

## MINUTES OF THE VETERANS AFFAIRS SELECT COMMITTEE

The meeting was called to order by Chairman Lee Tafanelli at 7:00 A.M. on March 22, 2006 in Room 241-N of the Capitol.

All members were present except:

- Representative John Grange- excused
- Representative Mike Peterson- excused

Committee staff present:

- Amy Deckard, Kansas Legislative Research Department
- Heather Klaassen, Intern, Kansas Legislative Research Department
- Jim Wilson, Revisor of Statutes Office
- Gina Bowes, Committee Secretary

Conferees appearing before the committee:

- Representative Candy Ruff
- Wayne Bollig for George Webb, Executive Director, Kansas Commission on Veterans Affairs
- Lee Stolfus, Chairman, Veterans Affairs Rehabilitation Committee, American Legion
- Jeff Lawson, Past State Commander Kansas Veterans of Foreign Wars
- Jim Bunker, Veteran Information Network
- David Brader, Adjutant, Disabled American Veterans

Others attending:

See attached list.

- Attachment 1 Overview of **SB 396**
- Attachment 2 Overview of **HB 3015**
- Attachment 3 Overview of Washington State Department of Veterans Affairs Claims Quality-Assurance Program
- Attachment 4 Sub-Committee Report on **HB 3015** by Representative Candy Ruff
- Attachment 5 Testimony by Wayne Bollig, Chief Operations Officer, Kansas Commission on Veterans Affairs
- Attachment 6 Testimony by Lee Stolfus, Chairman, Veterans Affairs Rehabilitation Committee, American Legion
- Attachment 7 Testimony by Jeff Lawson, Past State Commander Kansas Veterans of Foreign Wars
- Attachment 8 Testimony by Jim Bunker, Veteran Information Network
- Attachment 9 Testimony by David Brader, Adjutant, Disabled American Veterans
- Attachment 10 Proposed Amendments to **HB 3015** by Representative Candy Ruff

**Hearing on SB 396 - Military veteran license plates, travel trailers.**

Amy Deckard, Kansas Legislative Research, explained sections of **SB 396** (Attachment 1) which adds travel trailers as one of the allowable options for military veterans license plates distributed by the Department of Revenue under current law as well as passenger vehicles, trucks and motorcycles.

There were no proponents or opponents of **SB 396**. Chair Tafanelli closed the hearing on **SB 396**.

**Hearing on HB 3015 - Veterans claims assistance program.**

Staff explained sections of **HB 3015** (Attachment 2) which directs the Kansas Commission on Veterans Affairs to establish and administer a veterans claims assistance program to be implemented through annual grant agreements with Veterans Service Organizations (VSOs). The program would be established and operations would commence on or before August 1, 2006, and would be subject to appropriation by the Legislature. **HB 3015** directs the Kansas Commission on Veterans Affairs to adopt rules and regulations to implement and administer the granting program prescribing guidelines and limitations; powers, duties and functions for the commission and VSOs; and provide for annual reporting to, and study and review by, the Legislative Budget Committee.

CONTINUATION SHEET

MINUTES OF THE Veterans Affairs Select Committee at 7:00 on March 22, 2006 in Room 241-N of the Capitol.

Heather Klaasson, Intern, Kansas Legislative Research Department presented a briefing outline on the Washington State Department of Veterans Affairs Claims Quality-Assurance program (Attachment 3). The Washington State program is an example of granting programs other states utilize. In July 2003, the Washington Department of Veterans Affairs implemented a new program called the Claims Quality Assurance Program.

Representative Ruff briefed the Committee on a Subcommittee Report Memorandum regarding **HB 3015** (Attachment 4). Representative Ruff expanded on components for the granting program modeled on aspects of the Washington State program. One of the main components is that VSOs must agree to work as a partner with the Kansas Commission of Veterans Affairs (KCVA) in the establishment of one-stop veterans' service centers at the Veterans Administration Medical Centers in Wichita, Topeka and Leavenworth. In adhering to the components for the granting program, Representative Ruff pointed out that although the Disabled American Veterans (DAV) provide a valuable service to Kansas veterans, its national bylaws prohibit participation in the cross accreditation of other VSO and KCVA personnel, a key element to this program. In addition, its national bylaws prohibit the exchange of information on claims, eliminating its participation in the quality assurance program for the processing of claims.

