

MY HEALTHeVET IDENTITY VERIFICATION

1. REASON FOR ISSUE: This Veterans Health Administration (VHA) directive establishes mandatory standards for verifying the identity of a Veteran or others (e.g., delegates, guardians, personal representatives) requesting a My HealtheVet (MHV) Premium account for the highest level of access to individually-identifiable health information (IIHI) within MHV. This verification process includes responsibilities for Department of Veterans Affairs (VA) medical facility MHV Coordinators or other staff assigned to perform identity verification.

2. SUMMARY OF MAJOR CHANGES: This VHA directive updates information about MHV Identity Verification, and includes the following major changes:

a. Rescinds the requirement for users to sign VA form 10-5345a-MHV.

b. Requires acceptance of MHV Terms and Conditions to be in compliance with VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016, prior to granting a MHV Premium account.

c. Requires recording the VA patient's primary identification or secondary identification document details into the MHV Administrative Portal.

3. RELATED ISSUES: VHA Directive 1605.01; VHA Directive 1907.08, Health Care Information Security Policy and Requirements, dated April 30, 2019; and VHA Directive 1907.09, Identity Authentication for Health Care Services, dated June 6, 2019.

4. RESPONSIBLE OFFICE: The National Program Management Office, Veterans and Consumers Health Informatics Office (105HIG) is responsible for the content of this directive. Questions may be addressed to 12CC Actions – My HealtheVet at: VHA12CCConnectedCareAction-MyHealtheVet@va.gov.

5. RESCISSIONS: VHA Handbook 1907.02, My HealtheVet Identity Verification, dated December 30, 2014, is rescinded.

6. RECERTIFICATION: This VHA directive is scheduled for recertification on or before the last working day of April 2026. This VHA directive will continue to serve as national VHA policy until it is recertified or rescinded.

April 22, 2021

VHA DIRECTIVE 1907.02

**BY DIRECTION OF THE OFFICE OF
THE UNDER SECRETARY FOR HEALTH:**

/s/ Steven L. Lieberman, MD, MBA
Acting Deputy Under Secretary for
Health

NOTE: All references herein to VA and VHA documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.

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IDENTITY VERIFICATION PROCESSA-1

MY HEALTHeVET IDENTITY VERIFICATION

1. PURPOSE

This Veterans Health Administration (VHA) directive establishes mandatory standards for verifying the identity of an individual, which includes persons affiliated with the Department of Veterans Affairs (VA) such as VA patients, Veterans, active duty Servicemembers, Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) beneficiaries, patient-appointed delegates, caregivers and personal representatives, requesting a My Health eVet (MHV) Premium account. MHV Premium accounts provide the highest level of access to individually-identifiable health information (IIHI) within MHV and other online VA Veteran-facing tools and websites such as VA.gov, VA online scheduling tools and the Remote Veterans Apnea Management Platform (REVAMP) tool. This directive provides guidance for VA medical facility MHV Coordinators or other designated staff to perform identity verification.

AUTHORITY: 38 U.S.C. § 7301(b); 38 C.F.R. §§ 1.460-1.489; 1.500-1.527; 1.575-1.584.

2. BACKGROUND

a. MHV is a web-based application that creates an online environment where Veterans, family members, health care providers and others affiliated with VA collaborate to optimize patients' health care delivery. Web technology combines essential health record information enhanced by online health resources to enable and encourage patient and clinical collaboration and communication. Once user identity is verified, MHV Premium account users may use the VA Blue Button to access electronic copies of their health information such as laboratory results, discharge summaries, progress notes or problem lists and communicate electronically with their VA health care teams through Secure Messaging and other online VA Veteran-facing tools. To protect the privacy of patients and the integrity of VA records, VA requires the verification of the identity of users of information systems.

b. The Privacy Act of 1974, 5 U.S.C. § 552a, implemented by VA through 38 C.F.R. § 1.575-1.584, provides for the confidentiality of individually-identifiable information about living individuals retrieved by name or another unique identifier.

c. The Confidential Nature of Claims Statute, 38 U.S.C. § 5701, is implemented by VA through 38 C.F.R. § 1.500-1.527. 38 U.S.C. § 5701 provides for the confidentiality of all VA files, records, reports and other documents that pertain to any VA claim, the name and address of present or former armed services personnel and their dependents, and permits disclosure of such information only when statutorily authorized. 38 C.F.R. § 1.500-1.527 are not to be used in releasing information from patient health records when in conflict with The Privacy Act of 1974; Medical Records relating to Drug Abuse, Alcoholism or Alcohol Abuse, Infection with the Human Immunodeficiency Virus (HIV) or Sickle Cell Anemia; or Health Insurance Portability and Accountability Act (HIPAA).

