assurance Program Regulation
- •See also Health Insurance Portability and Accountability Act Privacy Regulations web site
- •See also Privacy Regulations

#### Consent

•BUMEDINST 6320.16

•AFI 44-102

## **Constructive Service Credit for Health Professionals**

- •See Personnel Policy for Health Professionals
- •AFMAN 36-2032, Military Recruiting and Accessions
- •Additional information at <a href="https://kx.health.mil">https://kx.health.mil</a>

# **Continuing Medical Education**

- •10 U.S.C. 1094a
- •BUMEDINST 1520.34B
- •AFI 41-117, Medical Service Officer Education
- •AF: additional information at <a href="https://kx.health.mil">https://kx.health.mil</a>

# **Continued Health Care Benefit Program**

- •10 U.S.C. 1078a
- •32 CFR 199.20

# Contractors

•DoD Instruction 3020.41, "Operational Contract Support (OCS)," 12/20/11

•USD(P&R)/USD(AT&L) Memo: "Military Conversions - Contracting for Services when Civilians Cannot be Hired," 2/13/08

•National Defense Authorization Act for Fiscal Year 2008, § 1676: Moratorium on Conversion to Contractor Performance at MTFs

•10 U.S.C. Chapter 146

# **Cosmetic Surgery**

•HA Policy 05-020, "Policy for Cosmetic Surgery Procedures in the Military Health System," October 25, 2005

•AFI 44-102

# **Credentials Review and Privileging**

•DHA PM 6025.13

•BUMEDINST 6320.67A CH-1

•AFI 44-119

# **Criminal History Checks**

•DoD Instruction 1402.05, "Background Checks on Individuals in DoD Child Care Services Programs," 9/11/15

•OPNAVINST 1700.9E

•AFI 34-144, Child and Youth Programs

# **Data Quality Management**

•DoD Instruction 6040.40, "Military Health System Data Quality Management Control Procedures," 11/26/02

# **Death Imminent**

•SECNAVINST 1850.4E

- •BUMEDINST 6320.2
- •BUMEDINST 5360.24A
- •AFI 44-102

# **Decedent Affairs**

•BUMEDINST 5360.1

- •AFI 36-3002, Casualty Services
- •AFI 34-501, Mortuary Affairs Program
- •AFI 36-809, Civilian Survivor Assistance

## DEERS

•DoD Instruction 1341.02, "Defense Enrollment Eligibility Reporting System (DEERS) Program and Procedures," 8/8/16

•AFI 36-3026V1\_IP, Identification Cards for Members of the Uniformed Services, Their Eligible Family Members, and Other Eligible Personnel

•AFI 36-3026V2, Common Access Card (CAC)

## **Defense Health Agency (DHA)**

•DoD Directive 5136.13, "Defense Health Agency (DHA)," September 30, 2013

#### **Defense Health Agency (DHA) Issuances**

•DHA-Procedural Instruction 5025.01, "Publication System," August 21, 2015, as amended

#### **Defense Health Board**

•DHB (link is external)

# **Defense Health Program Appropriations Account**

•10 U.S.C. 1100

#### Definitions

•DoDI 5025.12, Standardization of Military and Associated Terminology (4/11/17)

•DoD Dictionary of Military and Associated Terms [available at <a href="https://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/dictionary.pdf?ver=2019-11-25-090754-707">https://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/dictionary.pdf?ver=2019-11-25-090754-707</a>]

•MHS Health Care Glossary [available at <u>https://health.mil/Reference-Center/Glossary-</u> Terms?refVector=000000010000000&refSrc=135]

# **Demonstration Projects**

- •10 U.S.C. 1092
- •32 CFR 199.1(o)

•TRICARE Operations Manual 6010.59-M, April 1, 2015, Chapter 18 (Demonstrations And Pilot Projects)

## **Dental Care Programs**

•TRICARE Dental Plan (for Active Duty Family Members and certain Reserve Component members and dependents)

- •10 U.S.C. 1076a
- •32 CFR 199.13.
- •Retiree Dental Plan: FEDVIP [https://www.tricare.mil/fedvip]
- •10 U.S.C. 1076c.
- AFMAN 47-101, Managing Air Force Dental Services

# **Dental Licensure**

- •BUMEDINST 6320.67A CH-1
- •AFI 44-119
- •See also AFMAN 47-101, Managing Air Force Dental Services

# **Deployment Health**

- •DoD Directive 6490.2E, "Comprehensive Health Surveillance," 2/8/12
- •DoD Instruction 6490.3, "Deployment Health," 8/11/06

•DoD Instruction 6490.07, "Deployment-Limiting Medical Conditions for Service Members and DoD Civilian Employees," 2/5/10

•AFI 48-122, Deployment Health

•AFI 48-105, Surveillance, Prevention, and Control of Disease and Conditions of Public Health or Military Significance

•AFI 10-203, Duty Limiting Conditions

# **Detainee Health Care**

•DoD Instruction 2310.08E, "Medical Program Support for Detainee Operations," 9/5/19

•DoDD 2310.01E, "DoD Detainee Program," 8/19/14

DODI 2310.08E, Medical Program Support for Detainee Operations

•DoDI 2310.09, "Behavioral Science Support for Detainee Operations and Intel Interrogations," 9/5/19

•AR 190-8/OPNAVINST 3461.6/AFI 31-304/MCO 3461.1, Enemy Prisoners of War, Retained Personnel, Civilian Internees, and Other Detainees

# **Disability Evaluation System**

•10 U.S.C. Chapter 61

- •DoD Instruction 1332.18, "Disability Evaluation System (DES)," 8/5/14
- •DoD Manual 1332.18-M, " Disability Evaluation System (DES ) Manual" Multiple Volumes
- •DoD Instruction 6040.44, "Physical Disability Board of Review (PDBR)," July 2, 2015
- SECNAVINST 1850.4E
- •AR 635-40, Physical Disability Evaluation
- •AFI 36-3212, Physical Evaluation for Retention, Retirement, and Separation
- •AFI 36-2023, The Secretary of the Air Force Personnel Council

•AFMAN 41-210Office of Airmen's Counsel Brochure: https://www.afjag.af.mil/Portals/77/documents/Airmen's Counsel Brochure.pdf?ver=2018-03-26-142056-270

#### Disaster

•See National Disaster Medical System

- DoD Instruction 4000.19, "Interservice and Intragovernmental Support", 8/9/95
- •DoD 3025.1-M, "Defense Support of Civil Authorities," 8/11/16 (Multiple Volumes)
- •SECNAVINST 5820.7C
- •OPNAVINST 3440.16C
- •BUMEDINST 3440.4
- •AFMAN 10-2502, Air Force Incident Management Systems Standards and Procedures
- •AFPAM 10-219V1, Contingency and Disaster Planning

•ATP 3-28.1/MCWP 3-36.2/NTTP 3-57.2/AFTTP 3-2.67, Multi-Service Tactics, Techniques, and Procedures for Defense Support to Civil Authorities (DSCA)

•AFI 10-801, Defense Support of Civil Authorities

# **Domestic Abuse**

•DoD Instruction 6400.06, "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," 8/21/07

- •AFI 40-301, Family Advocacy Program
- •AFI 90-6001, Sexual Assault Prevention and Response (SAPR) Program

# **Drug Enforcement Administration Numbers**

•H.A. FY 2000 Guidance Memorandum, "Drug Enforcement Administration (DEA) Numbers for DoD Providers, 4/7/00

# **Drug Take Back Program**

•DODI 6025.25, "Drug Take Back Program," 4/26/16

•DHA IPM 16-001, "Drug Take Back Program," 6/13/16

#### **Economy Act**

•31 U.S.C. 1535.