Wayne Bollig, Chief Operations Officer, Kansas Commission on Veterans' Affairs, presented testimony on behalf of George Webb, Executive Director, Kansas Commission on Veterans' Affairs, in support of **HB 3015** (Attachment 5). Mr. Webb had issue with several components for implementation of the grant program and asked the Committee to consider those issues before effecting the program. Responding to questions pertaining to the KCVA being able to process claims to their completion, Mr. Bollig stated that although an Attorney General's opinion states KCVA has the authority to be considered a VSO, some disagreement exists to the interpretation of K.S.A. 73-1211 regarding the authority of the KCVA to be considered a VSO. In an effort to eliminate competition between the KCVA and VSOs, it was recommended to revise K.S.A. 73-1211 toward providing clarification.

Lee Stolfus, Chairman, Veterans Affairs Rehabilitation Committee, American Legion, presented testimony in support of **HB 3015** (Attachment 6). Mr. Stolfus stood for questions.

Jeff Lawson, Past State Commander, Kansas Veterans of Foreign Wars, presented testimony in support of **HB 3015** (Attachment 7). Mr. Lawson perceived it to be imperative that funding for this legislation should be appropriated from a new funding source and not from existing funds currently appropriated for the operation of the KCVA. Mr. Lawson stood for questions.

Jim Bunker, Veteran Information Network, presented testimony in support of **HB 3015** (Attachment 8). Mr. Bunker stood for questions.

David Brader, Adjutant, Disabled American Veterans, Department of Kansas, presented testimony in opposition to **HB 3015** (Attachment 9). Mr. Brader requested a change in language in **HB 3015** whereby the VSO shall agree to cross-certify except where the national organization's by-laws prohibit such cross-certification, which includes officers and employees of the KCVA and veterans claims assistance representatives of other VSOs who are performing services under the veterans claims assistance program. Mr. Brader stood for questions.

Chair Tafanelli closed the hearing on **HB 3015**.

Representative Ruff moved to strike the language of **SB 396** and insert the language of **HB 3015** into **SB 396** and report it as **House Substitute for SB 396**. The motion was seconded by Representative Burgess. Motion carried.

Representative Ruff moved an amendment (Attachment 10); to amend **HB 3015** to establish an advisory board with the Kansas Commission on Veterans' Affairs, which shall be known as the Veterans Claims Assistance Advisory Board; and by inserting "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." Representative Ruff closed the amendment. The motion was seconded by Representative Ruiz.

CONTINUATION SHEET

MINUTES OF THE Veterans Affairs Select Committee at 7:00 on March 22, 2006 in Room 241-N of the Capitol.

Motion carried.

Representative Ruff made a motion to amend K.S.A. 73-1211 (Attachment 10). Discussion ensued regarding this motion and it was decided consideration of the consequences of this amendment should be reviewed further. Representative Ruff withdrew her motion.

Representative Ruff moved to recommend **House Substitute for SB 396**, with any necessary technical amendments needed to clarify the term cross accreditation, as amended favorable for passage. The motion was seconded by Representative Kelly. Motion carried.

Representative Brown moved to amend **HB 2894** using the language contained in K.S.A. 75-2955 as the definition for veteran for the purposes of the bill. The motion was seconded by Representative Holmes. Motion carried.

Representative Brown moved to amend **HB 2894** to clarify that the provisions of the bill would apply to service members who have been honorably discharged and require the veteran to provide appropriate documentation from the federal Veterans Administration or a branch of the armed services. The motion was seconded by Representative Ruff. Motion carried.

Representative Brown moved to recommend **HB 2894**, as amended, favorable for passage. The motion was seconded by Representative Ruff. Motion carried.

Minutes were sent out electronically to all members on March 31, 2006, from meetings dated March 9th and March 22nd with a message stating minutes would be considered approved unless otherwise notified.

The meeting adjourned at 8:45 a.m.

Another meeting is not scheduled.

