

GAO Highlights

Highlights of [GAO-23-104296](#), a report to Congressional Requesters

Why GAO Did This Study

The Department of Veterans Affairs (VA) operates one of the largest health care systems in the nation, with over 9 million veterans enrolled in the VHA health care program. VHA is responsible for ensuring that its more than 400,000 health care providers and support staff are qualified, competent, and suitable to provide safe care.

GAO was asked to review VHA's employment and suitability procedures. This report examines the extent to which (1) VHA responded to adverse information regarding employees' criminal history or DEA registrations and (2) vulnerabilities exist in VHA's processes for completing and documenting background investigations.

GAO analyzed a generalizable sample of 305 VHA employees employed as of January and June 2020 with indications of controlled substance-related criminal history. GAO examined court records and other documentation, reviewed regulations and policies, and interviewed officials from VHA, DEA, and other agencies.

What GAO Recommends

GAO is making 14 recommendations to VA, including that VHA establish a timeline for finalizing and implementing a policy regarding DEA employment waivers. Such a policy should include guidance for determining whether employees have access to controlled substances. GAO also recommends that VHA establish control procedures to ensure background investigations are completed and documented. VA agreed with GAO's recommendations.

View [GAO-23-104296](#). For more information, contact Seto Bagdoyan at (202) 512-6722 or bagdoyans@gao.gov or Sharon Silas at (202) 512-7114 or silass@gao.gov.

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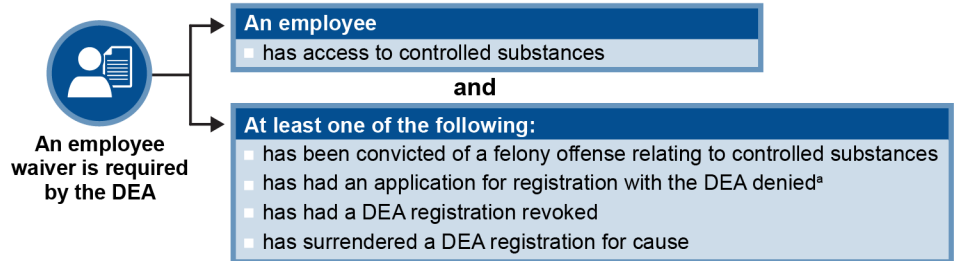
VETERANS HEALTH ADMINISTRATION

Action Needed to Address Persistent Control Weaknesses and Related Risks in Employee Screening Processes

What GAO Found

The Veterans Health Administration (VHA) received adverse information regarding some employees but lacked control procedures to ensure it responded as required. For example, VHA received information about some employees' controlled substance-related felony convictions and actions taken against certain employees by the Drug Enforcement Administration (DEA). VHA was required to obtain waivers from DEA for any of these employees whose job involved access to controlled substances.

Drug Enforcement Administration (DEA) Employment Waiver Requirements



Source: GAO analysis of DEA information and [sdecoret/stock.adobe.com](#) (icon). | [GAO-23-104296](#)

^aDEA registrations are required for certain health care practitioners licensed to dispense, administer, or prescribe controlled substances.

GAO identified 12,569 VHA employees with indications of controlled substance-related criminal history. Of these, GAO obtained further information about a generalizable sample of 305 employees and found 50 of them had one or more controlled substance-related felony convictions. However, VHA has no policy regarding DEA employment waivers, including guidance for determining whether an employee has access to controlled substances. VHA confirmed that it did not request waivers for 48 of the 50 employees GAO identified and did not confirm whether it requested waivers for the remaining two. VHA officials said they are developing an employment waiver policy. They did not provide a timeline for when the policy is to be approved and implemented. Without such a policy, including guidance for determining whether an employee has access to controlled substances, VHA cannot assess whether its employees, such as those identified by GAO, need waivers. Without a waiver policy, VHA risks a continued lack of assurance that its facilities are complying with DEA regulations that help control against theft and diversion of controlled substances.

GAO also identified vulnerabilities in VHA's process for completing employee background investigations. For example, GAO found that 13 of the 305 employees in the generalizable sample did not have background investigations as required by regulation and policy. Without adequate control procedures to ensure employee background investigations are completed as required, VHA lacks assurance that its personnel are properly vetted and suitable to provide care to veterans.