- •DoD 7000.14-R, DoD Financial Management Regulations
- •AFI 25-201, Intra-Service, Intra-Agency, and Inter-Agency Support Agreements Procedures

# **Educational Related and Early Intervention Services**

•DoD Instruction 1342.12, "Provision of Early Intervention and Special Education Services to Eligible DoD Dependents," 4/11/05

•DoD Manual 1342.12-M, "Implementation of Early Intervention and Special Education Services to Eligible DoD Dependents," 6/17/15

# **Elective Surgery for Active Duty**

- •AFI 44-102
- •AFI 36-3203
- •AFI 36-3212

# **Electronic Signatures**

•HA Policy 05-013, "Interim Policy Memorandum on Electronic Records and Electronic Signatures for Clinical Documentation," August 4, 2005

•AFI 44-102

# **Eligibility for Benefits**

#### •BUMEDINST 6320.3B

•DoD Instruction 1000.13, "Identification (ID) Cards for Members of the Uniformed Services, Their Dependents, and Other Eligible Individuals," 1/23/14

•DoD Manual 1000.13, "DoD Identification Cards" – Multiple Volumes

•AFI 36-3026V1\_IP, Identification Cards for Members of the Uniformed Services, Their Eligible Family Members, and Other Eligible Personnel

- •AFI 36-3026V2, Common Access Card (CAC)
- •AFMAN 41-210

# **Emergency Health Powers**

•DoD Instruction 6200.3, "Public Health Emergency Management Within the Department of Defense," 3/5/10

•AFI 10-2519, Public Health Emergencies and Incidents of Public Health Concern

# **Emergency Medical Treatment & Active Labor Act (EMTALA)**

•42 U.S.C. 1395dd

•AFI 44-102

# **Emergency Use Authorization**

•Section 564 of the Federal Food, Drug and Cosmetic Act

- •10 U.S.C. 1107a
- •DoD Instruction 6200.2, "Application of FDA Rules to DoD Force Health Protection Programs," 2/19/08

# **Ethics (Standards Of Conduct)**

•DoD Directive 5500.7, "Standards of Conduct," 11/29/07

•DoD 5400.7-R, "Joint Ethics Regulation (JER)," 9/98.

# **Exceptional Family Member Program (EFMP)**

- •DODI 1315.19
- •BUMEDINST 1300.2A
- •AFI 40-701, Medical Support to Family Member Relocation and Exceptional Family Member Program
- •DODI 1342.19\_AFI 36-2908, Family Care Plans
- •AFPD 36-82, Exceptional Family Member Program (EFMP)
- •AFI 36-3009, Airman and Family Readiness Centers

# **Executive Skills**

•DoD Instruction 6000.15, "Joint Medical Executive Skills Development Program," 4/19/99

# Family Advocacy Program

- •DoD Instruction 6400.1, "Family Advocacy Program (FAP)," 5/1/19
- •DoD Manual 6400.1-M, "Family Advocacy Program" Multiple Volumes
- •BUMEDINST 6320.70
- •OPNAVINST 1752.2B
- •SECNAVINST 1752.3B
- •AR 608-18, Family Advocacy Program
- •AFI 40-301
- •AFI 44-102

#### **Federal Advisory Committee**

- •See Advisory Committees
- •SECNAVINST 5420.60J
- •AFI 90-1401, Department of Defense Federal Advisory Committee Management Program

#### **Financial Management**

•DoD 6010.13-M, "Medical Expense and Performance Reporting System for Fixed Medical and Dental Treatment Facilities Manual," 4/7/08

•DoD 6010.15-M, "Military Treatment Facility Uniform Business Office (UBO) Manual," November 2006

•DoD 7000.14-R, "Department of Defense Financial Management Regulation (Reimbursable Operations, Policy and Procedure)," Volume 11A, Chapter 4, "User Charges," 5/01

•AR 40-330, Rate Codes, Expense and Performance Reporting Systems, Centralized Billing, and Medical Service Accounts, 2/26/88

- •NAVSO P-1000, "Navy Financial Management Policy Manual"
- •AF 65 series publications; see also AFMAN 41-120

# **Fisher Houses**

- •10 U.S.C. 2493
- •AFI 34-225, Services Nonappropriated Fund Governance

•AFI 65-106, Appropriated Fund Support of Morale, Welfare, and Recreation (MWR) and Other Nonappropriated Fund Instrumentalities (NAFIs)

- •AFI 34-205, Services Nonappropriated Fund Facility Projects
- •AFI 32-1023, Designing and Constructing Military Construction Projects

## Food

•DoD Instruction 6025.24, "Provision of Food and Beverages to Certain Members and Dependents Not Receiving Inpatient Care in Medical Treatment Facilities (MTFs)," March 7, 2014

•AFMAN 44-144, Nutritional Medicine

# Food and Drug Administration

- •Federal Food, Drug and Cosmetic Act: 21 U.S.C. 301 et seq.
- •FDA Regulations: Title 21 CFR
- •DoD Instruction 6200.2, "Application of FDA Rules to DoD Force Health Protection Programs," 2/19/08
- •AFI 44-102

# **Foreign Personnel Medical Care**

- •10 U.S.C. 2559
- •DoD Instruction 2205.2, "Humanitarian and Civic Assistance (HCA) Activities," 6/23/14
- •SECNAVINST 3006.2
- •Reciprocal Health Care Agreements (TRICARE Web Page)
- •AFMAN 41-210
- •AFI 16-107, Military Personnel Exchange Program

## **Force Health Protection**

•DoD Directive 6200.4, "Force Health Protection," 10/9/04

•DoD Instruction 6490.03, "Deployment Health," 8/11/06

- •DoD Instruction 6200.05, "Force Health Protection Quality Assurance Program," 6/16/16
- •DoD Instruction 6025.19, "Individual Medical Readiness (IMR)," June 9, 2014
- •AFI 48-145, Occupational and Environmental Health Program
- •AFI 48-122, Deployment Health