SELECT COMMITTEE ON VETERAN'S AFFAIRS  
 GUEST LIST  
 DATE: March 22, 2006

NAME	REPRESENTING
DARRELL BEUCKEN	KANSAS VFW
Lee R. Stolfus	Am. Legion
Ernie Cooper	AM Legion
Damon Christensen	AM Legion
David W. Brader	Disabled American Veterans
KEM Stodger	Ks. VFW
DAN ROBERSON	AM. LEGION
Wayne Bollig	KCVVA
Steve Heiler	Disabled American Veterans
Kennie Leffer	Div of Budget

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**SENATE BILL No. 396**

By Senator D. Schmidt  
(By request)

1-18

10 AN ACT relating to motor vehicles; concerning the United States mili-  
11 tary veteran license plate; amending K.S.A. 2005 Supp. 8-1,146 and  
12 repealing the existing section.

13  
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2005 Supp. 8-1,146 is hereby amended to read as  
16 follows: 8-1,146. (a) Any owner or lessee of one or more passenger ve-  
17 hicles, trucks of a gross weight of 20,000 pounds or less ~~or~~, motorcycles  
18 *or travel trailers*, who is a resident of the state of Kansas, and who submits  
19 satisfactory proof to the director of vehicles, in accordance with rules and  
20 regulations adopted by the secretary of revenue, that such person has  
21 proof of having served and is designated as a veteran, and has had an  
22 honorable discharge from the United States army, navy, air force, marine  
23 corps, coast guard or merchant marines, upon compliance with the pro-  
24 visions of this section, may be issued one distinctive license plate for each  
25 such passenger vehicle, truck ~~or~~, motorcycle *or travel trailer* designating  
26 such person as an United States military veteran. Such license plates shall  
27 be issued for the same period of time as other license plates upon proper  
28 registration and payment of the regular license fee as provided in K.S.A.  
29 8-143, and amendments thereto.

30 On and after January 1, 2005, any person issued a license plate under  
31 this section may request a decal for each license plate indicating the ap-  
32 propriate military branch in which the person served.

33 (b) Any person who is a veteran of the United States army, navy, air  
34 force, marine corps, coast guard or merchant marines may make appli-  
35 cation for such distinctive license plates, not less than 60 days prior to  
36 such person's renewal of registration date, on a form prescribed and fur-  
37 nished by the director of vehicles, and any applicant for the distinctive  
38 license plates shall furnish the director with proof as the director shall  
39 require that the applicant is a veteran of the United States army, navy,  
40 air force, marine corps, coast guard or merchant marines. Application for  
41 the registration of a passenger vehicle, truck ~~or~~, motorcycle *or travel*  
42 *trailer* and issuance of the license plates under this section shall be made  
43 by the owner or lessee in a manner prescribed by the director of vehicles

1 upon forms furnished by the director.  
2 (c) No registration or distinctive license plates issued under the au-  
3 thority of this section shall be transferable to any other person.  
4 (d) Renewals of registration under this section shall be made an-  
5 nually, upon payment of the fee prescribed in subsection (a), in the man-  
6 ner prescribed in subsection (b) of K.S.A. 8-132, and amendments  
7 thereto. No renewal of registration shall be made to any applicant until  
8 such applicant has filed with the director a form as provided in subsection  
9 (b). If such form is not filed, the applicant shall be required to comply  
10 with K.S.A. 8-143, and amendments thereto, and return the distinctive  
11 license plates to the county treasurer of such person's residence.  
12 (e) A fee of \$2 shall be paid for each decal issued under subsection  
13 (a). The director of vehicles shall design such decals. Such decals shall be  
14 affixed to the license plate in the location required by the director.  
15 Sec. 2. K.S.A. 2005 Supp. 8-1,146 is hereby repealed.  
16 Sec. 3. This act shall take effect and be in force from and after its  
17 publication in the statute book.

## HOUSE BILL No. 3015

By Committee on Appropriations

3-16

9 AN ACT concerning the Kansas commission on veterans affairs; estab-  
10 lishing a veterans claims assistance program and a service grant pro-  
11 gram; prescribing guidelines and limitations; powers, duties and func-  
12 tions for the commission and veterans service organizations; providing  
13 for annual reporting to and study and review by the legislative budget  
14 committee.

15  
16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. (a) The Kansas commission on veterans affairs shall estab-  
18 lish and administer a veterans claims assistance program in accordance  
19 with this section to improve the coordination of veterans benefits coun-  
20 seling in Kansas to maximize the effective and efficient use of taxpayer  
21 dollars and to ensure that every veteran is served and receives claims  
22 counseling and assistance. The Kansas commission on veterans affairs  
23 shall establish and commence operations under the veterans claims assis-  
24 tance program in accordance with this section on or before August 1,  
25 2006.

