

# **3 FAM 1900 MEDICAL AND HEALTH PROGRAM**

## **3 FAM 1910 GENERAL PROVISIONS–MEDICAL & HEALTH PROGRAM**

*(TL:PER-421; 10-16-2001)*

### **3 FAM 1911 AUTHORITY**

#### **3 FAM 1911.1 Foreign Service Act of 1980 and Basic Authorities Act of 1954**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps-USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

The regulations and procedures in this chapter are issued pursuant to:

a. The Foreign Service Act of 1980 (22 U.S.C. 3901 et seq., as amended), particularly sections 901 (Travel, Leave, and Other Benefits) and 904 (Health Care); and

b. The State Department Basic Authorities Act of 1956 (22 USC 2651a et seq., as amended), particularly sections 1-4.

#### **3 FAM 1911.2 Discretionary Authority**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps-USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

To the extent authorized by law, the Director of Medical Services (“Medical Director”) may authorize payment for medical expenses and medical travel in unusual or unforeseen circumstances, even if not specified in this chapter or in 3 FAM 3710 (Medical Travel Regulations). M/DGHR/MED shall maintain appropriate documentation each time the Director exercises his or discretionary authority.

### **3 FAM 1911.3 Delegation of Authority**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps–USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

a. Subject to the limitations prescribed in this subchapter and the availability of funds, The Department of State and the participating agencies have delegated to principal and administrative officers of the Department of State and their designees, in consultation with the Regional Medical Officer (RMO) or designee at posts abroad, authority to:

(1) Authorize and approve necessary medical expenses (including travel and related expenses) for participants in the Medical and Health Program, provided such expenses are allowable under these regulations as interpreted by MED; and

(2) Authorize and certify medical expense vouchers chargeable to the funds of participating agencies.

b. The Department of State and the participating agencies have delegated to the principal officer of the Department of State only, and his or her designees at posts abroad, in consultation with the RMO or designee, the authority to determine those persons, not otherwise eligible for specific health unit services who may use the health unit on a temporary basis, providing all the following conditions are met:

(1) No other suitable health care is available;

(2) Use of the health unit will not detract from the care available to regularly authorized recipients;

(3) It is in the best interest of the U.S. Government;

(4) Post and the prospective patient agree upon an acceptable form of reimbursement, where appropriate, for the health unit services provided; and

(5) The Foreign Service Medical Provider determines that the health unit and its staff are capable of providing the necessary care and services.

### **3 FAM 1912 APPLICABILITY AND ELIGIBILITY**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps–USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

a. **Eligibility.** To be eligible for the Department of State Medical and Health Program, as authorized by section 904 of the Foreign Service Act, an individual must be:

(1) A U.S. citizen employee of the Foreign Service or eligible family member, excluding U.S. citizens hired abroad pursuant to section 311(c)(1) of the Foreign Service Act (such as Rockefeller Hires) and their family members;

(2) A designated U.S. citizen employee of a U.S. executive agency and his or her eligible family member(s) who are assigned abroad or are about to be assigned abroad by the employing agency, when authorized by law and funded by the employing agency in accordance with an administrative agreement (such as International Cooperative Administrative Support Services (ICASS)) between the employing agency and the Department of State; or

(3) A designated U.S. citizen Civil Service employee who is assigned abroad on temporary duty, when authorized by law and funded by the employing agency in accordance with an administrative agreement (such as ICASS) between the employing agency and the Department of State.

b. **Required Medical Clearance or Waiver.** To be eligible for the payment of costs associated with the treatment of an illness, injury, or medical condition, including obstetrical care and immunizations, under the Medical & Health Program and these regulations, an eligible employee or eligible family member must have a valid medical clearance or an administrative waiver.

c. **New Family Members.** If an eligible employee acquires a new eligible family member through birth, adoption, marriage, or legal guardianship, the new family member is temporarily eligible for benefits under the medical and health program for a 90-day period. During the 90-day period, it is the employee's responsibility to ensure that the new family member completes the prescribed medical examination and obtains a clearance or an administrative waiver. Temporary eligibility for medical benefits will not continue past the 90-day period.

d. **MED Lists.** The Office of Medical Services (M/DGHR/MED) ("MED") will refer to appropriate ICASS lists to identify participating agencies and employees.

### **3 FAM 1913 POLICY**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps–USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

The policy of the Department of State is to:

(1) Promote the health of every individual under its care by encouraging prevention of illness and facilitating access to health care;

(2) Assist all eligible U.S. citizen employees and their eligible family members where assigned, to obtain quality medical care endorsed by MED;

(3) Provide essential medical services, including direct patient care when authorized;

(4) In the event local and regional medical facilities are inadequate to provide essential services, authorize and facilitate medical evacuation to locations where necessary medical care can be obtained; and

(5) Provide an environmental health and preventive medicine program which focuses on the protection of employees and their eligible family members from post specific health risks.

### **3 FAM 1914 DEFINITIONS**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps–USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

The following definitions apply to this chapter:

(1) **Administrative Waiver.** An administrative decision to waive the medical clearance standards for an individual seeking employment or assignment abroad by the Director (or designee) of the respective Human Resources or Personnel Branch of the employing agency.