#### Forms

•DoD 7750.7-M, "DoD Forms Management Program Procedures Manual," 5/7/08

•AFI 33-360

#### **Fraud and Abuse Prevention**

•DoDI 5505.12, "Anti-Fraud Program at Military Treatment Facilities (MTFs)," 10/19/06

# **Freedom of Information Act**

- •5 U.S.C. 552
- •DoD 5400.7-R, "DoD Freedom of Information Act Program," 9/98
- •DODM 5400.07\_AFMAN 33-302, Freedom of Information Act Program

# Fundamentals of Military Health Law

•John Casciotti, Fundamentals of Military Health Law: Governance at the Crossroads of Health Care and Military Functions, The Air Force Law Review, Vol. 75, p. 201 (2016)

# **Genetic Discrimination**

•Genetic Information Nondiscrimination Act of 208, Pub. L. 110-233

•29 CFR Part 1635

# Gifts

- •10 U.S.C. 2601
- •5 U.S.C. 4111
- •BUMEDINST 4001.4A
- •SECNAVINST 4001.2J
- •OPNAVINST 4001.1F
- •AR 1-100, Gifts to the Army
- •AFI 51-506, Gifts to the Department of the Air Force from Domestic and Foreign Sources

# **Graduate Medical Education**

•DoD Instruction 6015.24, "Sizing of Graduate Medical Education (GME) and Program Closure Procedures" 1/5/01.

•AFI 41-117, Medical Service Officer Education

# **Grants and Agreements**

- •DoD Directive 3210.06, "Defense Grant and Agreement Regulatory System (DGARS)," 2/6/14
- •DoD 3210.6-R, "Department of Defense Grant and Agreement Regulations," 4/98
- •AFI 61-201, Management of Scientific and Technical Information (STINFO)

# **Health Affairs**

•DoD Directive 5136.01, "Assistant Secretary of Defense for Health Affairs (ASD(HA))," 9/30/13

# Healthcare Integrity and Protection Data Bank – see now National Practitioner Data Bank (NPDB)

•See National Practitioner Data Bank

•45 CFR Part 61

## **Healthcare Resolutions Program**

•DHA Procedural Instruction 6025.17, "Healthcare Resolutions, Disclosure, Clinical Conflict Management and Healthcare Provider (HCP) Resiliency and Support in the Military Health System (MHS)," June 18, 2019

# **Health Professions Educational Programs**

•10 U.S.C. Chapter 105, Armed Forces Health Professions Financial Assistance Programs

•H.A. Policy 99-012, "Revised Interim Policy for Health Professions Loan Repayment Program (HPLRP)," 3/1/99

- •BUMEDINST 1520.34A
- •BUMEDINST 1520.37A
- •BUMEDINST 1520.40A
- •BUMEDINST 1524.1A
- •BUMEDINST 1530.2A
- •BUMEDINST 7050.3
- •BUMEDINST 12308.1
- •See also Personnel Policy for Health Professionals
- •AFI 41-117

# **Health Promotion**

- •DoD Instruction 1010.10, "Health Promotion and Disease Prevention," 4/28/14
- •BUMEDINST 6110.13AOPNAVINST 6100.2A
- •OPNAVINST 6110.1H
- •AFI 44-173, Population Health
- •AFI 48-103, Health Promotion

## **Health Services**

•DoD Directive 6000.12E, "Health Service Support," 1/6/11

•OPNAVINST 6440.1C

# HIPAA Privacy Regulation – See also Privacy below

- •See Privacy Regulations
- •DoD Instruction 6025.18

•DoDM 6025.18– Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DOD Health Care Programs

•AFI 41-200, Health Insurance Portability and Accountability Act (HIPAA)

# HIV

•DoD Directive 6485.01, "Human Immunodeficiency Virus (HIV) in Military Service Members," 6/7/13

•DoD Instruction 6485.02E, "Human Immunodeficiency Virus (HIV) / Acquired Immune Deficiency Syndrome (AIDS) Prevention: Program (DHAPP) to Support Foreign Militaries," 12/6/13

•BUMEDINST 6110.14 CH-2 SECNAVINST 5300.30EAR 600-110, Identification, Surveillance, and Administration of Personnel Infected with HIV

•AFI 44-102

•AFI 44-178, Human Immunodeficiency Virus Program

# **Human Subjects**

•10 USC 980 – Limitations on use of humans as experimental subjects

•5 CFR 2635.801, et seq., Standards of Conduct for Executive Branch, Subpart H, Outside Activities (employment)

- •32 CFR 219 Protection of Human Subjects
- •45 CFR 46 Protection of Human Subjects, Department of Health and Human Services

•Joint Ethics Regulation, DoD 5500.7-R paragraphs 2-206 and 2-303.

•DoD Instruction 3216.02 – Protection of Human Subjects and Adherence to Ethical Standards in DoD-Supported Research

- •DoD Instruction 8910.01 Information Collection and Reporting
- •DoD 8910.1-M Department of Defense Procedures for Management of Information Requirements
- •DoD Instruction 1100.13 Surveys of DoD Personnel
- •DoD Instruction 3210.7 Research Integrity and Misconduct
- •DODI 3216.02\_AFI 40-402
- •AFMAN 36-2664, Personnel Assessment Program (surveys)

# **Identification Cards**

•DoD Instruction 1000.24, "Confiscation of Fraudulent Identification (ID) Cards at Military Treatment Facilities," 5/22/03

•See Eligibility for Benefits

•AFI 36-3026V1\_IP, Identification Cards for Members of the Uniformed Services, Their Eligible Family Members, and Other Eligible Personnel

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•AFI 36-3026V2, Common Access Card (CAC)
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# Immunizations

•DoD Instruction 6205.02, "DoD Immunization Program," 7/23/19

•Joint Regulation (AFI 48-110, AR 40-562, BUMEDINST 6230.15B CG COMDTINST M6230.4E), "Immunizations and Chemoprophylaxis for the Prevention of Infectious Diseases," certified current 16 February 2018

•H.A. Policy 08-005, "Policy for Mandatory Seasonal Influenza Immunization for Civilian Health Care Personnel Who Provide Direct Patient Care in Department of Defense Military Treatment Facilities," 4/4/08

- •SECNAVINST 6230.4 (Anthrax)
- •AR 40-5, Preventive Medicine, para 4.4
- •AFI 44-102

# **Independent Duty Corpsman**

- •OPNAVINST 6400.1C
- •AFI 44-103, The Air Force Independent Duty Medical Technician Program
- •AFI 44-119

# **Information Technology**

- •AFI 17-101, Risk Management Framework (RMF) for Air Force Information Technology (IT)
- •AFI 17-130, Air Force Cybersecurity Program Management

# **Intellectual Property**

- •SECNAVINST 5870.4A
- •AFI 61-301, The Domestic Technology Transfer Process and the Offices of Research and Technology •Applications Cooperative Research and Development Agreements
- •AFI 51-303, Intellectual Property—Patents, Patent Related Matters, Trademarks, and Copyrights

Intermediaries

•10 U.S.C. 178 Henry M. Jackson Foundation

#### **International Agreements**

- •DoD Directive 5530.3, "International Agreements," 6/11/87
- •SECNAVINST 5710.25B
- •AFI 16-110, USAF Participation in International Armaments Cooperation (IAC) Programs
- •AFI 51-403, International Agreements; see also AFI 51-402, International Law

## **International Health Regulations**

- •See World Health Organization Web Site (link is external)
- •AFI 44-162, International Health Specialist (IHS) Program and Global Health Engagement (GHE)

# **Investigational New Drugs**

#### •10 U.S.C. 1107

•Executive Order 13139, "Improving Health Protection of Military Personnel Participating in Particular Military Operations," September 30, 1999.

