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FEDERAL TORT CLAIMS ACT

Through the Federal Tort Claims Act (FTCA), eligible HRSA-supported health centers may be granted medical malpractice liability protection with the Federal government acting as their primary insurer. To receive coverage, grantees must submit an initial deeming application to the U.S. Department of Health and Human Services, Health Resources and Services Administration, Bureau of Primary Health Care and meet the requirements to attain deemed status. Renewal applications for redeeming must be submitted on an annual basis to continue coverage.

A deemed health center, its employees, and eligible contractors working within the approved scope of project are considered federal employees and are immune from lawsuits for medical malpractice. A patient who alleges acts of medical malpractice by a deemed health center cannot sue the health center or the provider(s) directly, but must file the claim against the United States Government. The Federal government assumes responsibility for costs related to a claim resulting from the performance of a medical, surgical, dental, or related function. There is no cost to a participating health center or its providers. These claims are reviewed and/or litigated by the U.S. Department of Health and Human Services, Office of the General Counsel and the Department of Justice according to FTCA requirements.

<https://bphc.hrsa.gov/ftca/about/index.html>

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