26 (b) The veterans claims assistance program shall be implemented and  
27 administered through annual service grants to eligible veterans service  
28 organizations pursuant to grant agreements entered into with the Kansas  
29 commission on veterans affairs in accordance with this section. All service  
30 grants and grant agreements shall be subject to the provisions of appro-  
31 priation acts.

32 (c) The Kansas commission on veterans affairs shall adopt rules and  
33 regulations to implement and administer the veterans claims assistance  
34 program and the service grant program. The rules and regulations shall  
35 include: (1) The detailed requirements of the veterans claims assistance  
36 program and grant agreements; (2) the responsibilities of all parties to  
37 the grant agreements; (3) the duration of the grants; (4) any insurance or  
38 bonding requirements; (5) the format and frequency of progress and final  
39 reports; (6) the initial and continuing training requirements for veterans  
40 claims assistance representatives; (7) the provisions of a quality assurance  
41 program for the veterans claims assistance program and the services per-  
42 formed by veterans service organizations receiving grants under this sec-  
43 tion; and (8) any other information or requirements deemed necessary

SELECT COMMITTEE ON VETERANS  
AFFAIRS

DATE 3-22-06

ATTACHMENT 2

1 or appropriate by the commission.

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

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

11 (f) To receive a service grant under this section to perform services  
12 under the veterans claims assistance program, a veterans service organi-  
13 zation shall satisfy the following eligibility requirements: (1) The veterans  
14 service organization shall be congressionally chartered by the United  
15 States Congress; (2) the veterans service organization shall agree to cross-  
16 certify the officers and employees of the Kansas commission on veterans  
17 affairs and veterans claims assistance representatives of other veterans  
18 service organizations who are performing services under the veterans  
19 claims assistance program; (3) agree to participate in one-stop veterans  
20 service centers at each federal veterans administration medical center in  
21 Kansas; (4) demonstrate the receipt of monetary or service support from  
22 its own organization for the veterans claims assistance program; and (5)  
23 demonstrate the ability to comply with the requirements prescribed by  
24 this section or adopted by the Kansas commission on veterans affairs  
25 under this statute for accounting, service work activity and other satisfac-  
26 tory performance requirements and measures.

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

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

42 Sec. 2. The legislative budget committee shall annually study and  
43 review the veterans claims assistance program and the service grants pro-



1 gram of the Kansas commission on veterans affairs under this act. The  
2 Kansas commission on veterans affairs and each veterans service organi-  
3 zation which is receiving service grants under this section shall prepare  
4 and present annual reports of activities and expenditures under the vet-  
5 erans claims assistance program and the service grants program.

6 Sec. 3. This act shall take effect and be in force from and after its  
7 publication in the Kansas register.



Washington State  
Department of Veterans Affairs

## Claims Quality-Assurance Program

(Updated 02/24/06)

1



Washington State  
Department of Veterans Affairs

## Claims Quality-Assurance Program

### Briefing Outline -

- 1) Washington's Veteran Population.
- 2) Short Background - -  
(Why we needed this program.)
- 3) The Claims Quality-Assurance Program.
- 4) Coalition of Veterans Services Organizations.
  - ❖ WDVA role
  - ❖ VSO roles
- 5) How is the Program working for the Coalition?

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SELECT COMMITTEE ON VETERANS  
AFFAIRS

DATE 3-22-06

ATTACHMENT 3



### SO's Competence and Work-Load:

- 1) How many claims completed/submitted?
- 2) How many Grants and Denials?
- 3) What kinds of claims -
  - ❖ Only Service Connected?
  - ❖ No Pension Claims?
  - ❖ No DIC Claims?
- 4) How many Appeals filed?

Only had the SO's word - -  
"Lots of Claims, most are Grants!"

5



### February 1998 - Decision to fix the Problem.

- We developed the concept - Who Does What/When?
- The Concept allowed us to Track each claim, by S.O.
- Then we designed the Database.
  - ❖ We Kept it Simple!
- Allowed us to produce Monthly Reports.
- The Reports provided feedback - to our SO's and WDVA Management.