•DoD Instruction 6200.2, "Application of FDA Rules to DoD Force Health Protection Programs," 2/19/08

•BUMEDINST 6000.12BBUMEDINST 6710.69

•AR 40-7, Use of Investigational Drugs and Devices in Humans and the Use of Schedule I Controlled Drug Substances, 1/4/91

•DODI 3216.02\_AFI 40-402

## Laboratory Animals - See also Animal Research and Training above

- •DoD Instruction 3216.1, "Use of Animals in DoD Programs," 9/13/10
- •BUMEDINST 3900.8
- •SECNAVINST 3900.38C
- •AFMAN 40-401, The Care and Use of Laboratory Animals in DOD Programs

# Law of Armed Conflict

•AFI 51-401, The Law of War

# Legislation and Legislative Affairs

- •DoDI 5400.04
- •DODI 5142.01
- •OMB Circular A-19, "Legislative Coordination and Clearance"
- •OPNAVINST 5730.4E
- •SECNAVINST 5730.5J
- •AFI 90-401, Air Force Relations with Congress

# Licensure

- •See Quality Assurance Program Regulation
- •10 USC 1094
- •Licensure Fees: 10 U.S.C. 2015
- •USD(P&R) Memo, "Payment of Credentialing Expensed for Military Members," 2/12/07 (implements 10 USC § 2015)
- •BUMEDINST 6320.67A CH-1
- •SECNAVINST 1754.7A
- •AFI 44-119, Medical Quality Operations
- •AFI 41-104, Professional Board and National Certification Examinations

# Litigation

- •SECNAVINST 5820.8A
- •AFI 51-301, Civil Litigation
- •AFI 51-306, Claims for and Against the Air Force
- •DODD 5405.2
- •Touhy v. Ragen, 340 USC 462 (1951)

# **Living Wills**

- •10 U.S.C. 1044c
- •See also Advance Medical Directive

# **Logistics (Medical)**

•DHA PI 6430.02 Defense Medical Logistics (MEDLOG) Enterprise Activity (EA)

•DHA PI 6430.04 Use of Defense Medical Logistics Standard Support (DMLSS) as the Authoritative Information System (IS) of Record for Medical Logistics (MEDLOG) Enterprise Activity

•DHA TM 4165.01, Volume 1 Defense Medical Logistics Standard Support-Facilities Management (DMLSS-FM) Volume 1: Facilities Inventory Module

•DHA TM 4165.01, Volume 2 Defense Medical Logistics Standard Support—Facilities management (DMLSS-FM): Requirements Module

•DHA TM 4165.01, Volume 4 Defense Medical Logistics Standard Support—Facilities Management (DMLSS-FM), Volume 4, FSI Module

•AFMAN 41-209, Medical Logistics Support

## Malpractice

- •Federal Tort Claims Act, 28 U.S.C. 2671, et seq.
- •Military Claims Act, 10 U.S.C. 2731, et seq.
- •DoD Directive 5515.9, "Settlement of Tort Claims," 4/19/04

•DoD Directive 6000.6, "Medical Malpractice Claims Against Military and Civilian Personnel of the Armed Forces," 7/2/04

- •SECNAVINST 5820.8A
- •SECNAVINST 6300.3A
- •SECNAVINST 5820.9A
- •AR 27-20, Claims, Ch 4.
- •AFI 51-306, Claims for and Against the Air Force
- •Also see AFI 51-301, Civil Litigation and AFI 51-302, Medical Law

#### **Management of Certain Non-Federal Entities**

- •10 U.S.C. 1033
- •See also: Ethics (Standards of Conduct)

#### Medal Of Honor Recipients, Eligibility for Care

- •10 U.S.C. § 1074h
- •AFMAN 41-210

# **Medical Education**

•See also "Health Professions Educational Programs"

•BUMEDINST 1524.1B

•AFI 41-117

# **Medical Intelligence**

•DoD Instruction 6420.1, "National Center for Medical Intelligence (NCMI)," 3/20/09

•SECNAVINST 3800.9A

•AFI 48-105, Surveillance, Prevention, and Control of Disease and Conditions of Public Health or Military Significance

# **Medical Management**

•DoD Instruction 6025.20, "Medical Management (MM) Programs in the Direct Care System (DCS) and Remote Areas," April 9, 2013

•AFI 44-173

•AFI 44-176

# **Medical Materiel**

•DoD Instruction 6430.02, "Defense Medical Materiel Program," August 17, 2011

•AFMAN 41-209

# **Medical Readiness**

•See Force Health Protection

# **Medical Records**

- •National Defense Authorization Act for Fiscal Year 2014 (Pub. L. 113-66), section 525
- •DoD Instruction 6040.45, "DoD Health Record Life Cycle Management," 11/16/15
- •DoD Instruction 6040.42, "Management Standards for Medical Coding of DoD Health Records," 6/8/16
- •DoD 8580.02-R, "DoD Health Information Security Regulation," 7/12/07
- •AFMAN 41-210
- •AFI 41-200
- •MANMED, NAVMED, P-117, CH 16
- •AR 40-66, Medical Record Administration, 7/20/92
- DoDI 6040.48, Personal Health Records & Patient Controlled Data (10/23/18)
- •See also Confidentiality
- •See also Personal Health Records

# **Medically Related Services**

#### •BUMEDINST 1755.1

•AFI 40-301; AFI 36-3009, Airman and Family Readiness Centers; AFI 40-701, Medical Support to Family Member Relocation and Exceptional Family Member Program (EFMP)

# Medicare

- •See Social Security Administration web site
- •Social Security Act, title XVIII (42 U.S.C. 1395, et seq.)
- •HHS Regulations: 42 CFR Part 405, et seq.