d. Confidentiality of Medical Records relating to Drug Abuse, Alcoholism or Alcohol Abuse, Infection with the Human Immunodeficiency Virus (HIV) or Sickle Cell Anemia, 38 U.S.C. § 7332, implemented by 38 C.F.R. § 1.460-1.496, provides for the confidentiality of certain individually-identifiable patient health information including identity, diagnosis, prognosis or an offer or referral for treatment of drug and alcohol abuse, alcoholism or the testing and treatment of sickle cell anemia or HIV infection, including negative or positive test results. 38 U.S.C. § 7332 permits disclosure of the protected information only when specifically authorized, in writing, by the patient or legal guardian; personal representative as authorized by the patient; or by the common disclosure provisions of this statute.

e. HIPAA, (P.L. 104-191), implemented by 45 C.F.R. parts 160 and 164, provides for the improvement of efficiency and effectiveness of health care systems by encouraging the development of health information systems through establishing standards and requirements for electronic transmission, privacy and security of certain health information.

3. DEFINITIONS

a. **Identity.** Identity is a set of attributes or traits (e.g., full legal name to include first, middle and last; date of birth; gender; and Social Security Number) that uniquely describe a person.

b. **Identity Verification.** Identity verification is the process by which an authority collects and verifies information about a person to validate the claimed identity. Identity can be verified either:

(1) In person, which is a process that occurs in the presence of a VA-appointed representative; or

(2) Remote/Online, which is a process that occurs outside the physical presence of a VA-appointed representative.

c. **Individually-Identifiable Health Information.** IIHI is a subset of health information, including identity and demographic information collected from an individual, that:

(1) Is created or received by a health care provider, health plan or health care clearinghouse (e.g., a HIPAA covered entity such as VHA).

(2) Relates to the past, present or future condition of an individual; provision of health care; or payment for health care.

(3) Identifies the individual or where a reasonable basis exists to believe the information can be used to identify the individual. ***NOTE: VHA uses this term to define information covered by the Privacy Act of 1974 and the title 38 confidentiality statutes in addition to HIPAA. IIHI does not have to be retrieved by name or another unique identifier to be covered by this directive.***

d. **My HealthVet Premium Account.** An MHV Premium account type gives users the highest level of access to MHV features and key portions of their VA health record.

e. **Personal Representative.** A personal representative is a person who, under applicable law, has authority to act on behalf of the individual to include privacy-related matters. The authority may include a power of attorney; legal guardianship or conservatorship of the individual; appointment as executor of the estate of a deceased individual; or a Federal, State, local or tribal law that establishes such authority (e.g., parent of a minor). See VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016. This account type requires the user's identity to be verified before access is granted.

f. **Primary Identification Document.** A primary identification document is an official document used to validate the identity of an individual; the document must be current, valid and if applicable, contain a recognizable photograph such as a State Issued Driver's License or United States Passport. **NOTE:** *For more information on primary identification documents, see VHA Directive 1907.09, Identity Authentication for Health Care Services, dated June 6, 2019.*

g. **Release of Information.** Release of Information (ROI) is the act of providing copies of IIHI to Veterans or to third-party requestors who have legal authority to obtain the information.

h. **Right of Access.** Right of Access is part of the MHV Terms and Conditions. When users accept the MHV Terms and Conditions which includes the Right of Access, copies of key portions of the health record are delivered electronically and processed in accordance with VHA Directive 1605.01. **NOTE:** *By using MHV, the user is requesting and giving VA permission to release all or a portion of their personal information maintained by VA. If a user does not accept these MHV Terms and Conditions, login will not be permitted to MHV.*

i. **Secondary Identification Document.** A secondary identification document is a document used to validate the identity of an individual when a primary identification document is not available. Examples of secondary identification are Social Security cards and certified birth certificates. **NOTE:** *For more information on secondary identification documents, see VHA Directive 1907.09.*

4. POLICY

It is VHA policy that VHA must positively verify the identity of an individual requesting a MHV Premium account for the highest level of access to IIHI within MHV and other Veteran-facing tools and websites such as [VA.gov](https://www.va.gov), VA online scheduling tools and the REVAMP tool. An individual includes persons affiliated with VA such as VA patients, Veterans, active duty Servicemembers, CHAMPVA beneficiaries, patient-appointed delegates, guardians, conservators, caregivers and personal representatives.

