

HOUSE BILL No. 2623

By Committee on Veterans and Military

Requested by Eric Rohleder on behalf of the Kansas Commission on Veterans
Affairs Office

1-30

1 AN ACT concerning veterans and military; updating the veterans claims
2 assistance program to include references to veterans affairs medical
3 centers and cross-accreditation requirements; amending K.S.A. 73-
4 1234 and repealing the existing section.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 73-1234 is hereby amended to read as follows: 73-
8 1234. (a) (1) The director of the Kansas commission on veterans affairs
9 office shall establish and administer a veterans claims assistance program
10 in accordance with this section to improve the coordination of veterans
11 benefits counseling in Kansas to maximize the effective and efficient use
12 of taxpayer dollars and to ensure ~~that~~ every veteran is served and receives
13 claims counseling and assistance.

14 (2) The director of the Kansas commission on veterans affairs office
15 shall establish and commence operations under the veterans claims
16 assistance program in accordance with this section on or before August 1,
17 2006.

18 (3) The director of the Kansas commission on veterans affairs office
19 shall appoint the deputy director of veterans services, who shall be in the
20 classified service under the Kansas civil service act. The deputy director of
21 veterans services shall provide such services to assist the director of the
22 Kansas commission on veterans affairs office for all veterans services,
23 except for those services relating to the Kansas soldiers' home and the
24 Kansas veterans' home.

25 (4) No employee of the Kansas commission on veterans affairs office
26 shall act as an agent with power of attorney for any claimant.

27 (b) The veterans claims assistance program shall implement and
28 administer annual service grants to eligible veterans service organizations
29 pursuant to grant agreements entered into with the director of the Kansas
30 commission on veterans affairs office in accordance with this section. All
31 grant agreements shall include any match requirements described in
32 subsection (g). All service grants and grant agreements shall be subject to
33 the provisions of appropriation acts.

34 (c) The director of the Kansas commission on veterans affairs office

1 shall adopt rules and regulations to implement and administer the veterans
2 claims assistance program and the service grant program. The rules and
3 regulations shall include:

4 (1) The detailed requirements of the veterans claims assistance
5 program and grant agreements;

6 (2) the responsibilities of all parties to the grant agreements;

7 (3) the duration of the grants;

8 (4) any insurance or bonding requirements;

9 (5) the format and frequency of progress and final reports;

10 (6) the initial and continuing training requirements for veterans
11 claims assistance representatives;

12 (7) the provisions of a quality assurance program for the veterans
13 claims assistance program and the services performed by veterans service
14 organizations receiving grants under this section; and

15 (8) any other information or requirements deemed necessary or
16 appropriate by the director.

17 (d) All moneys provided to veterans service organizations through
18 service grants shall be used only for salaries, wages, related employer
19 contributions and personnel costs, and operating and capital outlay
20 expenditures for training and equipment for veterans claims assistance
21 representatives and necessary support and managerial staff.

22 (e) Training activities for veterans claims assistance representatives
23 shall be the responsibility of the veterans service organization employing
24 the veterans claims assistance representatives and shall be conducted by
25 qualified ~~veterans claims assistance representatives~~ *trainers*.

26 (f) To receive a service grant under this section to perform services
27 under the veterans claims assistance program, a veterans service
28 organization shall satisfy the following eligibility requirements:

29 (1) ~~The veterans service organization shall~~ Be congressionally
30 chartered by the United States Congress;

31 (2) ~~the veterans service organization shall~~ agree to cross-accredit the
32 officers and employees of the director of the Kansas commission on
33 veterans affairs office who are veterans and who work in the veteran
34 services program, ~~as well as~~ *and* veterans claims assistance representatives
35 of other veterans service organizations who are performing services under
36 the veterans claims assistance program, subject to the following:

37 (A) The person to be cross-accredited shall provide proof to the
38 deputy director of veterans services that ~~the~~ *such* person has successfully
39 completed the ~~national association of county veterans service officers~~
40 ~~training~~ *federal department of veterans affairs office training,*
41 *responsibility, involvement and preparation of claims (TRIP) course* or
42 equivalent, as determined by the deputy director of veterans services and
43 that such person shall participate in a minimum of one annual training