# Medicare-Eligible Retiree Health Care Account

- •Chapter 56 of title 10, United States Code
- •DOD 6010.15-M, Military Treatment Facility Uniform Business Office (UBO) Manual
- •DoD Directive 6070.01, "Department of Defense Medicare Eligible Retiree Health Care Fund," July 17, 2002

•DoD Instruction 6070.02, "Department of Defense Medicare Eligible Retiree Health Care Fund Operations," July 19, 2002

•AFMAN 41-120, Medical Resource Management Operations

# Memoranda of Understanding (MOUs)

•DoD Instruction 4000.19, "Support Agreements," 4/25/13

•OPNAVINST 4000.84C

•BUMEDINST 7050.1B

•BUMEDINST 7050.3A

•AFI 25-201, Intra-Service, Intra-Agency, and Inter-Agency Support Agreements Procedures

# **Mental Health**

•DoD Instruction 6490.04, "Mental Health Evaluations of Members of the Military Services," 3/4/13

•DoD Instruction 6490.09, "DoD Directors of Psychological Health," February 27, 2012

•DoD Instruction 6490.05, "Maintenance of Psychological Health in Military Operations," 11/22/11

•DoD Instruction 6490.08, "Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members," 8/17/11

•DoD Instruction 6490.10, "Continuity of Behavioral Health Care for Transferring and Transitioning Service Members," 3/26/12

•DoD Instruction 6490.12, "Mental Health Assessments for Service Members Deployed in Connection with a Contingency Operation," 2/26/13

•DoD Instruction 6490.15, "Integration of Behavioral Health Personnel (BHP) Services Into Patient-Centered Medical Home (PCMH) Primary Care and Other Primary Care Service Settings," 8/8/13

•DoD Instruction 6490.06, "Counseling Services for DoD Military, Guard and Reserve, Certain Affiliated Personnel, and Their Family Members," 4/21/2009 (e.g., Military OneSource)

•AFI 44-172, Mental Health

•AFI 44-153, Disaster mental Health Response & Combat and Operational Stress Control

•SECNAVINST 6320.24A

•Administration Separations

•Involving personality disorders: see DoDI 1332.14, "Enlisted Administrative Separations," 8/28/08, Encl. 3

•Involving other than honorable conditions, see NDAA-10, § 512

# **Military Claims Act**

- •10 U.S.C. 2731 2738
- •Navy JAGINST 5890.1A
- •AFI 51-306

# **Military Leave**

•AFI 36-3003, Military leave Program

# **Military Medical Construction**

- •DoD Instruction 6015.17, "Military Health System (MHS) Facility Portfolio Management," 1/13/12
- •BUMEDINST 11110.7A
- •BUMEDINST 11110.8A Military Medicine
- •Textbooks of Military Medicine (including Military Medical Ethics)
- •AFI 32-1023, Designing and Constructing Military Construction Projects

# **Military Medical Treatment Facilities (MTFs)**

•10 USC 1073c [note: the term "military medical treatment facilities" is used in the statute, although not specifically set forth in the definition section itself]

•DoD Instruction 6015.23, "Foreign Military Personnel Care and Uniform Business Offices in Military Treatment Facilities (MTFs)," 1/23/15 National Disaster Medical System

- •NDAA-17, § 721 Convert Mil to Civ Pers. Requirements
- •NDAA-17, § 725 Adjustment of Services, Personnel and Infrastructure

# National Disaster Medical System

•DoD Instruction 6010.22, "National Disaster Medical System," 4/14/16

•AFI 41-106, Medical Readiness Program Management; see also AFI 10-2912, Aeromedical Evacuation Readiness Programs

#### **National Practitioner Data Bank**

•See Quality Assurance Program Regulation

- •HHS regulations: 45 CFR Part 60
- •BUMEDINST 6320.67A w/CH-1
- •BUMEDINST 6010.18A
- •AR 40-68, Quality Assurance Administration, para. 4-10

•See also HHS Division Of Quality Assurance web site (National Practitioner Data Bank; Healthcare Integrity and Protection Data Bank; and Federal Credentialing Program)

•AFI 44-119

# **Non-Discrimination**

•DHA PI 6025.02, Nondiscrimination in Military Health System (MHS) Health Programs and Activities

# **Non-Military HealthCare**

•BUMEDINST 6320.85A

# **Nurse Anesthetists**

- •BUMEDINST 6550.7A
- •AFI 46-101, Nursing Services and Operations

# **Nurse Midwives**

•AFI 46-101

#### **Occupational Health**

- •BUMEDINST 6550.10BOccupational Safety and Health
- •DoD Directive 4715.1E, "Environment, Safety, and Occupational Health (ESOH)," March 19, 2005
- •DoD Instruction 6055.01, "DoD Safety and Occupational Health (SOH) Program," 10/14/14

•DoD Instruction 1438.5, "Civilian Employees' Occupational Health and Medical Services Program," 12/4/97

- •DoD 6055.5-M, Occupational Health Surveillance Manual, 5/98
- •DoD Instruction 6055.05, "Occupational and Environmental Health (OEH)," 11/11/08
- •BUMEDINST 5100.13F
- •OPNAVINST 6470.2C
- •OPNAVINST 5100.23G
- •OPNAVINST 5100.19E
- •AR 40-5, Preventive Medicine
- •AFI 90-801, Environment, Safety, and Occupational Health Councils
- •AFI 90-821, Hazard Communication (HAZCOM) Program
- •AFI 90-802, Risk Management
- •AFPAM 90-803, Risk Management Guidelines and Tools
- •AFI 48-109, Electromagnetic Field Radiation Occupational and Environmental Health Program
- •AFI 48-127, Occupational Noise and Hearing Conservation Program
- •AFI 48-145, Occupational and Environmental Health Program
- •AFMAN 48-146, Occupational and Environmental Health Program Management
- •AFI 10-2501, Air Force Emergency Management Program
- •AFI 32-7086, Hazardous Materials Management

•AFI 48-105, Surveillance, Prevention, and Control of Disease and Conditions of Public Health or Military Significance

- •AFI 91-202, The US Air Force Mishap Prevention Program
- •AFMAN 91-203, Air Force Occupational Safety, Fire, and Health Standards

•AFI 91-204, Safety Investigations and Reports

# **Off-Duty Employment**

•DoDM 6025.15, Medical Quality Assurance (MQA) and Clinical Quality Management in the Military Health System (MHS), 10/29/13

- •MANMED P-117, § 1-22
- •BUMED Notice 6000 dtd 8/22/98
- •AR 40-1, Composition, Missions and Functions of the Army Medical Department

•AFI 44-102

# **Organ Donation**

- •10 U.S.C. 1109
- •AFI 44-102
- •DoD Instruction 6465.03, "Organ and Tissue Donation," 6/18/16
- •BUMEDINST 6300.8
- •AR 40-3, Medical, Dental and Veterinary Care, Ch 9

# **Out of Wedlock Children**

•USD(P&R) memo, "Determination of Dependency for Health Care Benefits for Out-of-Wedlock Children," 1/28/08

