



## **U.S. Department of Health and Human Services Office of the Surgeon General**

### **Federal Disaster Response**

### **Mobilization and Communication:**

(Where medical volunteers fit in to the system and what they can do to be better prepared to respond.)

**RADM Michael R. Milner, DHSc, PA-C**  
**Regional Health Administrator, Region I**



## **HHS Organizational Chart**

**HHS Secretary- Kathleen Sebelius**

**Assistant Secretary of Health-**  
**Dr. Howard Koh, MD, MPH**

**US Surgeon General-**  
**VADM Regina Benjamin, MD, MPH**

**Regional Health Administrator- Region I**  
**RADM Mike Milner, DHSc, PA-C**

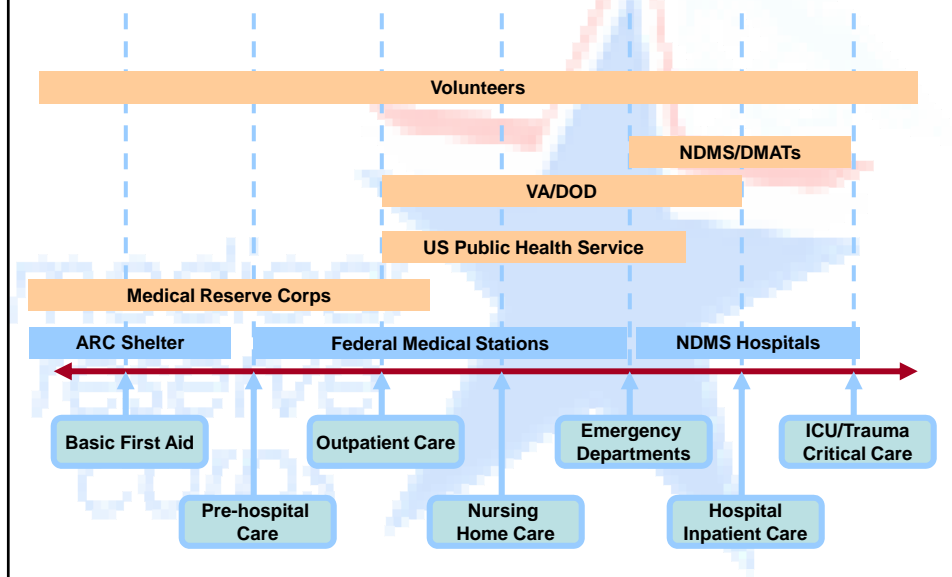


## Pandemic and All-Hazards Preparedness Act



“During a public health emergency, the Secretary shall have the authority to activate and deploy willing members of the [Medical Reserve] Corps to areas of need”

## Spectrum of Care and Federal Medical Resources

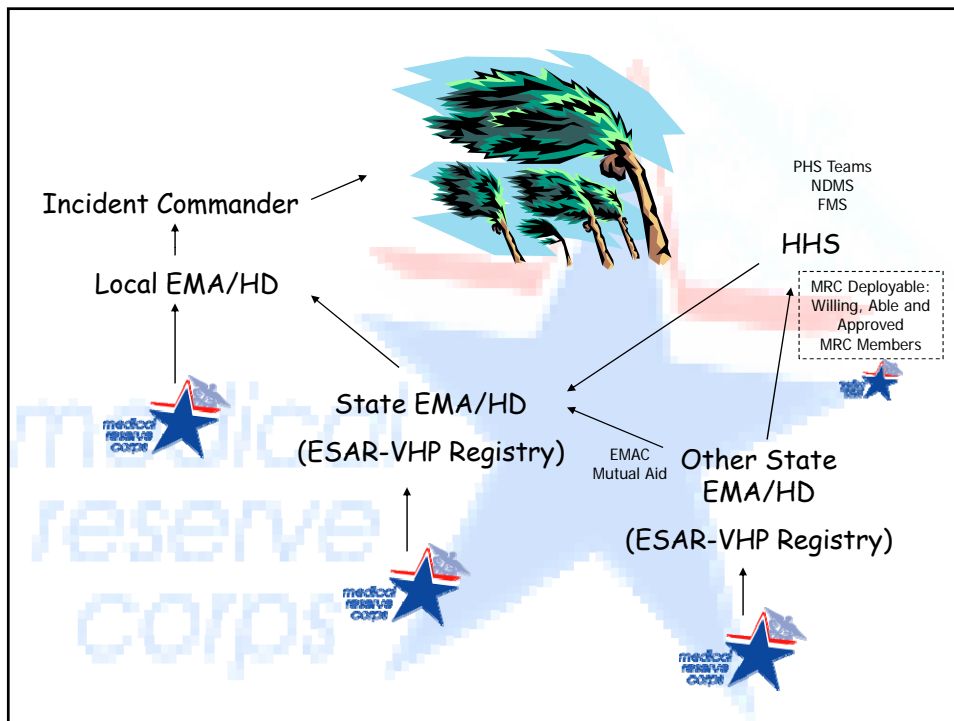




## Current Plan



What would we do if disaster struck tomorrow?