6

**Here's How The Q-A Program Works:**

5 Steps:

- 1) **Every Service Officer sends every claim to the VSO Quality-Assurance (Q-A) Officer.**
- 2) Q-A Officer reviews the claim for completeness, or needed fixes.
- 3) **When Claim determined "Substantially Complete," Claims Q-A Officer submits to VARO (Not the SO, as before).**
- 4) Enter Veteran's claim data in Part I of the database.

**CLAIMS QUALITY-ASSURANCE PROGRAM  
SAMPLE DATABASE (PART I)**

Service Officer	Last Name	First Name	MI	C# / SSN	ZIP	EPC	OIF/ OEF Y (1) N (0)	Signed (1)	To VARO (J)	# of Days (J-J)	# F (1)	# R (1)	Date of VCAA Ltr	Cimt Waives VCAA Ltr (Y/N)	Date Cimt Response to VA
S01	JOHNSON	FREDERICK	A.	123-45-6789	98360	020	0	09/16/05	09/20/05	4	1	1	10/22/05	Y	11/06/05
S02	HAMILTON	JOHN	R.	234-56-7890	98584	020	0	05/25/05	05/26/05	1	1	1	06/02/05	N/A	N/A
S03	BURR	AARON	A.	345-67-8901	97439	025	0	04/06/05	04/12/05	6	1	1	05/09/05	N/A	N/A
S04	LINCOLN	ABRAHAM	E.	45-678-910	98903	020	0	11/18/05	11/18/05	0	1	1	12/14/05	N	12/21/05
S05	GRANT	ULYSSES	S.	567-89-1000	98366	170	0	04/26/05	04/29/05	3	1	1	08/02/05	Y	08/17/05
S06	REAGAN	RONALD	W.	678-90-1234	98512	180	0	03/16/05	03/21/05	5	1	1	N/A	N/A	N/A
S07	CLINTON	WILLIAM	J.	789-01-2345	99301	110	0	12/02/04	12/06/04	4	1	1	12/13/04	N	12/17/05
S08	ROOSEVELT	FRANKLIN	D.	89-111-234	98335	024	1	05/04/05	05/06/05	2	1	1	06/02/05	Y	07/01/05
S09	JEFFERSON	THOMAS	NM	910-23-4567	98335	110	0	03/14/05	03/15/05	1	1	1	04/08/05	N/A	N/A
											9	9			



**SO's Batting Average - -**

(Example): Veteran's Claim for 5 Issues.

❖ 5 Issues Rated

❖ 3 Grants - (Hits)

❖ 2 Denials - (Misses)

3 (granted) ÷ 5 (rated) = 60% "Batting Average"



**Here's a Quick Summary So Far:**

**Veteran's claim contains 1-20+ Conditions (Issues).**

**Simple Concept: PART I**

- ▶ Identify the SO and Veteran.
- ▶ Identify the number of claimed Conditions / Issues.
- ▶ Log information into a Simple Excel database.

**Receive VA Rating Decision: PART II**

How many Grants?

How many Denials?

- ▶ (Baseball Analogy - - How many Hits, How many Misses?)  
Provides the Service Officer's "Batting Average".  
(Effectiveness / Competence gauge.)



### Claims Quality-Assurance Program

#### Veteran Files VA Claim : Steps Involved

Veteran comes to VSO Service Officer seeking VA benefits.



**1. Interview Conducted, facts determined:**

- > Military service verified by VA's BDN Computer;
- > Injury/condition incurred in service;
- > Continuing medical problems;
- > Supporting documents collected or requested:
  - ✓ Military Discharge (DD-214);
  - ✓ Private Medical Records;
  - ✓ Veteran signs form appointing VSO as representative.

**2. VA Disability Claim Forms filled out.**

- > Supporting documents attached (or claim held pending receipt of documents);
- > "Claims Quality-Assurance Process" applied;
- > Data entered into database – Part I;
- > Incomplete claims held or returned to Service Officer for completion;
- > When "substantially complete", claim goes to VA.

**3. VA processes Claim application:**

- > Veteran scheduled for exam at VA hospital to assess severity of claimed conditions;
- > VA contacts veteran/VSO Service Officer for additional needed info/documentation.



