

PART 0—STANDARDS OF ETHICAL CONDUCT AND RELATED RESPONSIBILITIES

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AUTHORITY: 5 U.S.C. 301; 38 U.S.C. 501; see sections 201, 301, and 502(a) of E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215 as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

SOURCE: 31 FR 5828, Apr. 15, 1966, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 0 appear at 61 FR 7216, Feb. 27, 1996.

Subpart A—General Provisions

§ 0.735-1 Agency ethics officials.

(a) *Designated Agency Ethics Official (DAEO)*. The Assistant General Counsel (023) is the designated agency ethics official (DAEO) for the Department of Veterans Affairs. The Deputy Assistant General Counsel (023C) is the alternate DAEO, who is designated to act in the DAEO's absence. The DAEO has primary responsibility for the administration, coordination, and management of the VA ethics program, pursuant to 5 CFR 2638.201-204.

(b) *Deputy ethics officials*. (1) The Regional Counsel are deputy ethics officials. They have been delegated the authority to act for the DAEO within their jurisdiction, under the DAEO's supervision, pursuant to 5 CFR 2638.204.

(2) The alternate DAEO, the DAEO's staff, and staff in the Offices of Regional Counsel, may also act as deputy ethics officials pursuant to delegations of one or more of the DAEO's duties from the DAEO or the Regional Counsel.

[58 FR 61813, Nov. 23, 1993. Redesignated at 61 FR 11309, Mar. 20, 1996]

§ 0.735-2 Government-wide standards.

For government-wide standards of ethical conduct and related responsibilities for Federal employees, see 5 CFR Part 735 and Chapter XVI.

[61 FR 11309, Mar. 20, 1996. Redesignated at 63 FR 33579, June 19, 1998]

Subpart B—Standards of Ethical Conduct and Related Responsibilities of Employees

SOURCE: 58 FR 61814, Nov. 23, 1993, unless otherwise noted.

§ 0.735-10 Cross-reference to employee ethical and other conduct standards and financial disclosure regulations.

Employees of the Department of Veterans Affairs (VA) should refer to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635, the executive branch-wide Employee Responsibilities and Conduct at 5 CFR part 735, and the executive branch-wide financial disclosure regulation at 5 CFR part 2634.

§ 0.735-11 Other conduct on the job.

Relationship with beneficiaries and claimants. Employees are expected to be helpful to beneficiaries, patients and claimants, but:

(a) An employee shall not procure intoxicants or drugs for, or attempt to sell intoxicants or drugs to, patients or members, or give or attempt to give intoxicants or drugs to them unless officially prescribed for medical use;

(b) An employee shall not abuse patients, members, or other beneficiaries, whether or not provoked.

§ 0.735-12 Standards of conduct in special areas.

(a) *Safety*. (1) Employees will observe safety instructions, signs, and normal safety practices and precautions, including the use of protective clothing and equipment.

(2) An employee shall report each work-connected injury, accident or disease he or she suffers.

(b) *Furnishing testimony*. Employees will furnish information and testify freely and honestly in cases respecting employment and disciplinary matters.

Refusal to testify, concealment of material facts, or willfully inaccurate testimony in connection with an investigation or hearing may be ground for disciplinary action. An employee, however, will not be required to give testimony against himself or herself in any matter in which there is indication that he or she may be or is involved in a violation of law wherein there is a possibility of self-incrimination.

PART 1—GENERAL PROVISIONS

DEPARTMENT OF VETERANS AFFAIRS OFFICIAL SEAL AND DISTINGUISHING FLAG

Sec.

- 1.9 Description, use, and display of VA seal and flag.

THE UNITED STATES FLAG FOR BURIAL PURPOSES

- 1.10 Eligibility for and disposition of the United States flag for burial purposes.

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- 1.11 Quarters for Department of Veterans Affairs employees in Government-owned or -rented buildings overseas.

PROGRAM EVALUATION

- 1.15 Standards for program evaluation.
1.17 Evaluation of studies relating to health effects of dioxin and radiation exposure.

REFERRALS OF INFORMATION REGARDING CRIMINAL VIOLATIONS

- 1.200 Purpose.
1.201 Employee's duty to report.
1.203 Information to be reported to VA Police.
1.204 Information to be reported to the Office of Inspector General.
1.205 Notification to the Attorney General or United States Attorney's Office.

SECURITY AND LAW ENFORCEMENT AT DEPARTMENT OF VETERANS AFFAIRS FACILITIES

- 1.218 Security and law enforcement at VA facilities.

PARKING FEES AT VA MEDICAL FACILITIES

- 1.300 Purpose.
1.301 Definitions.
1.302 Applicability and scope.
1.303 Policy.

RELEASE OF INFORMATION FROM DEPARTMENT OF VETERANS AFFAIRS (VA) RECORDS RELATING TO DRUG ABUSE, ALCOHOLISM OR ALCOHOL ABUSE, INFECTION WITH THE HUMAN IMMUNODEFICIENCY VIRUS (HIV), OR SICKLE CELL ANEMIA

- 1.460 Definitions.
1.461 Applicability.
1.462 Confidentiality restrictions.
1.463 Criminal penalty for violations.
1.464 Minor patients.
1.465 Incompetent and deceased patients.
1.466 Security for records.
1.467 Restrictions on the use of identification cards and public signs.
1.468 Relationship to Federal statutes protecting research subjects against compulsory disclosure of their identity.
1.469 Patient access and restrictions on use.
1.470–1.474 [Reserved]

DISCLOSURES WITH PATIENT'S CONSENT

- 1.475 Form of written consent.
1.476 Prohibition on redisclosure.
1.477 Disclosures permitted with written consent.
1.478 Disclosures to prevent multiple enrollments in detoxification and maintenance treatment programs; not applicable to records relating to sickle cell anemia or infection with the human immunodeficiency virus.
1.479 Disclosures to elements of the criminal justice system which have referred patients.
1.480–1.484 [Reserved]

DISCLOSURES WITHOUT PATIENT CONSENT

- 1.485 Medical emergencies.
1.486 Disclosure of information related to infection with the human immunodeficiency virus to public health authorities.
1.487 Disclosure of information related to infection with the human immunodeficiency virus to the spouse or sexual partner of the patient.
1.488 Research activities.
1.489 Audit and evaluation activities.

COURT ORDERS AUTHORIZING DISCLOSURES AND USE

- 1.490 Legal effect of order.
1.491 Confidential communications.
1.492 Order not applicable to records disclosed without consent to researchers, auditors and evaluators.
1.493 Procedures and criteria for orders authorizing disclosures for noncriminal purposes.
1.494 Procedures and criteria for orders authorizing disclosure and use of records to criminally investigate or prosecute patients.
1.495 Procedures and criteria for orders authorizing disclosure and use of records to