5. RESPONSIBILITIES

a. **Under Secretary for Health.** The Under Secretary for Health is responsible for ensuring overall VHA compliance with this directive.

b. **Deputy Under Secretary for Health.** The Deputy Under Secretary for Health is responsible for supporting the Veterans and Consumers Health Informatics Office (V/CHIO) with implementation and oversight of this directive.

c. **Assistant Under Secretary for Health for Operations.** The Assistant Under Secretary for Health for Operations is responsible for:

(1) Communicating the contents of this directive to each of the Veterans Integrated Services Networks (VISNs).

(2) Assisting VISN Directors to resolve implementation and compliance challenges in all VA medical facilities within that VISN.

(3) Providing oversight of VISNs to ensure compliance with this directive and its effectiveness.

d. **Chief Informatics Officer, Office of Health Informatics.** The Chief Informatics Officer, Office of Health Informatics (OHI) is responsible for providing oversight to ensure compliance with this directive in collaboration with the Chief Officer, Office of Connected Care (OCC).

e. **Chief Officer, Office of Connected Care.** The Chief Officer, OCC is responsible for:

(1) Providing oversight to ensure compliance with this directive in collaboration with the Chief Informatics Officer, OHI and the Director, National Program Management Office, V/CHIO.

(2) Responding and following up on inquiries from program offices, VISNs, VA medical facilities, Congress, help desk, White House Hotline, etc.

f. **Director, National Program Management Office, Veterans and Consumers Health Informatics Office.** The Director of the National Program Management Office, V/CHIO is responsible for:

(1) Providing oversight to ensure compliance with this directive in collaboration with the Chief Officer, OCC.

(2) Overseeing and supporting VA medical facility MHV Coordinators to ensure they complete training and monitoring for effectiveness on the use of the MHV Administrative Portal and the identify verification process (see paragraph 7).

g. **Veterans Integrated Services Network Director.** The VISN Director is responsible for:

(1) Ensuring that all VA medical facilities within the VISN comply with this directive and informing leadership when barriers to compliance are identified.

(2) Ensuring that all VA medical facilities within the VISN implement consistent and appropriate identity verification procedures that comply with this directive.

h. **VA Medical Facility Director.** The VA medical facility Director is responsible for ensuring that VA medical facility MHV Coordinators or other designated personnel comply with this directive and receive appropriate access and instructions on the use of the MHV Administrative Portal and the identity verification process.

i. **VA Medical Facility Chief, Health Information Management.** The VA medical facility Chief, Health Information Management is responsible for supporting MHV in conjunction with the local MHV Coordinator to support Veterans and others affiliated with VA with completing the identity proofing verification processes, as required.

j. **VA Medical Facility My HealthVet Coordinator.** The VA medical facility MHV Coordinator is responsible for:

(1) Using the MHV Administrative Portal to implement and support the identity proofing verification process, as required.

(2) Designating other VA staff who have completed the required training to perform identity verification and have access to the MHV Administrative Portal to act as MHV Identity Verifiers or MHV Authenticators and assist with the process of in-person identity verification. See paragraph 6 and Appendix A.

(3) Maintaining the official MHV administrative record of users.

(4) Contacting the VA Master Person Index (MPI) Point of Contact (POC) at the VA medical facility to report any issues with identity information of individuals discovered during the identity proofing verification process. The MPI POC is responsible for reporting such discoveries to the national VHA Data Quality Health Care Identity Management Program.

k. **VA Medical Facility Privacy Officer.** The VA medical facility Privacy Officer is responsible for:

(1) Ensuring that appropriate administrative, technical and physical safeguards are used to maintain the security and confidentiality of Personally Identifiable Information (PII), including Protected Health Information (PHI), and to protect against any anticipated threats or hazards to their security or integrity.

(2) Assisting in verifying personal representatives authorized to act on the behalf of the Veteran for health care purposes by carefully reviewing all documents and requests for identity verification submitted by the personal representative.

I. **My HealthVet Authenticators.** VA medical facility staff designated by the MHV Coordinator to serve as MHV Authenticators are responsible for:

(1) Adding Identity Verification Information to users' MHV administrative record.

