SECTION C. PROFESSIONAL STANDARDS BOARDS

1. ESTABLISHMENT

a. Professional Standards Boards (PSBs) act for, are responsible to, and are agents of the Under Secretary for Health for occupations listed in 38 U.S.C. 7401(1), 7401(3) [and part time or intermittent registered nurses (RNs)] in the following matters.

   (1) **Podiatrists, Optometrists, Chiropractors, [RN]s, Nurse Anesthetists, PAs and EFDAs.** In matters concerning appointments, advancements, and probationary reviews for these occupations, PSBs will determine eligibility and recommend the appropriate grade and step for appointment, recommend candidates for advancement, and conduct probationary reviews, [when applicable. This includes part time or intermittent (including temporary service) for RNs appointed under 38 U.S.C. 7405(a)(1) since May 5, 2010.]

   (2) **Physicians and Dentists.** In matters concerning appointments and probationary reviews, PSBs will determine eligibility for appointment and conduct probationary reviews. See VA Handbook 5007, Part IX, Physician and Dentist Pay regarding the role and responsibilities of compensation panels in determining physician and dentist pay for appointments.

b. Professional Standards Boards for occupations listed in 38 U.S.C. 7401(3) act for, are responsible to, and are [agents] of the Under Secretary for Health in matters concerning appointments and advancements of individuals in all hybrid occupations. Boards will determine eligibility and recommend the appropriate grade and step for appointment at all grade levels under authority of 38 U.S.C. 7401(3) and 7405(a)(1)(B), and will recommend candidates for special advancements for achievement and promotions to grades above the full performance level. (See VA Handbook 5005, Part III, Appendix O, Full Performance Levels for Hybrid Title 38 Positions.)

c. Members of boards serve in a dual capacity. They deal with matters in which they must divest themselves of their identity with the particular facility at which they are employed and must become representatives of and primarily concerned with the needs and problems of the entire VHA.

d. VHA management officials are responsible for ensuring the effective functioning of boards under their jurisdiction.

e. See Appendix III-P, part III, this handbook, Procedures for Reporting Questionable Behavior and Judgment Exhibited by Hybrid Title 38 Professional Standards Boards Members.

f. The Organizational Structure of Hybrid Title 38 Professional Standards Boards is located in Appendix O, this part.

2. APPROVING AUTHORITIES FOR BOARD MEMBERSHIP. The following officials may approve or terminate board membership. A second Chair, or Co-Chair, may be appointed to a Board when the approving authority determines it is necessary and appropriate to do so. (For composition of boards, see paragraph 5.)
a. **National Boards.** The Under Secretary for Health, or designee, may approve or terminate membership on National boards, including appointment of the board Chair.

b. **Regional Boards.** The Under Secretary for Health, or designee, may approve or terminate membership on Regional boards, including appointment of the board Chair.

c. **VISN Boards.** Except as provided in paragraph 3a, the Network Director will establish VISN boards. The Network Director or designee may approve or terminate membership on VISN boards, including appointment of the board Chair.

d. **Facility Boards.** The facility Director may approve or terminate membership on facility boards, including nomination of the board Chair. The appropriate service chief or equivalent position will nominate board members and recommend a board Chair.

e. **Termination of Board Membership.** Appointments to the board under paragraphs 2a through 2d above may be terminated whenever an individual's performance, conduct, or position is incompatible with board membership. Examples include receipt of performance rating of below the fully successful level (or equivalent), breach of confidentiality, failure to attend meetings or to complete assignments in a timely manner, expiration of term as Board member, and election or appointment as a union official.

3. **BOARD MEMBERSHIP** (See Appendix P, this part, Procedures for Selecting Title 38 Hybrid Professional Standards Boards Members.)

a. **Persons selected to serve on boards will be chosen from the most capable, experienced and responsible personnel.** Board members must be at a grade and level that is equal to or higher than that of the candidate being considered. Board membership should also be sufficiently broad to cover the range of practice within an occupation and where possible include all grades and levels within an occupation.

b. Recommending officials will not serve on boards considering their recommendations. Employees will not serve on boards for which they serve as the approving official.

c. Boards may be composed of three or five voting members who were appointed under 38 U.S.C. chapters 73 or 74. However, when necessary, the Under Secretary for Health or designee may appoint other qualified individuals to National boards. One of the members will be appointed as chairperson of the board. Board membership will also include a Secretary, who may or may not be one of the voting members. The role of the Secretary is to record, prepare and submit notes of the Board proceedings and relevant discussion to the PSB Chair. The Secretary is also responsible for completing page two of VA Form 10-2543 and obtaining Board members’ signatures. The signatures of the board members and the approving official may be original, facsimile, or digital.

d. The Human Resources Management Officer or designee will serve as technical advisor on all board actions. Attendance at Board meetings by the Human Resources technical advisor is recommended but not required.
e. Upon initial and all subsequent appointments to a Board, whether a facility, VISN, or national Board, all appointees, including the Chair, members, and the Secretary, must take the Professional Standards Board training.

4. COMPOSITION OF BOARDS. Whenever possible, PSBs will be composed of three or five employees from the same occupation as the individual being considered. When three or five members from the same occupation are not available, appropriately qualified individuals from other occupations may be appointed, provided the board is composed of a majority of the employees from the occupation involved (see note below). When the appropriate minimum number of employees in the occupation is not available or the number of employees is too small to provide for an independent review, an alternate board must be used.