### Claims Quality-Assurance Program

#### Veteran Files VA Claim: Steps Involved (cont.)

**4. Medical Report reviewed by VARO.**

- > Rating process completed.

**5. VSO Q-A Officer at VARO reviews completed claim:**

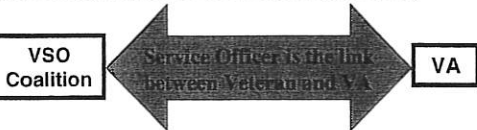
- > Signs off if satisfactory, or;
- > Coordinates with VA Rating Specialist to resolve questions.

**6. VARO Rating Decision: Copy to veteran and VSO Service Director.**

- > "Claims Quality-Assurance Program" statistics entered into database, for "Batting Average" – Part II.
- > VSO letter sent to Veteran advising about additional benefits.

**7. Over the course of time:**

- > Veteran or family member contacts VSO Service Officer for assistance to request additional benefits:
  - ✓ Increase in service-connected disability;
  - ✓ Vocational Rehabilitation;
  - ✓ Educational benefits information;
  - ✓ Burial benefits, or
  - ✓ Survivor benefits.





**Positive Benefits - - Continued**

- Provides a log of all organizational (POA) claims.
- Tracks input from individual Service Officers.
- Ensures claims are submitted in a  
“Substantially Complete” Status.
- Reflects the success of the submitted claims  
(the “Batting Average”).
  - ❖ At Individual Service Officer Level
  - ❖ At Organizational Level

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**Positive Benefits - - Continued**

- Identifies claim End-Products requiring training  
focus.
  - ❖ Seen in lower “Batting Average”.
- Helps the VA achieve the goal of processing  
claims in less than 100 days.
- Tracks tax-free VA Compensation payments into  
state economy.
- Verifiable data - backed up by the VA automated  
systems.
- Veterans assisted in a more professional, timely  
manner.

22



## WDVA Coalition

### Partners:

#### 8 Veterans Service Organizations

- ❖ African-American PTSD Association (AAPTSD)
- ❖ American Legion (AL)
- ❖ American Veterans (AMVETS)
- ❖ Military Order of the Purple Heart (MOPH)
- ❖ National Association for Black Veterans, Inc. (NABVETS)
- ❖ Veterans of Foreign Wars (VFW)
- ❖ Vietnam Veterans of America (VVA)
- ❖ Washington Department of Veterans Affairs (WDVA)