#### **Pandemic Influenza**

•Health Affairs Policy 11-010, "Addition of Pandemic Influenza Vaccine or Novel Influenza Vaccine to the Policy for Mandatory Seasonal Influenza Immunization for Civilian Health Care Personnel who Provide Direct Patient Care in Department of Defense Military Treatment Facilities," 7/29/11

•H.A. Policy Guidance, "Department of Defense Influenza Pandemic Preparation and Response Health Policy Guidance," January 25, 2006

•AFI 10-2519

•AFI 48-105

# **Patient Bill of Rights**

•DHAPI 6025.10, Standard Processes & Guidelines of Patient Bill of Rights & Responsibilities in MTFs (10/9/18)

## Patient Movement – see also Ambulance Services above

- •DoD Instruction 6000.11, "Patient Movement (PM)," 5/4/12
- •BUMEDINST 6320.1E
- •AFI 48-307V1, En Route care and Aeromedical Evacuation Medical Operations
- •AFI 48-307V2, En Route Critical Care
- •AFI 48-307V3, En Route Care Documentation

# **Patient Protection and Affordable Care Act**

•Pub. L. 111-148

# **Patient Safety Program**

- •See Quality Assurance Manual
- •BUMEDINST 6010.23
- •AFI 44-119

# **Peer Review Organization Program**

•32 CFR 199.15.

#### **Personal Health Records**

•DoDI 6040.48, Personal Health Records & Patient Controlled Data (10/23/18)
# **Personal Services Contracts for Health Care Providers**

•10 U.S.C. 1091

•DoD Instruction 6025.5, "Personal Services Contracts (PSCs) for Health Care Providers (HCPs)," January 6, 1995

•DHA PI 6025.05

#### **Personnel Policy for Health Professionals**

•DoD Instruction 6000.13, "Accession and Retention Programs and Incentives for Military Health Professionals," 12/30/15

- •AFI 41-109, Special and Incentive Pay for Health Professions Officers
- •AFI 41-110, Medical Health Care Professions Scholarship Programs
- •AFI 36-2107, Active Duty Service Commitments

#### **Personnel Reliability Program**

- •DODM 5210.42\_AFMAN 13-501, Nuclear Weapons Personnel Reliability Program
- •AFI 91-104, Nuclear Surety Tamper Control and Detection Programs
- •AFI 91-117, Safety Rules for the Airborne Launch Control System
- •AFI 91-115, Safety Rules for Nuclear Logistics Transport by the Prime Nuclear Airlift Force
- •AFI 91-116, Safety Rules for Long-Term Storage and Maintenance Operations for Nuclear Weapons
- •AFI 91-121, Nuclear Surety Staff Assistance Visit Program
- •AFI 91-112, Safety Rules for US/NATO Strike Fighters
- •AFI 91-104, Nuclear Surety Tamper Control and Detection Programs
- •AFI 91-101, Air Force Nuclear Weapons Surety Program
- •AFI 48-103, Health Promotion

#### **Pharmacy Benefits Program**

•10 USC 1074g

•32 CFR 199.21

#### **Pharmacy Operations**

- •MANMED-117 CH 21
- •AFI 44-102

## **Physical Standards**

•DoD Directive 1308.1, "DoD Physical Fitness and Body Fat Program," 6/30/04

•DoD Instruction 6130.3, "Physical Standards for Appointment, Enlistment and Induction in the Military Services," 4/28/10

- •MANMED P-117, Chap 15, § III
- •AR 40-501, Standards of Medical Fitness
- •AFI 36-2905, Fitness Program
- •AFI 48-123
- •AFI 36-3212, Physical Evaluation for Retention, Retirement, and Separation

## **Pilot Projects – See Demonstration Projects above**

- •Preventive Health Assessments
- •AFI 44-170, Preventive Health Assessment

# **Primary Care Empanelment**

- •DHAPI 6025.11, Processes & Standards for Empanelment & Capacity in MTFs (10/9/18)
- •AFI 44-176, Access to the Care Continuum
- •AFI 44-171, Patient Centered Medical Home Operations

# **Privacy Act**

- •5 U.S.C. 552a
- •SECNAVINST 5211.5E
- •DoD Instruction 5400.11, Privacy & Civil Liberties Programs (1/29/19)
- •AFI 33-332, Air Force Privacy and Civil Liberties Program
- •See also Navy Web Site
- •See also Confidentiality

# Privacy Regulations – see also HIPAA above

•DoD Instruction 6025.18, "Privacy of Individually Identifiable Health Information in DoD Health Care Programs," 12/2/09

•DoDM 6025.18-Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DOD Health Care Programs

- •Notice: "DoD Health Information Privacy Program," 68 Fed. Reg. 17357 58 (4/6/03)
- •AFI 41-200
- •See also Confidentiality

## **Public Health Emergency Management**

- •DoD Instruction 6200.03, Public Health Emergency Mgmt (3/28/19)
- •AFI 10-2519, Public Health Emergencies and Incidents of Public Health Concern
- •AFI 10-2402, Critical Asset Risk Management Program
- •AFI 44-153, Disaster mental Health Response & Combat and Operational Stress Control

•AFI 48-105, Surveillance, Prevention, and Control of Disease and Conditions of Public Health or Military Significance

## **Psychotherapist-Patient Privilege**

- Military Rule of Evidence 513
- •AFI 51-201, Administration of Military Justice

•AFI 44-172, Mental Health

#### **Quality Assurance Program**

•DHA Procedures Manual 6025.13, "Clinical Quality Management in the Military Health System," September 1, 2019 – Volumes 1-7

•DoD Instruction 6025.13, "Medical Quality Assurance (MQA) and Clinical Quality Management in the Military Health System (MHS)," 2/17/11

•Office of the Under Secretary of Defense Memorandum, "Strengthening Clinical Quality Management in the Military Health System," 01 April 2019

•DHA Procedures Manual 6025.13, "Clinical Quality Management in the Military Health System," 29 August 2019

•AFI 44-119

## Quarantine

•See Emergency Health Powers

# **Quality Assurance Records**

•10 U.S.C. 1102

•AFI 44-119

## **Red Cross**

•SECNAVINST 5760.1C

•BUMEDINST 5760.5

# **Religious Practices, Religious Conscience Protections**

•DoD Instruction 1300.17, "Accommodation of Religious Practices Within the Military Services," 2/10/09

•DHA PI 6200.02 Comprehensive Contraceptive Counseling and Access to the Full Range of Methods of Contraception May 13, 2019

•SECNAVINST 1730.8B

•AFI 52-101, Planning and Organizing

•AFPD 52-2, Accommodation of Religious Practices in the Air Force

•Immunization Joint Regulation (AFI 48-110, AR 40-562, BUMEDINST 6230.15B CG COMDTINST M6230.4E)

•AFI 44-102

•HHS Regulation, Protecting Statutory Conscience Rights in Health Care, 45 CFR Part 88 (5/2/19)