NOTE: For example, a 3-member RRT standards board could be comprised of 2 RRTs and a health care professional from that specialty area, e.g., a pulmonologist, registered nurse, physician assistant, etc. Board members must still be at a grade and level that is equal to or higher than that of the candidate being considered and may not be a recommending official.

5. BOARD FUNCTIONS. The primary functions of boards are to:

a. Review and act on employment applications and determine whether the applicant meets the requirements set forth in VA qualification standards. Sound professional and administrative judgment will be exercised in reviewing applications to ensure that VA obtains the best qualified personnel.

b. Review completely an individual’s qualifications for advancement by an examination of the personnel folder, proficiency reports or performance appraisals, supervisory evaluations, and other pertinent records; and to make recommendations based on their findings.

c. Conduct probationary reviews for individuals appointed under 38 U.S.C. 7401(1), [or as part time or intermittent RNs under 38 U.S.C. 7405(a)(1)].

d. Execute VA Form 10-2543, Board Action.

e. National boards make recommendations to the Under Secretary for Health or designee on appointments and advancements, and on probationary reviews of individuals appointed under 38 U.S.C. 7401(1), [or as part time or intermittent RNs under 38 U.S.C. 7405(a)(1),] which require approval in Central Office. This includes recommendations on requests for promotion reconsideration by registered nurses.

6. EXCEPTIONS. The Under Secretary for Health or designee may establish procedures for appointing employees without action by a Professional Standards Board in instances such as:

a. Temporary appointment under 38 U.S.C. 7405 pending processing by a Professional Standards Board for an appointment under 38 U.S.C. 7401(1) or 7401(3).
[b. Temporary appointment of part time or intermittent RNs pending processing by a Professional Standards Board for a probationary appointment as a part time or intermittent RN under 38 U.S.C 7405(a)(1)(A). As of May 5, 2010, the time spent under the temporary appointment and prior to Professional Standards Board review for a part time or intermittent RN is creditable towards the completion of the probationary period.]

[c.] Conversion of an employee appointed under 38 U.S.C. 7401(1) or 7401(3) to an appointment under 38 U.S.C. 7405(a)(1)[, 7405(a)(2) or 7306].

[d.] Conversion of an employee from an appointment under 38 U.S.C. 7405(a)(1)(A) [or 7306] to an appointment under 38 U.S.C. 7401(1) provided the employee had previously completed a probationary period under 38 U.S.C. 7401(1) [or 7306] in the same occupation and has had continuous service under 38 U.S.C., chapter 73 or 74 since acquiring such status.

[e.] Conversion of an employee from an appointment under [7306 or] 38 USC 7405 (a)(1)(B) without time limitation to an appointment under 38 USC 7401(3) in the same occupation.

[f.] Appointment of graduate technicians pending licensure, certification, or registration, student technicians pending graduation, and other individuals appointed under 38 U.S.C. 7405(a)(1) pending completion of requirements for appointment.

7. APPROVING OFFICIAL’S DECISIONS. The approving official’s decision is final. This does not preclude employees from requesting promotion reconsideration under the provisions of part III, chapter 4, Sections A or B (whichever is appropriate), of this handbook.

8. ORGANIZATIONAL STRUCTURE OF BOARDS. See Appendix II-O, this part, Organizational Structure of Hybrid Title 38 Professional Standards Boards.

a. National Boards. National boards are established to act on appointments, advancements, and probationary reviews for Central Office employees, Regional and VISN PSB members, and for VISN and facility employees where those boards do not exist. National boards also act on promotion reconsideration requests submitted under part III, chapter 4, sections A and B, of this handbook.

(1) The National Physician and Dentist Professional Standards Boards also act on appointments and probationary reviews.

(2) The National Nurse PSB acts on all promotion reconsideration requests from registered nurses and licensed practical/vocational nurses, all appointments, advancements, probationary reviews, and reassignments involving Nurse Executive and Nurse V positions.

(3) The National Research Board will consider all appointments and advancements for research employees in accordance with VHA Handbook 1200.03.

(4) Other National Boards may be constituted as needed by the Under Secretary for Health.
b. **Regional Boards.** Whenever necessary, the Under Secretary for Health, or designee, may designate a Regional Board to serve one or more VISNs for designated occupations.

c. **VISN Boards.** For employees assigned at the VISN level, VISN boards shall consider appointments, advancements, probationary reviews, and reassignments where there are additional basic qualification requirements for the new assignment. For nurses and hybrids, see below.

   (1) **Nurses.** A VISN NPSB shall consider the appointment, advancement, and reassignment (where there are additional basic qualification requirements for the new assignment) for Nurse IV. The appropriate VISN NPSB is identified in appendix II-H5.

   (2) **Hybrids.** A VISN PSB shall consider advancements of facility PSB members and requests for reconsideration of promotions initially considered by a facility PSB. The VISN Board will act on appointments and advancements when a facility board cannot be properly constituted and as delineated in Appendix II-O, this part.

d. **Facility Boards.** Facility boards will be established to act on all appointments and advancements and as delineated in Appendix II-O, this part. For employees occupying positions identified in 38 U.S.C. 7401(1) [and for part time or intermittent registered nurses under 38 U.S.C 7405(a)(1)], facility PSBs will conduct probationary reviews. For physicians and dentists, PSBs will determine eligibility for appointment and conduct probationary reviews [when applicable].