25

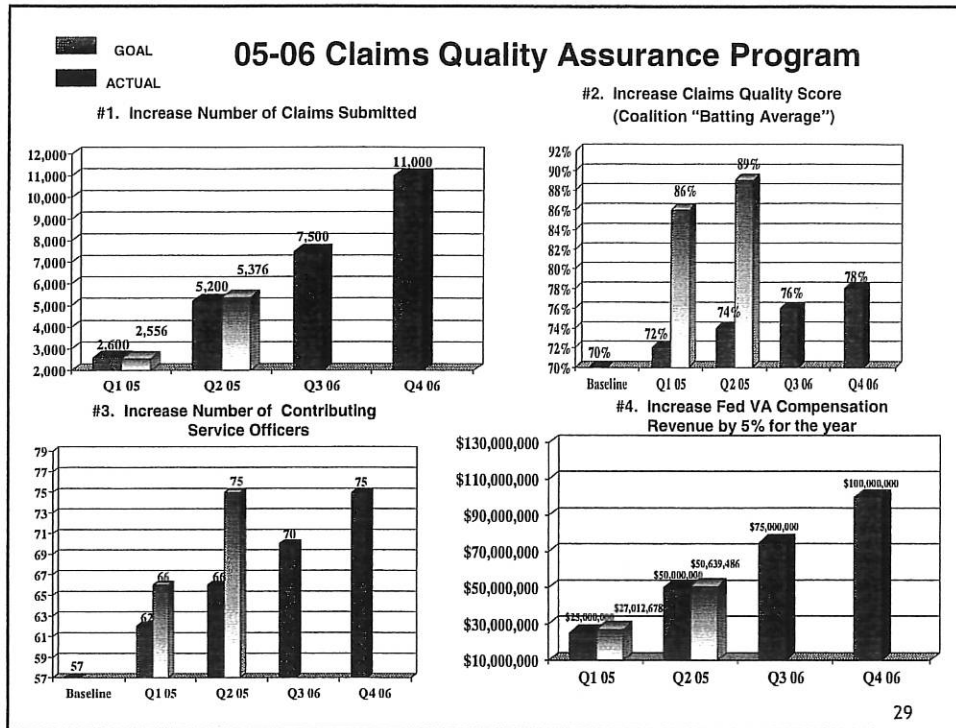


## WDVA Coalition

- All Veterans Service Division Contracts: based on participation in the Claims Quality-Assurance Program.
- Partners use database format provided by WDVA Program Manager.
- Partners provide standard End-of-Month Reports to the WDVA Program Manager.
- All Contracts are Performance-Based (Monthly Reports = Monthly Payment).
- Partner database reports verified by standardized procedure (“Review and Verification Report”).

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## Claims Quality-Assurance Program

### Training for Coalition Partners

- \$35,000 allocated by WDVA for Annual "Service Officer Training Conference".
- 3 Days, in March 2004, 2005, and 2006.
- WDVA, VSO National, and VARO Representatives/Instructors.
- Training for VSO Q-A Officers, data-entry persons, and "Contributing" Service Officers (at Least 24 claims/year).
- ("Training" is also an on-going process, the telephonic interaction between the Q-A Officer and the Service Officer regarding the claim.)

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Washington State  
Department of Veterans Affairs

## Claims Quality-Assurance Program

STATE OF KANSAS



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

RANKING MINORITY MEMBER: COMMERCE & LABOR  
MEMBER: FEDERAL AND STATE  
AFFAIRS  
WILDLIFE, PARKS &  
TOURISM

L. CANDY RUFF  
REPRESENTATIVE FORTIETH DISTRICT  
LEAVENWORTH COUNTY  
321 ARCH  
LEAVENWORTH, KANSAS 66048  
(913) 682-6390

STATE CAPITOL, ROOM 278-W  
TOPEKA, KANSAS 66612-1504  
(785) 296-7647

E-MAIL: Ruff@house.state.ks.us

To: Members of Select Committee on Veterans Affairs

From: Rep. L. Candy Ruff

Re: Subcommittee Report on HB 3015

On several occasions meetings were held with members of the Select Committee on Veterans Affairs and representatives of the Veterans Service Organizations (VSOs) taking part in developing the service granting program. As Subcommittee members Reps. Tom Burgess, Mitch Holmes and I worked with the American Legion and Veterans of Foreign Wars, we discussed the nature of the continuing partnership these groups would have with the state of Kansas. Kansas lawmakers respect that partnership, understanding how it materialized in post World War II and continued from year to year and from decade to decade. That partnership was created over 60 years ago as a dual employment agreement. But like many long-term friendship, it waxed and waned over the years.

Within the past few years things have gotten bumpy. An ethics violation surrounding the dual employment arrangements sent signals that things must change. And frankly some troubled times marked the relationship between KCVA and the veterans groups. All this culminated earlier in the Session during a senate bill hearing that ended in frustration on everyone's parts. With the creation of our committee, the Senate leadership indicated its desire for "us" to fix the problem. In offering HB 3015, I hope the problem is fixed.

In crafting this legislation, both veterans groups had full input. Both groups were not shy about their grievances. But more important both groups will come before our committee this morning ready to show their support and cooperation. Our Committee chairman, Rep. Lee Tafanelli, asked our legislative staff for examples of granting programs from other states, eventually narrowing down our preference to the program used in Washington State. Mind you, this program is not being replicated completely in Kansas. What I suggest we use is its quality assurance model and the operations and claims managers to oversee the granting program.

When it comes to HB 3015, these components stand out.

- A. First and foremost for a VSO to take part in the granting program it must agree to cross-accredit the personnel of other participating VSOs and KCVA personnel.
- B. When it comes to the relationship with KCVA, VSOs must agree to work as a partner in the establishment of one-stop veterans' service centers at the Veterans Administration Medical Centers in Wichita, Topeka and Leavenworth. At this point it is anticipated that KCVA personnel will only serve at the Wichita office.
- C. The VSOs must agree to provide training, accreditation and on-going educational updates to KCVA personnel to include the claims manager and operations manager serving in the Wichita office. No KCVA staff is anticipated at the Topeka and Leavenworth Veterans Hospitals, but should the need arise KCVA personnel must be fully qualified to step in and serve in those offices if needed. Any training provided to state personnel will be borne at state expense.