# Research

•DoD Instruction 3216.02, "Protection of Human Subjects and Adherence to Ethical Standards in DoD Supported Research," 11/8/11

- •10 U.S.C. 980
- •SECNAVINST 3900.39B
- •32 CFR Part 219, Protection of Human Subjects
- •BUMEDINST 3900.8
- •BUMEDINST 3900.6B
- •DoD Instruction 3210.7, "Research Integrity and Misconduct," 5/14/04

•H.A. Policy 08-003, "Policy for Conducting Surveys and Studies - Related Information Collection Requirements in the Military Health System," 4/1/08

•DODI 3216.02\_AFI 40-402, Protection of Human Subjects and Adherence to Ethical Standards in Air Force Supported Research

- •AFMAN 10-401, The Care and Use of Laboratory Animals in DOD Programs
- •See also Office for Human Research Protections web site
- •See also Clinical Investigation Programs

## **Reserve Components Health Services**

•10 U.S.C. 1074a, 1076b, 1076d, 1095d, 12322, 12602

•DoD Instruction 1241.01, "Reserve Component Line of Duty Determinations for Medical and Dental Treatments and Incapacitation Pay," 4/19/16

•AFMAN 41-210

## Resilience

•AFI 90-5001, Integrated Resilience

# **Risk Management**

•BUMEDINST 6010.21

•AFI 44-119

•See also Quality Assurance

#### Safety

- •AFMAN 91-222, Space Safety Investigations and Reports
- •AFMAN 91-223, Aviation Safety Investigations and Reports
- •AFMAN 91-224, Ground Safety Investigations and Reports
- •AFPAM 91-206, Participation in Military or Civilian Aircraft or Space Safety Investigation

## **Secretarial Designees**

•Statutory Authority: 10 U.S.C. 1074(c)

•DoD Instruction 6025.23, "Health Care Eligibility Under the Secretarial Designee (SECDES) Program and Related Special Authorities "9/16/11

- •Army: AR 40-3, "Medical Services"
- •Navy: 32 CFR 728.77
- •Air Force: AFMAN 41-210

#### **Select Agents**

- •DoDI 5210.88, "Security Standards for Safeguarding Biological Select Agents and Toxins," 1/19/16
- •42 C.F.R. Part 73
- •AFPD 10-26, Countering Weapons of Mass Destruction

#### **Sentinel Events**

•See Quality Assurance Program Regulation

## **Separation Exam**

•DoD Instruction 6040.46, "Separation History and Physical Examination for DoD Separation Health Assessment Program," 4/14/16

•AFI 48-123

•AFI 36-3212

#### Service Dogs – See Animals above

#### **Sexual Assault**

- •Sexual Assault Prevention and Response
- •DoDD 6495.01, "Sexual Assault Prevention and Response (SAPR) Program," 1/23/12
- •DoDI 6495.02, "Sexual Assault Prevention and Response (SAPR) Program Procedures," 3/28/13
- •DoDI 6310.09, "Health Care Management for Patients Associated with Sexual Assault," 5/7/19
- •10 USC 1079(a)(16)
- •BUMEDINST 6310.11A
- •AFI 90-6001, Sexual Assault Prevention and Response (SAPR) Program
- •See SAPR Website: <u>www.sapr.mil</u>

#### **Smoking**

- •AFI 48-104, Tobacco Free Living
- •BUMEDINST 6200.12A

#### **Special Pays**

- •DoD Financial Management Regulation, Volume 7A, Chapters 5-7
- •37 U.S.C. Chapter 5
- •AFI 41-109, Special and Incentive Pay for Health Professions
- •See also Personnel Policy for Health Professionals

# **Stability Operations**

- •DoD Instruction 6000.16, "Military Health Support for Stability Operations," 5/16/10
- •AFI 44-162
- •AFTTP 3-42.69, Special Operations Forces Irregular Warfare/Medical Stability Operations

## Standbys/Chaperones

- •BUMEDINST 6320.83A
- •AFI 44-102

## **Stem Cell Research**

•Deputy Secretary of Defense Memorandum, "Guidelines for Human Stem Cell Research Conducted or Supported by DoD," 12/17/09

- •National Institutes of Health Guidelines for Human Stem Cell Research, 7/7/09
- •Executive Order 13505 (3/9/09)

#### Stress

•OPNAVINST 3006.1

#### **Substance Abuse**

•DoD Instruction 1010.01, "Military Personnel Drug Abuse Testing Program (MPDATP)," 9/13/12DoD Instruction 1010.04, "Problematic Substance Abuse by DoD Personnel," 2/12/14

- •DoD Instruction 1010.09, "DoD Civilian Employees Drug Free Workplace Program," 6/22/12
- •HHS Regulations: 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records
- •SECNAVINST 5300.28EAFI 36-810
- •OPNAVINST 5350.4D
- •AFI 44-121, Alcohol and Drug Abuse Prevention and Treatment (ADAPT) Program
- •AFMAN 44-197, Military Drug Demand Reduction Program
- •AFMAN 44-198, Air Force Civilian Drug Demand Reduction Program

#### Suicide

•DoD Directive 6490.14, "Defense Suicide Prevention Program," 11/16/17

•Directive-Type Memorandum 16-001, "Policy for Reporting Suicides and Attempts of Service Members and Suicides of Dependents," 1/7/16

•AFI 90-5001, Integrated Resilience

•AFI 44-172

## **Support for Outside Organizations**

•10 U.S.C. 2012

•DoD Directive 1100.20, "Support and Services for Eligible Organizations and Activities Outside the Department of Defense," 4/12/04

•AFI 34-223, Private Organizations Program

## **Supplemental Care Program**

•32 CFR 199.16

#### **Surrogate Mothers**

- •TRICARE Policy Manual, Chap. 3, sec 13.2, para. III.D
- •TRICARE Reimbursement Manual, Chap. 4, sec. 1, para II.O

#### Surveys

- •DoD Instruction 1100.13, "DoD Surveys," 1/15/15
- •AFMAN 36-2664, Personnel Assessment Program

#### **Technology Transfers**

- •15 U.S.C. 3710 et. seq.
- •DoD Directive 5535.3, "DoD Domestic Technology Transfer (T2) Program", 5/21/99
- •DoD Instruction 5535.8, "DoD Technology Transfer (T2) Program", 5/14/99
- •See Intellectual Property
- •AR 70-57
- •AFI 61-301
- •AFI 51-303

#### Telehealth

- •See Quality Assurance Manual
- •ASD(HA) Memo, "Provision of Telemedicine at a Patient's Location," 2/3/16
- •BUMED Notice 6400
- •AFI 44-119
- •AFI 44-102

#### **Third Party Collection Program**

•10 U.S.C. 1095, 1097b(b)

•32 CFR Part 220

•DoD 6010.15-M, Military Treatment Facility Uniform Business Office (UBO) Manual, 11/9/06

