



Grants Policy Bulletin

Availability for Temporary Reassignment of State, Tribal and Local Personnel during a Declared Public Health Emergency

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Related Bulletins: 2017-10

Issued by: Office of Federal Assistance Management (OFAM)

Purpose

The purpose of this policy bulletin is to provide guidance and awareness to Health Resources & Services Administration (HRSA) award recipients regarding flexibility to request temporary reassignment, during a declared public health emergency, of state, tribal and local personnel funded under certain HRSA grant programs.

Background

Historically, state, tribal and local public health personnel who are funded by the PHS Act are not authorized to work outside of the scope of the funded award or cooperative agreement program. Section 701 of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 (PAHPAI), 42 USC §201, Public Law 116-22 amended section 319 of the Public Health Service (PHS) Act to provide the Secretary of the Department of Health and Human Services (HHS) with discretion to authorize the temporary reassignment of state, tribal, and local personnel during a declared federal public health emergency upon request by a state or tribal organization¹. The temporary reassignment provision is applicable to state, tribal, and local public health department or agency personnel whose positions are funded, in full or part, under PHS programs and allows such personnel to immediately respond to the public health emergency in the affected jurisdiction. Funds provided under the award may be used to support personnel who are temporarily reassigned in accordance with section 319(e).

¹ Previously, Section 201 of the PAHPRA, Public Law 113-5, amended section 319 of the PHS Act to provide the Secretary of HHS with discretion to authorize the temporary reassignment of state, tribal, and local personnel during a declared federal public health emergency upon request by a state or tribal organization. The authority for reassignment under PAHPRA terminated on September 30, 2018 but was subsequently reauthorized on June 24, 2019 when Congress passed and the President signed the Pandemic and All-Hazards Preparedness and Innovation Act (PAHPAI). The authority created under PAHPRA is now valid through September 30, 2023.

A Governor of a state, local or tribal organization or their designee may request to temporarily reassign state and local public health department, tribal, or agency personnel funded in whole or in part through programs authorized under the PHS Act to immediately address a public health emergency in the state or Indian tribe during the period of the emergency. The following reassignment conditions apply:

- Reassignment must be voluntary;
- Locations for reassignment must be covered under the public health emergency; and
- Any reassignment over 30 days must be reauthorized.

Once the request to temporarily reassign staff has been approved, state, local or tribal staff should continue to coordinate with OFAM and program staff regarding the extent and duration of the planned assignment(s) and other potential impacts to their program.

Resources

HRSA federal financial assistance recipients are encouraged to read the HHS Office of Assistance Secretary and Preparedness and Response (ASPR) *Guidance for Temporary Reassignment of State, Tribal and Local Personnel During a Public Health Emergency*. The ASPR guidance provides information on the process by which a state or tribal organization may request the temporary assignment of state, local and tribal personnel funded by the PHS Act, as well as associated reporting requirements should a request be approved by HHS.

HHS Public Health Emergency website:

<https://www.phe.gov/Preparedness/legal/pahpa/section201/Pages/default.aspx>

Guidance for Temporary Reassignment of State, Tribal and Local Personnel During a Public Health Emergency full announcement:

<https://www.phe.gov/Preparedness/legal/pahpa/section201/Documents/section319e-guidance.pdf>

The state governor, tribal leader or designee must complete the following form and submit to

TemporaryReassignment@hhs.gov:

<https://www.phe.gov/Preparedness/legal/pahpa/section201/Documents/aspr-temp-assignmt-request.pdf>

Inquiries

Inquiries regarding this notice can be directed to:

Health Resources & Services Administration

Office of Federal Assistance Management

Division of Grants Policy

Email: DGP@HRSA.gov

Inquiries regarding the ASFR guidance should be directed to:

U.S. Department of Health and Human Services

Office of the Assistant Secretary for Preparedness and Response

TemporaryReassignment@hhs.gov