

Date: January 6, 2023

From: Assistant Under Secretary for Health for Operations (15)

To: VHA Central Office Senior Leaders, SES or SES Equivalent Veterans Integrated Service Network Directors (VISN 01-23), VA Medical Center Directors (00)

Subj: Processing Employee Requests to be Excused from Aspects of the Provision of Reproductive Health Care within the Veterans Health Administration (VHA)

1. VA is committed to providing access to world-class care and the full range of reproductive health services that Veterans have earned. On September 9, 2022, VA published an [interim final rule](#) that now permits VA to perform abortions in certain circumstances and provide abortion counseling to veterans and CHAMPVA beneficiaries. VA also respects the rights of employees who carry out our mission every day. To that end, employees and applicants may request to be excused from providing, participating in, or facilitating an aspect of clinical care, including reproductive health clinical care. The purpose of this memorandum is to provide guidance regarding such requests.

2. In anticipation of an increase in requests to be excused from aspects of reproductive health care, guidance is attached for handling these requests.

3. This memorandum and the attached guidance must be disseminated to all VHA managers and supervisors. It should be reviewed by supervisors and human resources leaders to ensure your programs are prepared to process any opt-out requests related to reproductive health care. Attachment 1—Reproductive Health Excusal Requests for Employees must be disseminated to all employees (See Attachment 9—Employee Message Template, Requests to be Excused from Aspects of Reproductive Health Care). The communication to employees needs to specifically identify the Reasonable Accommodation Coordinators for your VISNs who will be assisting with this process. If excusal is requested, supervisors should grant interim excusal for employees from duties or training regarding reproductive health care while requests are being processed. The Office of General Counsel is also available to provide guidance regarding specific requests. General questions regarding reproductive health care requests for opting out or other accommodations may be referred to: vha106awmccoereprohealthquestions@va.gov

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Attachments:

Attachment 1—Reproductive Health Excusal Requests for Employees
Attachment 2—Reproductive Health Excusal Requests for Supervisors
Attachment 3—Guidance for VHA Managers, Supervisors, and RACs for
Reproductive Health Excusal Requests
Attachment 4—FAQ for VHA Managers, Supervisors, and RACs—Processing
Reproductive Health Excusal Requests
Attachment 5—VA Form 10-328, Reasonable Accommodation Coordinator (RAC)
Intake Tracking Form
Attachment 6—VA Form 10-329, Coats-Snowe Form
Attachment 7—VA Form 10-330, Exemption and Accommodation Form
Attachment 8—Process Maps, Reproductive Health Excusal Requests
Attachment 9—Employee Message Template, Requests to be Excused from
Aspects of Reproductive Health Care