

A-Engrossed
House Bill 2700

Ordered by the House May 17
Including House Amendments dated May 17

Sponsored by COMMITTEE ON VETERANS' AFFAIRS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Director of Veterans' Affairs to establish [*Veterans' Service Officer Expansion Program*] **program to enhance and expand services provided by county veterans' service officers. Authorizes director to establish by rule certification process for officers. Requires that director adopt by rule funding distribution formula for disbursement of moneys to county governing bodies.**

Appropriates moneys from General Fund to director for program.
Declares emergency, effective July 1, 2005.

A BILL FOR AN ACT

1
2 Relating to veterans' service officers; appropriating money; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Sections 2 to 5 of this 2005 Act are added to and made a part of ORS chapter**
5 **406.**

6 **SECTION 2. (1) The Director of Veterans' Affairs shall establish a program to enhance**
7 **and expand the services provided by county veterans' service officers appointed under ORS**
8 **408.410.**

9 **(2) The program shall:**

10 **(a) Conduct outreach and provide veterans and their spouses and dependents with:**

11 **(A) Information regarding veterans' benefit programs and other benefit programs; and**

12 **(B) Assistance by trained, accredited representatives in applying for all federal and state**
13 **veterans' benefits and aid to which veterans and their spouses and dependents may be enti-**
14 **tled on account of their military service and in appealing any denial of veterans' benefits or**
15 **aid;**

16 **(b) Develop and offer informational materials and training opportunities for county vet-**
17 **erans' service officers;**

18 **(c) Develop a comprehensive and coordinated statewide network of information and re-**
19 **ferral resources for veterans and their spouses and dependents;**

20 **(d) Ensure that the receipt of veterans' benefits or aid does not adversely impact other**
21 **benefits or aid that a veteran or the spouse or dependent of a veteran may be receiving or**
22 **may be eligible to receive; and**

23 **(e) Facilitate coordination of computer systems to ensure the seamless transfer of in-**
24 **formation.**

25 **SECTION 3. The Director of Veterans' Affairs may establish by rule a certification pro-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **gram for veterans' service officers appointed under ORS 408.410 and other individuals pro-**
2 **viding similar services to ensure their competency. The program curriculum shall provide**
3 **the training and education necessary to allow veterans' service officers and other individuals**
4 **to assist veterans and their spouses and dependents in applying for all federal and state**
5 **veterans' benefits and aid to which veterans and their spouses and dependents may be enti-**
6 **tled and in appealing any denial of veterans' benefits or aid. The curriculum shall include,**
7 **but need not be limited to, training and education in the following areas:**

8 (1) **Applicable federal, state and local laws providing benefits or aid for veterans and their**
9 **spouses and dependents and other benefits or aid for which veterans or their spouses or de-**
10 **pendents may be eligible;**

11 (2) **Skills necessary to provide quality representation and advocacy on behalf of veterans**
12 **or their spouses or dependents, including case preparation and handling of administrative**
13 **hearings and appeals;**

14 (3) **Effective communication skills;**

15 (4) **Health care, human services and referral resources; and**

16 (5) **Case management services.**

17 **SECTION 4. (1) The Director of Veterans' Affairs shall adopt by rule a formula to dis-**
18 **tribute to county governing bodies funds appropriated to the director to enhance and expand**
19 **the services provided by county veterans' service officers appointed under ORS 408.410. In**
20 **developing the distribution formula, the director shall consider factors that include, but need**
21 **not be limited to:**

22 (a) **The number of veterans residing in each county;**

23 (b) **A base amount to be distributed equally among counties;**

24 (c) **Retention of an amount, not to exceed six percent of the total amount appropriated**
25 **to the director for the purposes of section 2 of this 2005 Act, that would otherwise be dis-**
26 **tributed to a county governing body if the county governing body has not appointed county**
27 **veterans' service officers, including amounts that would otherwise be distributed to Marion**
28 **and Polk Counties; and**

29 (d) **Criteria for withholding funds from a county governing body.**

30 (2) **Funds retained under subsection (1)(c) of this section must be spent on:**

31 (a) **Training costs of veterans' service officers and other individuals providing similar**
32 **services; and**

33 (b) **The purchase, maintenance and coordination of computer systems and technology to**
34 **facilitate efficient delivery of services to veterans and their spouses and dependents.**

35 (3) **Funds withheld under subsection (1)(d) of this section must be redistributed to other**
36 **county governing bodies to expand and enhance the services provided by county veterans'**
37 **service officers.**

38 **SECTION 5. The Director of Veterans' Affairs shall adopt rules to implement sections**
39 **2, 3 and 4 of this 2005 Act. The rules shall include, but need not be limited to:**

40 (1) **Development and implementation of a distribution formula;**

41 (2) **Establishment of reporting and data collection requirements for county veterans'**
42 **service officers including, but not limited to, the number of interviews conducted, the num-**
43 **ber of veterans and spouses and dependents of veterans served by the program, the number**
44 **of claims filed, the outcomes of claims filed and the outreach activities conducted;**

45 (3) **Establishment of service outcomes for county veterans' service officers;**

1 (4) Procedures for ensuring the confidentiality of records; and

2 (5) Development and implementation of a plan to incrementally staff the program de-
3 scribed in section 2 (1) of this 2005 Act with trained, accredited representatives.

4 **SECTION 6.** (1) A county governing body that receives funds under section 4 of this 2005
5 Act may not use the funds to supplant moneys appropriated by the county governing body
6 for county veterans' service officers.

7 (2) Notwithstanding subsection (1) of this section, a county governing body may reduce
8 the amount of moneys appropriated by the county governing body for county veterans' ser-
9 vice officers if there is a decrease in the amount of revenues available to the county for the
10 same period of time.

11 **SECTION 7.** Moneys appropriated to the Director of Veterans' Affairs under section 9
12 of this 2005 Act must be distributed to county governing bodies for the purposes of section
13 2 of this 2005 Act and may not be used to supplant moneys currently budgeted by the director
14 for services provided by county veterans' service officers.

15 **SECTION 8.** The Director of Veterans' Affairs shall carry out the provisions of sections
16 2, 3, 4 and 5 of this 2005 Act in consultation with the Association of Oregon Counties.

17 **SECTION 9.** In addition to and not in lieu of any other appropriation, there is appropri-
18 ated to the Director of Veterans' Affairs, for the biennium beginning July 1, 2005, out of the
19 General Fund, the amount of \$2,000,000, which may be expended for the purposes described
20 in section 2 of this 2005 Act.

21 **SECTION 10.** This 2005 Act being necessary for the immediate preservation of the public
22 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect
23 July 1, 2005.
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