(2) **Adverse Medical Event.** An incident or occurrence that results in, or has the potential to cause, death or serious harm, and that involves a Department of State health unit or Medical Provider.

(3) **Covered by Insurance.** Covered by the Federal Employees Health Benefits Act of 1959, as amended, or any other private health, medical, hospital, time-loss, or other insurance coverage applicable abroad. The specific provisions of an individual's underlying insurance policy control the extent and conditions of medical coverage by Department of the State. The primary insurer's liability is determined by the terms, conditions, limitations and exclusions of the individual's insurance policy with the primary insurer and the Department of State's liability as secondary payer is limited to the scope of the underlying policy and the co-pay amount not covered by the primary insurer.

(4) **Designated Medical Evacuation Centers.** Locations abroad designated by MED where medical care is readily accessible and comparable to that available in the United States.

(5) **Disabled Family Member.** An unmarried eligible family member with a disability who is incapable of self-sustaining employment and dependent on the employee. See 3 FAM 1964.

(6) **Eligible Family Member.** For the purpose of receiving medical benefits, includes the following members of an employee's family:

a. A spouse; or

b. A child who is unmarried and under 21 years of age or, regardless of age, who are disabled family members, provided such disability existed on or before the 21<sup>st</sup> birthday of the child. The term child includes natural offspring, stepchildren, legally adopted children, and those under legal guardianship of the employee or the spouse when such children are expected to be under legal guardianship at least until they reach 21 years of age and when dependent upon and normally residing with the guardian.

(7) **Eligible U.S. Citizen Employees.** All Foreign Service employees (excluding those hired abroad pursuant to section 311 (c)(1) of the Foreign Service Act), and other U.S. Government employees who are U.S. citizens are eligible for medical benefits (e.g., U.S. citizen direct hire employees assigned to post under U.S. Government travel orders or by employment of U.S. citizen abroad by USAID (in special situations) when provided for by administrative agreement between the employing agency and MED).

(8) **Emergency Dental Care.** Care for any dental condition that causes severe pain or for which the postponement of treatment would cause permanent damage to the teeth or supporting dental structures. (Orthodontia is not regarded as an emergency dental condition.)

(9) **Foreign Service Medical Provider (FSMP).** A Foreign Service Regional Medical Officer (RMO), Foreign Service Medical Officer and/or Psychiatrist (RMO/P), or Foreign Service Health Practitioner (FSHP) (e.g., Foreign Service Nurse Practitioner or Foreign Service Physician Assistant). FSMPs hired in the United States must possess a current, valid, and unrestricted license and/or certification for their respective specialty.

(10) **Foreign Service Health Practitioner (FSHP).** A Foreign Service Nurse Practitioner or Foreign Service Physician Assistant who possesses a current, valid, and unrestricted U.S. license and certification.

(11) **Foreign Service Regional Medical Officer (RMO).** A Foreign Service physician who possesses a current, valid, and unrestricted U.S. license and certification.

(12) **Foreign Service Regional Psychiatrist (RMO/P).** A Foreign Service physician who specializes in psychiatry and possesses a current, valid, and unrestricted U.S. psychiatrist's license and certification

(13) **Immunization.** The administration of a biological preparation (e.g., a vaccine or antiserum) designed to augment an individual's resistance for the purpose of protecting the individual against an infectious disease or biologic toxin.

(14) **Located Abroad.** Physically located outside the 50 States and the District of Columbia while on official travel orders.

(15) **Maximum Benefit of Care.** The point in treatment beyond which definite medical improvement specifically related to the treatment is unlikely to occur, and further care would be considered supportive or custodial.

(16) **Medical Authority.** The Medical Director or designee.

(17) **Post Medical Advisor (PMA).** A medical practitioner selected from the local community who may advise the U.S. mission on medical issues affecting that post in the absence of an FSMP or FSHP. PMAs must possess a current, valid, and unrestricted medical license and/or certification issued in accordance with local law.

(18) **Required Dental Care.** Dental treatment which cannot be postponed until scheduled leave or travel and which, if delayed, can be expected to result in the need for emergency dental care. Specifically prophylactic and cosmetic dental care are excluded.

(19) **Serious Illness, Injury, or Medical Condition.** A state of health which requires hospitalization or similar level of care. This may include mental health conditions of a sufficiently serious nature.

(20) **Stationed or Assigned Abroad.** Ordered on detail or assignment outside the 50 states and the District of Columbia and includes periods authorized for an employee and employee's eligible family members to travel to and return from such detail or assignment, including temporary duty.

(21) **Inpatient Medical Treatment.** Treatment that requires admission into a hospital or clinical facility, for at least 24 hours.

### **3 FAM 1915 CONTINUING MEDICAL EDUCATION (CME)**

*(TL:PER-421; 10-16-2001)*

*(Uniform/State/USAID/BBG/Commerce/Foreign Service Corps–USDA)*

*(Applies to Civil Service and Foreign Service Employees)*

MED will support and fund educational and other technical training programs necessary to maintain the proficiency of Foreign Service Medical Professionals.

### **3 FAM 1916 THROUGH 1919 UNASSIGNED**