## MRC Volunteers

- MRC Volunteers are primarily local assets
- MRC and MSAR(ESAR-VHP) work together to create state asset availability
- MRC volunteers are only available federally if included/trained at that level



### Deployment Operations – Legal Issues\*

- Under section 2813 of the Public Health Service Act (as added by PAHPA), during a public health emergency, the Secretary of HHS may appoint MRC volunteers as Intermittent Disaster Response Personnel
  - Liability protections
  - Workers compensation
  - Employment protections

\*Please note this is only a broad overview and does not constitute official legal advice. For specific questions individuals and units are encourage to contact their own legal counsel.



## Legal Issues – Professional Liability

- MRC volunteers who are activated as intermittent Federal employees are covered by Federal Tort Claims Act (FTCA)
  - Covered employees not personally liable for negligent acts committed within scope of Federal employment
  - The United States is the only defendant that may be held liable for negligent acts or omissions, not the individual employee
  - Claimant cannot sue without first seeking administrative determination of liability
  - Suits permitted only in federal court, not in state court
  - Suits can only be tried before a judge, not a jury
  - Punitive damages are not permitted



## Legal Issues – Worker's Compensation

- Federal Employees Compensation Act (FECA) is the federal workers' compensation statute
- MRC volunteers who are deployed as part of Federal response are eligible to be covered under FECA
  - occupational injury or illness suffered while acting within the scope of appointment is deemed "in the performance of duty" for the purposes of FECA, as long as engaged in work in furtherance of duties and responsibilities of scope of appointment



## Deployment - Legal Issues Re-employment protection

- Uniformed Services Employment and Reemployment Rights Act (USERRA)
  - MRC volunteers who deploy as part of a federal activation will be designated as intermittent unpaid federal employees and are considered members of the “uniformed services” for all purposes of USERRA
  - USERRA seeks to ensure that those who serve their country can retain their civilian employment and benefits, and can seek employment free from discrimination because of their service.
  - If a member of the uniformed services, including an MRC volunteer, provides their employer with advance notice, when practical, of federal activation, the employer must allow the employee leave of absence during deployment and reinstate them to their prior employment (or equivalent employment) upon the employee's request after they return.
  - No small business or employer hardship exception that permits certain employers to deny such a leave of absence for federal deployment.
  - Certain eligibility requirements apply (e.g., must not have been terminated for misconduct while serving on federal status; must not have exceeded cumulative limit on periods of active federal service).



## Approval – Requirements

### OBJECTIVE

- Meets the MRC Core Competencies
- Completed IS-100 and 700
- Has been associated with the MRC for a minimum of one year AND participates regularly in unit activities
- Has participated in at least one drill or activation during the past 12 months

### SUBJECTIVE

- Good interpersonal skills
- Ability to be a team player
- Responds to supervision appropriately
- The ability to tolerate stress
- Ability to work a series of 12 hour shifts
- Ability to tolerate austere environments
- No need for special accommodations
- **FLEXIBLE**



# FEMA Deployment Roles

## 41. Registered Nurse

DESCRIPTION:	The primary role of the RN is to provide health care to individuals, families, and communities. The RN provides services designed to promote health, prevent illness, and achieve optimal recovery from or adaptation to health problems. These services may include but are not limited to assessment of the patient's and family's health status and needs (physical, emotional, psychological and social), clinical treatment, teaching, counseling, coordination of multidisciplinary care, and other patient care needs as assigned in a functional or degraded environment in a variety of settings or assessment and intervention at a community level. The RN possesses the education and experience in the practice setting commensurate with the mission assignment.
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Table 41-1: Required Criteria

EDUCATION:	Graduate of an accredited nursing program
TRAINING:	Completion of the following courses/ curricula: 1. ICS-100: Introduction to ICS 2. ICS-200: Basic ICS 3. FEMA IS-700: NIMS, an Introduction 4. OSHA 1910.120 HazMat Awareness Training or equivalent basic instruction on responding to and operating in a CBRNE MCI
EXPERIENCE:	Primary source verification of employment with an established health care related providing entity or public health entity such as a hospital, health system, agency or service.
LICENSING:	Active status of legal authority to function as a registered nurse without restrictions granted by a state, the District of Columbia, or U.S. territory.

Table 41-2: Recommended Criteria

EXPERIENCE:	Minimum of 2 years of experience in a practice setting commensurate with the mission assignment
CERTIFICATION:	Active Specialty Certification in the practice area/specialty requested.
OTHER:	Refer to immunization recommendations for emergency responders by Centers for Disease Control



## Screening

- Background checks
- Volunteers will need medical screening to ensure they are fit to handle rigors of disaster environments
- MRC program office is working with other agencies to develop evidence based guidelines that can be used for all ESF #8 responders

# Questions??

For more information:

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medical  
reserve  
corps