- •AR 27-20, Claims
- •BUMED Notice 7000.7
- •See also Financial Management

• H.A. Policy 08-007, Policy for Billing and Collections for Third Party Collection Program, Medical Services Accounts, and Medical Affirmative Claims in Military Treatment Facility , 6/13/08

•AFMAN 41-120

•AFI 51-306

## **Third Party Liability Program**

- •Federal Medical Care Recovery Act, 42 U.S.C. 2651-2653
- •10 U.S.C. 1095b
- See also Financial Management
- •AFI 51-306

#### **Tobacco – also see Smoking**

- •Secretary of Defense Memorandum 16-001, DoD Tobacco Policy, 4/8/16
- •AFI 48-104, Tobacco Free Living

## **Training Agreements**

•AFMAN 41-108, Training Affiliation Agreement Program

#### **Transgender Service Members**

- •DTM 19-004, "Military Service by Transgender Persons and Persons with Gender Dysphoria," 3/12/19
- •Health Affairs Memo, "Guidance for Care of Service Members with Gender Dysphoria," 3/12/19

•DHA Memorandum, "Interim Defense Health Agency Procedures for Reviewing Requests for Waivers to Allow Supplemental Health Care Program Coverage of Sex Reassignment Surgical Procedures," 11/13/17

•AFPM 2016-36-01, Air Force Policy Memorandum for In-Service Transition for Airmen Identifying as Transgender, dated 06 October 2016

# **Transitional Health Care Benefits**

- •10 U.S.C. 1145
- •32 CFR 199.3(e)
- •AFMAN 41-210

## **Transportation**

- •DoD Instruction 6000.11, "Patient Movement," 6/22/18
- •OPNAVINST 4630.9C
- •BUMEDINST 4650.2
- •BUMEDINST 6320.19
- •AFI 24-301, Ground Transportation
- •AFI 24-302, Vehicle Management
- •AFI 24-602V1, Passenger Movement
- •AFI 24-602V2, Cargo Movement
- •AFI 24-605, Air Transportation Operations (Non-Aerial Port)
- •AFMAN 24-306, Operation of Air Force Government Motor Vehicles
- •AFI 48-307V1
- •AFI 48-307V2

# **Traumatic Brain Injury**

•DoD Instruction 6490.11, "DoD Policy Guidance for Management of Mild Traumatic Brain Injury/Concussion in the Deployed Setting," September 18, 2012

•DoD Instruction 6490.13, "Comprehensive Policy on TBI-Related Neurocognitive Assessments by the Military Services," 9/11/15

•AFI 48-307V1, En Route Care and Aeromedical Evacuation Medical Operations

# **Travel Expenses**

•41 C.F.R. 304-1

•31 U.S.C. 1353

•See Ethics

# **TRICARE Management Activity**

•See Defense Health Agency

## **TRICARE** Manuals

•See related web site: TRICARE/Policy and Planning/TRICARE Manuals for the following TRICARE Manuals: Policy Manual, Operations Manual, Automated Data Processing and Reporting Manual, and the TRICARE/CHAMPUS Regulation (32 CFR Part 199)

# **TRICARE** Program

General

•10 U.S.C. 1073 note, 1095c, 1095d, 1095e, 1097b

•32 CFR 199.17 [as revised by the TRICARE Select Interim Final Rule, 45438 Federal Register / Vol. 82, No. 188 / Friday, September 29, and Final Rule, 4326 Federal Register / Vol. 84, No. 32 / Friday, February 15, 2019]

- •See related web site: TRICARE (https://www.tricare.mil/)
- •TRICARE Marketing Policy
- •DoD Instruction 6010.21, "TRICARE Marketing Policy", 12/18/01
- •TRICARE Plus Program

•HA Policy memo 01-015, "Policy Memorandum to Refine Policy for access to care in Military Treatment Facilities and Establish the TRICARE Plus Program", 6/28/01

•Preemption

•10 U.S.C. 1103

# **TRICARE Supplemental Insurance Plans**

•10 U.S.C. § 1097c

#### **Uniform Business Office**

•See Financial management

# **Uniformed Services Treatment Facilities (former Public Health Service Hospitals)**

•10 U.S.C. 1073 note

## **Uniformed Services Employment and Reemployment Rights Act (USERRA)**

•38 U.S.C. Chapter 43

#### **Uniformed Services University of the Health Sciences**

- •10 U.S.C. 2112 2116
- •DoD Instruction 5105.45, "Uniformed Services University of the Health Sciences (USUHS)," 5/30/19

## Vaccine Injury Compensation

•HHS Regulations: 42 CFR Part 100

#### **Veterans Affairs Sharing Agreements**

•Policies governing sharing

•DoDI 6010.23, "Department of Defense and Department of Veterans Affairs Health Care Resource Sharing Program," 1/23/12

•10 U.S.C. 1104

•38 U.S.C. 8111, 8111A, 8111 note

•Federal Health Care Center, North Chicago: National Defense Authorization Act for Fiscal Year 2010, Title XVII

•BUMEDINST 6320.12

•BUMEDINST 7050.1A

•AFI 41-126, Department of Defense/Veterans Affairs Health Care Resource Sharing Program

•Web Sites: https://tricare.mil/

https://www.health.mil/Military-Health-Topics/Access-Cost-Quality-and-Safety/Access-to-Healthcare/DoD-VA-Sharing-Initiatives

https://www.va.gov/VADODHEALTH/Medical\_Sharing.asp

#### **Veterans Health Administration**

•See VA web site for VHA Directives (<u>https://www.va.gov/vhapublications/publications.cfm?pub=1</u>)

# Veterinary Health – See also Animals above

•DoD Directive 6400.4, "DoD Veterinary Public and Animal Health Services," 6/27/13

•AR 40-905/SECNAVINST 6401.1B/AFI 48-131, Veterinary Health Services certified current 28 February 2018

•BUMEDINST 6401.1C

#### Volunteers

- •10 U.S.C. 1588
- •DoD Instruction 1100.21, "Voluntary Services in the Department of Defense" 3/27/19

•OPNAVINST 5380.1C

# **Wounded Warriors**

- •DoD Instruction 6010.24, "Interagency Complex Care Coordination," 5/14/15
- •National Defense Authorization Act for Fiscal Year 2008, Pub. L. 110-181, Title XVI
- •DoDI 1300.24, Recovery Coordinator Program, 12/1/09
- •DoD Instruction 6025.22, "Assistive Technology (AT) for Wounded, Ill, and Injured Service Members," 1/30/15

•Directive-type Memorandum (DTM) 14-006, "Separation History and Physical Examination (SHPE)," 7/7/14

•AFI 34-11, Warrior and Survivor Care Services

## Zika Virus

- •ASD(HA) Memo, "Zika Virus Information for DoD Medical Personnel," 2/5/16
- •CDC Web Site: <u>https://www.cdc.gov/zika/index</u>