

2012 Kansas Statutes

73-1234. Veterans claims assistance program; purpose; guidelines; administration by Kansas commission on veterans affairs; director of veterans claims assistance program; grants to veterans service organizations, eligibility, annual applications and agreements; rules and regulations; claims outcome data central database registry.

(a) The Kansas commission on veterans affairs shall establish and administer a veterans claims assistance program in accordance with this section to improve the coordination of veterans benefits counseling in Kansas to maximize the effective and efficient use of taxpayer dollars and to ensure that every veteran is served and receives claims counseling and assistance. The Kansas commission on veterans affairs shall establish and commence operations under the veterans claims assistance program in accordance with this section on or before August 1, 2006. The Kansas commission on veterans affairs shall appoint the director of the veterans claims assistance program, who shall be in the classified service under the Kansas civil service act. No employee of the Kansas commission on veterans affairs shall act as an agent with power of attorney for any claimant.

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

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

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

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

(f) To receive a service grant under this section to perform services under the veterans claims assistance program, a veterans service organization shall satisfy the following eligibility requirements: (1) The veterans service organization shall be congressionally chartered by the United States Congress; (2) the veterans service organization shall agree to cross-accredit the officers and employees of the Kansas commission on veterans affairs who are veterans and who work in the veteran services program, as well as veterans claims assistance representatives of other veterans service organizations who are performing services under the veterans claims assistance program, subject to the following: (A) The person to be cross-accredited shall provide proof to the director that the person has successfully completed the national association of county veterans service officers training or equivalent, as determined by the director and that such person shall participate in a minimum of one annual training session as approved by the director as well as maintain the continuing education requirements of the cross-accrediting veterans service organization; and (B) the cross-accrediting veterans service organization has reserved the right to terminate the accreditation if the person fails to meet the continuing education requirement of the veterans service organization or participate in a minimum of one annual training session as approved by the director; (3) agree to participate in one-stop veterans service centers at the federal veterans administration regional office and each federal veterans administration medical center in Kansas; (4) demonstrate the receipt of monetary or service support from its own organization for the veterans claims assistance program; (5) demonstrate the ability to comply with the requirements prescribed by this section or adopted by the Kansas commission on veterans affairs under this statute for accounting, service work activity and other satisfactory performance requirements and measures; (6) have established state headquarters in Kansas; (7) have staff present in the federal veterans administration regional office and the United States department of veterans affairs medical centers located in Topeka and Leavenworth; (8) have membership residency in at least 50% of the Kansas counties; (9) have had an established office presence in the United States department of veterans affairs regional office in Kansas for at least the three most recent state fiscal years; (10) have assisted in filing a minimum of 300 claims for veterans for which the veterans service organization has power of attorney in the past 12-month period; (11) agree to make no reference to membership eligibility on claims documentation and not solicit membership due to information received on claim forms; (12) agree to cross-accredit service officers participating in the service grant program to include service officers of partnered veterans service organizations and Kansas commission on veterans affairs staff located in the federal veterans administration regional office and the United States department of veterans affairs medical centers in Leavenworth and Topeka; (13) agree that grant funding will not replace the monetary support currently provided by the veterans service organization to offices in the federal veterans administration regional office and the United States department of veterans affairs medical centers in Leavenworth and Topeka for veterans claims assistance but will supplement the veterans service organization's monetary support currently in place; and (14) agree that the veterans service organization's monetary support currently provided for veterans claims assistance in the federal veterans administration regional office and the United States department of veterans affairs medical centers in Leavenworth and Topeka will be equal to or greater than the monetary support that the veterans service organization provided in the previous year. For the purposes of this subsection, "director" means the veterans claims assistance program director.

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

competencies.

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

History: L. 2006, ch. 153, § 1; L. 2007, ch. 151, § 1; L. 2009, ch. 62, § 8; July 1.