

**Department of  
Veterans Affairs**

**Memorandum**

**Date:** February 8, 2007  
**From:** Deputy Under Secretary for Health for Operations and Management (10N)  
**Subj:** Contractors Excepted from Background Investigations and Screenings  
**To:** Network Directors (10N1-23)

1. As identifying appropriate personnel for background investigations and background screenings becomes more important, we recognize the need to provide additional guidance on the types of contractors not intended to be subjected to these investigative requirements. This memo provides specific examples of contractors that should be excepted from background investigation such as NACI (National Agency Check with Written Inquiries) because of the low risk, limited access, or frequency of their work, and excepted from background screening such as SAC (Special Agency Check) because they are not appointees, or contractor personnel providing direct or ancillary health care services.
2. The list below provides clarification on low risk or non-sensitive contractor positions that do not meet the requirements for background investigation or background screening.
  - Contract personnel not accessing VA information resources such as personnel hired to maintain the medical facility grounds, construction contractors, utility system contractors, etc.
  - Contract personnel with limited and intermittent access to equipment connected to facility networks where no Protected Health Information (PHI) is available, including contractors who install, maintain and repair networked building equipment such as fire alarm, heating ventilating and air conditioning equipment, elevator control systems, etc.
  - Contract personnel with limited and intermittent access to equipment connected to facility networks where limited PHI may be resident, including medical equipment contractors who install, maintain and repair networked medical equipment such as CT Scanners, EKG systems, ICU monitoring, etc. Here medical facilities must have a VA Business Associate Agreement with the vendor to assure compliance with the requirements of the Privacy Act of 1974 and the Health Insurance Portability and Accountability Act of 1996.
3. For questions, please contact Steven Wexler, VHA Chief Biomedical Engineer, at (202) 273-5881.

  
William F. Feeley, MSW, RACHE