(2) Supporting the VA medical facility MHV coordinator, in collaboration with MHV Identity Verifiers, with the process of in-person identity verification. See paragraph 6 and Appendix A. **NOTE:** *The VA medical facility MHV Coordinator may designate VA medical facility staff to serve as both an MHV Authenticator and MHV Verifier.*

m. **My HealthVet Identity Verifiers.** VA medical facility staff designated by the MHV Coordinator to serve as MHV Identity Verifiers are responsible for:

(1) Verifying and validating the person identity against their primary identification.

(2) Supporting the VA medical facility MHV Coordinator, in collaboration with MHV Authenticators, with the process of in-person identity verification. See paragraph 6 and Appendix A. **NOTE:** *The VA medical facility MHV Coordinator may designate VA medical facility staff to serve as both an MHV Authenticator and MHV Identity Verifier.*

6. IDENTITY VERIFICATION

To ensure that access to a Veteran's IIHI, or others affiliated with VA, is granted only to appropriate authorized individuals, every person initially requesting a MHV Premium account access must have their identity validated and verified. Identity verification may occur in-person or online (remote) and is required prior to granting the highest level of access to IIHI. Once verified, an individual is authorized to use all functionality in MHV and access all available health information from any VA medical facility at which the Veteran or person affiliated with VA has been seen. VHA Memorandum 2020-06-35, Ethical Principles for Access to and Use of Veteran Data, dated June 24, 2020, will be applied when providing access to MHV. See Appendix A for information regarding in-person and online (remote) verification processes for a VA patient, Veteran, active duty Servicemember, CHAMPVA beneficiary, personal representative, delegate or caregiver in MHV.

7. TRAINING

The following training is **required** for all VA medical facility MHV Coordinators, Identity Verifiers and designated VA staff assigned to assist in the MHV Identity Verification processes:

a. **Talent Management System Course Number 20610, "The MHV-Privacy and Security Rules of Behavior Course."** This is a prerequisite course for access to other MHV Talent Management System (TMS) courses and provides VA staff members with

specific Rules of Behavior which govern the protection of PII when accessing the MHV portals.

b. **Talent Management System Course Number 39153, “MHV Authenticator Role Training.”** This course instructs VA staff on the roles and responsibilities of a MHV Authenticator and Identity Verifier as it relates to upgrading MHV accounts to MHV Premium both in-person and online. This course outlines the VA patient’s required prerequisites and the steps necessary to allow for a successful upgrade. This training offers 1 hour of education credit in TMS.

c. The local MHV Coordinator and the Stakeholder Manager of the National Program Management Office (VCHIO) receive a TMS certification of completion audit report by VA staff indicating completion of training.

8. RECORDS MANAGEMENT

a. All records regardless of format (e.g., paper, electronic, electronic systems) created by this directive must be managed as required by the National Archives and Records Administration (NARA) approved records schedules found in VHA Records Control Schedule 10-1. Questions regarding any aspect of records management should be addressed to the appropriate Records Officer.

b. Copies of the legal documents provided by the personal representative must be scanned into the electronic health record (EHR) and retained per Records Control Schedule 10-1.

9. REFERENCES

a. P.L. 104-191.

b. 5 U.S.C. § 552a.

c. 38 U.S.C. §§ 5701, 7301(b), 7332.

d. 38 C.F.R. §§ 1.460-1.489; 1.500-1.527; 1.575-1.584.

e. 45 C.F.R. parts 160 and 164.

f. VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016.

g. VHA Directive 1907.09, Identity Authentication for Health Care Services, dated June 6, 2019.

h. VHA Handbook 1004.01(4), Informed Consent for Clinical Treatments and Procedures, dated August 14, 2009.

i. VHA Handbook 1004.02, Advance Care Planning and Management of Advance Directives, dated December 24, 2013.

j. VHA Memorandum 2020-06-35, Ethical Principles for Access to and Use of Veterans Data, dated June 24, 2020.

k. VA MyHealtheVet Identity Verification Template for In-Person Authentication. https://vaww.va.gov/MYHEALTHEVET/docs/training/MHV_Identity_Verification_Template.pdf. **NOTE:** *This is an internal VA website that is not available to the public.*

IDENTITY VERIFICATION PROCESS

1. IDENTITY VERIFICATION PROCESS

a. **In-Person Verification.** The Department of Veterans Affairs (VA) medical facility My Health eVet (MHV) Coordinator or other VA personnel designated to assist with in-person verification must ensure, through the in-person verification process, that the authorized individual is given access to an MHV Premium account. In-person verification can be performed in a VA medical facility, a Community-Based Outpatient Clinic (CBOC) or other location that is staffed with VA employees trained to perform identity verification and who have access to the MHV Administrative Portal. The in-person verification process may be performed at any VA medical facility, regardless of whether the authorized individual has been a patient at that VA medical facility. To have their identity verified, the authorized individual must:

(1) Be registered as a VA patient, Veteran, active duty Servicemember, Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) beneficiary, personal representative, guardian, conservator, delegate or caregiver in MHV.