1 session as approved by the deputy director of veterans services as well as
 2 maintain the continuing education requirements of the cross-accrediting
 3 veterans service organization; and

4 (B) the cross-accrediting veterans service organization has reserved
 5 the right to terminate the accreditation if the person fails to meet the
 6 continuing education requirement of the veterans service organization or
 7 participate in a minimum of one annual training session as approved by the
 8 deputy director of veterans services;

9 (3) agree to participate in one-stop veterans service centers at:

10 ~~(A) The federal veterans administration regional office and each~~
 11 ~~federal veterans administration medical center in Kansas department of~~
 12 ~~veterans affairs regional office or the veterans affairs medical center in~~
 13 ~~Wichita; and~~

14 (B) *each veterans affairs medical center in Topeka and Leavenworth,*
 15 *as long as those facilities are in operation;*

16 (4) demonstrate the receipt of monetary or service support from its
 17 own organization for the veterans claims assistance program;

18 (5) demonstrate the ability to comply with the requirements
 19 prescribed by this section or adopted by the director of the Kansas
 20 commission on veterans affairs office under this statute for accounting,
 21 service work activity and other satisfactory performance requirements and
 22 measures;

23 (6) have established state headquarters in Kansas;

24 (7) have staff present in the federal *department of* veterans
 25 ~~administration~~ *affairs regional office or the veterans affairs medical center*
 26 *in Wichita and the United States department of each veterans affairs*
 27 ~~medical centers~~ *center located in Topeka and Leavenworth, as long as*
 28 *those facilities are in operation;*

29 (8) have membership residency in at least 50% of the Kansas
 30 counties;

31 (9) have had an established office presence in the United States
 32 department of veterans affairs regional office in Kansas for at least the
 33 three most recent state fiscal years;

34 (10) have assisted in filing a minimum of 300 claims for veterans for
 35 which the veterans service organization has power of attorney in the ~~past~~
 36 *most recent 12-month period;*

37 (11) agree to make no reference to membership eligibility on claims
 38 documentation and not solicit membership due to information received on
 39 claim forms;

40 (12) agree to cross-accredit service officers participating in the
 41 service grant program to include service officers of partnered veterans
 42 service organizations and the Kansas commission on veterans affairs office
 43 ~~staff located in the federal veterans administration regional office and the~~

1 ~~United States department of veterans affairs medical centers in~~
2 ~~Leavenworth and Topeka; and~~

3 (13) agree that ~~the~~ *such* veterans service organization shall continue
4 to provide monetary support for the veterans claims assistance program
5 pursuant to the requirements in subsection (g).

6 (g) Any monetary support provided under subsection (f)(13) shall be
7 in a combination of monetary and non-monetary support, herein called
8 "match." The veterans claims assistance advisory board shall determine the
9 percentage of the match as a percent of the amount of the service grant
10 provided to the veterans service organization, and submit such
11 determination to the director of the Kansas commission on veterans affairs
12 office for approval.

13 (h) Each veterans service organization receiving a service grant under
14 this section shall file with the Kansas commission on veterans affairs
15 office, within 90 days after the end of the veterans service organization's
16 fiscal year, a detailed statement prepared by a certified public accountant
17 which sets forth an accounting of all expenditures of moneys received
18 under the service grant. Each veterans service organization receiving a
19 service grant under this section shall apply for the grant funding on an
20 annual basis, shall demonstrate satisfactory performance based on
21 completion of minimum requirements during the preceding annual period
22 and shall certify that all veterans service representatives funded with
23 service grant moneys meet minimum training requirements to provide for
24 core competencies.

25 (i) The director of the Kansas commission on veterans affairs office
26 shall develop and maintain a central database registry regarding claims
27 outcome data received from veterans claims assistance representatives
28 under the veterans claims assistance program.

29 Sec. 2. K.S.A. 73-1234 is hereby repealed.

30 Sec. 3. This act shall take effect and be in force from and after its
31 publication in the statute book.