

HOUSE BILL No. 2696

By Representative Goico

2-8

1 AN ACT concerning veterans; amending K.S.A. 2011 Supp. 73-1234 and
2 repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2011 Supp. 73-1234 is hereby amended to read as
6 follows: 73-1234. (a) The Kansas commission on veterans affairs shall
7 establish and administer a veterans claims assistance program in
8 accordance with this section to improve the coordination of veterans
9 benefits counseling in Kansas to maximize the effective and efficient use
10 of taxpayer dollars and to ensure that every veteran is served and receives
11 claims counseling and assistance. The Kansas commission on veterans
12 affairs shall establish and commence operations under the veterans claims
13 assistance program in accordance with this section on or before August 1,
14 2006. The Kansas commission on veterans affairs shall appoint the
15 director of the veterans claims assistance program, who shall be in the
16 classified service under the Kansas civil service act. No employee of the
17 Kansas commission on veterans affairs shall act as an agent with power of
18 attorney for any claimant.

19 (b) The veterans claims assistance program shall implement and
20 administer annual service grants to eligible veterans service organizations
21 pursuant to grant agreements entered into with the Kansas commission on
22 veterans affairs in accordance with this section. All service grants and
23 grant agreements shall be subject to the provisions of appropriation acts.

24 (c) The Kansas commission on veterans affairs shall adopt rules and
25 regulations to implement and administer the veterans claims assistance
26 program and the service grant program. The rules and regulations shall
27 include: (1) The detailed requirements of the veterans claims assistance
28 program and grant agreements; (2) the responsibilities of all parties to the
29 grant agreements; (3) the duration of the grants; (4) any insurance or
30 bonding requirements; (5) the format and frequency of progress and final
31 reports; (6) the initial and continuing training requirements for veterans
32 claims assistance representatives; (7) the provisions of a quality assurance
33 program for the veterans claims assistance program and the services
34 performed by veterans service organizations receiving grants under this
35 section; and (8) any other information or requirements deemed necessary
36 or appropriate by the commission.

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

6 (e) Training activities for veterans claims assistance representatives
7 shall be the responsibility of the veterans service organization employing
8 the veterans claims assistance representatives and shall be conducted by
9 qualified veterans claims assistance representatives.

10 (f) To receive a service grant under this section to perform services
11 under the veterans claims assistance program, a veterans service
12 organization shall satisfy the following eligibility requirements: (1) The
13 veterans service organization shall be congressionally chartered by the
14 United States Congress; (2) the veterans service organization shall agree to
15 cross-accredit the officers and employees of the Kansas commission on
16 veterans affairs who are veterans and who work in the veteran services
17 program, as well as veterans claims assistance representatives of other
18 veterans service organizations who are performing services under the
19 veterans claims assistance program, subject to the following: (A) The
20 person to be cross-accredited shall provide proof to the director that the
21 person has successfully completed the national association of county
22 veterans service officers training or equivalent, as determined by
23 the director and that such person shall participate in a minimum of one annual
24 training session as approved by the director as well as maintain the
25 continuing education requirements of the cross-accrediting veterans
26 service organization; and (B) the cross-accrediting veterans service
27 organization has reserved the right to terminate the accreditation if the
28 person fails to meet the continuing education requirement of the veterans
29 service organization or participate in a minimum of one annual training
30 session as approved by the director; (3) agree to participate in one-stop
31 veterans service centers at the federal veterans administration regional
32 office and each federal veterans administration medical center in Kansas;
33 (4) demonstrate the receipt of monetary or service support from its own
34 organization for the veterans claims assistance program; (5) demonstrate
35 the ability to comply with the requirements prescribed by this section or
36 adopted by the Kansas commission on veterans affairs under this statute
37 for accounting, service work activity and other satisfactory performance
38 requirements and measures; (6) have established state headquarters in
39 Kansas; (7) have staff present in the federal veterans administration
40 regional office and the United States department of veterans affairs
41 medical centers located in Topeka and Leavenworth; (8) have membership
42 residency in at least 50% of the Kansas counties; (9) have had an
43 established office presence in the United States department of veterans

1 affairs regional office in Kansas for at least the three most recent state
2 fiscal years; (10) have assisted in filing a minimum of 300 claims for
3 veterans for which the veterans service organization has power of attorney
4 in the past 12-month period; (11) agree to make no reference to
5 membership eligibility on claims documentation and not solicit
6 membership due to information received on claim forms; (12) agree to
7 cross-accredit service officers participating in the service grant program to
8 include service officers of partnered veterans service organizations and
9 Kansas commission on veterans affairs staff located in the federal veterans
10 administration regional office and the United States department of veterans
11 affairs medical centers in Leavenworth and Topeka; (13) agree that grant
12 funding will not replace the monetary support currently provided by the
13 veterans service organization to offices in the federal veterans
14 administration regional office and the United States department of veterans
15 affairs medical centers in Leavenworth and Topeka for veterans claims
16 assistance but will supplement the veterans service organization's
17 monetary support currently in place; and (14) agree that the veterans
18 service organization's monetary support currently provided for veterans
19 claims assistance in the federal veterans administration regional office and
20 the United States department of veterans affairs medical centers in
21 Leavenworth and Topeka will be equal to or greater than the monetary
22 support that the veterans service organization provided in the previous
23 year. For the purposes of this subsection, "director" means the veterans
24 claims assistance program director.

25 (g) Each veterans service organization receiving a service grant under
26 this section shall file with the Kansas commission on veterans affairs,
27 within 90 days after the end of the veterans service organization's fiscal
28 year, a detailed statement prepared by a certified public accountant which
29 sets forth an accounting of all expenditures of moneys received under the
30 service grant. Each veterans service organization receiving a service grant
31 under this section shall apply for the grant funding on an annual basis,
32 shall demonstrate satisfactory performance based on completion of
33 minimum requirements during the preceding annual period and shall
34 certify that all veterans service representatives funded with service grant
35 moneys meet minimum training requirements to provide for core
36 competencies.

37 (h) The Kansas commission on veterans affairs shall develop and
38 maintain a central database registry regarding claims outcome data
39 received from veterans claims assistance representatives under the
40 veterans claims assistance program.

41 (i) *The Kansas commission on veterans affairs shall develop and*
42 *maintain an internet-based database, organized by region and*
43 *consolidating information on all available resources within the state that*

1 *support Kansas veterans, service members and their families, including,*
2 *but not limited to: (1) Services to homeless women veterans; and (2)*
3 *resources providing mental health and substance abuse counseling and*
4 *treatment for veterans or veterans' families, or both.*

5 *(j) The Kansas commission on veterans affairs shall employ one*
6 *person to coordinate outreach, collaboration and dissemination of*
7 *information regarding veterans issues.*

8 Sec. 2. K.S.A. 2011 Supp. 73-1234 is hereby repealed.

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

11