(2) Be correlated to the VA Master Person Index (VA MPI).

(3) Accept the current Terms and Conditions that includes Right of Access in accordance with Veterans Health Administration (VHA) Directive 1605.01, Privacy and Release of Information, dated August 31, 2016. **NOTE:** *If a user does not accept the MHV Terms and Conditions, log in will not be permitted to MHV.*

(4) Have detailed information such as date, time, status and version number of the user's acceptance of the Terms and Conditions electronically stored with their MHV record.

(5) Present one current legal form of primary identification such as State or Federal government-issued photo identification that matches a VA record. A secondary identification document must be required to validate any discrepancy in accordance with VHA Directive 1907.09, Identity Authentication for Health Care Services, dated June 6, 2019.

(6) Have identity verification information added to the user's MHV administrative record by the MHV Authenticator or Identity Verifier who will record details of a user's primary identification document. The official MHV administrative record is maintained by the VA medical facility MHV Coordinator if needed:

(a) The type of secondary identification document used must be recorded as required above.

(b) MHV Authenticators or Identity Verifiers may complete the identity verification

template to gather primary and secondary identification. The template can be found at the following link:

https://vaww.va.gov/MYHEALTHVET/docs/training/MHV_Identity_Verification_Template.pdf. **NOTE:** *This is an internal VA website that is not available to the public.*

b. **Remote/Online Identity Verification.** Under certain circumstances, Veterans or others affiliated with VA may have their identity verified outside the physical presence of a VA-appointed representative, eliminating the need to visit a VA medical facility to complete the in-person verification process. VA offers multiple remote/online ways to verify identification in order to obtain a MHV Premium account such as video conferencing and use of other VA-approved credentials.

(1) Online identity verification is currently available with a VA-approved credential, such as Department of Defense Self-Service Logon Level 2 credential or the contracted identity proofing service vendor identified in MHV guidance. Two-factor identification and challenge questions, as defined in VHA Directive 1907.09, are acceptable for online verification processes.

(2) Remote identity verification is currently available by providing an acceptable form of a primary identification document which matches the information in a VA record via video conferencing. Procedures for video conferencing can be found in the Talent Management System (TMS) course # 39153, "My HealthVet (MHV) Authenticator Role Training."

2. IDENTITY VERIFICATION FOR PERSONAL REPRESENTATIVES

a. Personal representatives of Veterans, as defined in VHA Directive 1605.01, can obtain MHV Premium account to access MHV on behalf of the Veteran. Personal representatives can register as the Veteran, consenting to the Right of Access.

b. The VA medical facility MHV Coordinator conducts the in-person verification when the personal representative presents to have their identity verified and ensures the personal representative has completed the following:

(1) Requested an in-person verification to obtain an MHV Premium account at a VA medical facility. **NOTE:** See http://www.va.gov/directory/guide/division_flash.asp?dnum=1 for more information on VA medical facility locations.

(2) Completed all the prerequisites required as outlined in this directive.

(3) Presented State or Federal government-issued photo identification for both the individual claiming status as a personal representative and the Veteran of whose records access is requested.

(4) Presented the respective legal document (i.e., court order or Durable Power of Attorney for Health Care) which grants the authority to act on behalf of the Veteran in accordance with VHA Handbook 1004.01(4), Informed Consent for Clinical Treatments

and Procedures, dated August 14, 2009; VHA Directive 1605.01; and VHA Handbook 1004.02, Advance Care Planning and Management of Advance Directives, dated December 24, 2013.

c. All documents and requests for identity verification by the personal representative must be carefully reviewed by the designated staff member to include the VA medical facility Privacy Officer; the VA medical facility Chief, Health Information Management; the Release of Information (ROI) Supervisor; or the MHV Authenticator to ensure that the person requesting verification has the authority to do so on behalf of the Veteran.