- Using the quality assurance model for claims processing and program operations, the VSOs agree to follow the dictates of the program, entering into working agreements that fully explain the expectations of VSO and state.
- E. At no time should a veteran's service organization put up a cash contribution to access state funding in the service to Kansas veterans. In-kind contributions and staff support will serve as the VSOs willingness to partner with the state.
  - F. Establishing as a baseline for staff:
    - 1. At the Wichita One-Stop Office, two veteran service representatives from the VFW, two veteran service representatives from the American Legion, and two office assistants.
    - 2. At the Topeka One-Stop Office, one veteran service representative from the VFW, one veteran service representative from the American Legion, and one office assistant.
    - 3. At the Leavenworth One-Stop Office, one veteran service representative from the VFW, one veteran service representative from the American Legion, and one office assistant.
  - G. Establishing as a baseline for salary considerations, the VSOs recommend the following levels:
    - 1. Veteran service representative at \$40,000 to include benefits
    - 2. Office assistant at \$25,000 to include benefits
  - H. Creation of the Veteran Service Claims Assistant Advisory Board
    - 1. Consisting of VSO representatives participating in the program, the board will work with KCVA personnel to develop the rules and regulations that will govern the granting program. The Board's recommendations will be presented directly to the Commission members of KCVA.

Points to Remember:

Although the Disabled American Veterans provide a valuable service to Kansas veterans, its national bylaws prohibit participation in the cross accreditation of other VSO and KCVA personnel, a key element to this program. In addition, its national bylaws prohibit the exchange of information on claims, eliminating its participation in the quality assurance program for the processing of claims.

Although the Washington State model has many positive points, its entire program was never considered useful for Kansas. In Washington, the granting program is meant to provide veteran services in a number of locations throughout the state. Not only are VSOs given funds, but individuals are granted funding. That is not acceptable in Kansas. Our granting program is meant for those VSOs serving veterans in the Veterans hospitals in Kansas. The Disabled American Veterans do not participate in Washington State.

And finally, we must decide as a matter of state policy whether we want to allow KCVA to process claims through to their completion, acting as a veteran's service organization. Although an Attorney General's opinion says KCVA has the authority to be considered a VSO, some disagreement exists to that interpretation of state statute.

The decision before us is this. Should we set up a situation whereby the KCVA is in competition with the VSOs to process claims? My understanding is that veterans seldom if ever ask that no veteran service organization represent them. As the policy stands now, when a veteran seeks assistance in a field office or outside a VA hospital, the KCVA takes the request, does the initial processing and then asks the veteran to select a VSO to serve as his/her power of attorney from a list of 42. Chief among their choices are the American Legion, Veterans of Foreign Wars and Disabled American Veterans.

My recommendation would be that we refashion our statute to make perfectly clear that no competition should exist between the VSOs and KCVA. Each has its own function in the service to veterans. Both work together to make that service seamless.

Realizing the adoption of this legislation sets in place a new chapter in this longtime partnership, I want to explain one BFO, blinding flash of the obvious. Getting to the point of fully implementing this program will take a transition period. We are at the end of the Session and the new fiscal year begins in a matter of months. I ask that all parties working toward implementing this program keep in mind the eventual goal to which we are moving. Getting there, however, will be bumpy but worth it.



# KANSAS COMMISSION ON VETERANS' AFFAIRS



Chairman Jack Fowler

Jayhawk Towers, 700 SW Jackson, Suite 701, Topeka, KS 66603-3758  
(785) 296 3976 [www.kcva.org](http://www.kcva.org) (785) 296-1462 (Fax)

Executive Director George Webb

17 March, 2006

The Honorable Lee Tafanelli  
Chairman, House Veterans Affairs Committee

Dear Representative Tafanelli:

This memorandum serves as my input to HB 3015 received in draft yesterday. I regret that I cannot be present for your hearing, but I am in Washington at the state directors' conference. I've asked that my comments be read.

First, I thank the committee members and other support staff for their work on this bill. I believe it will be a tremendous step forward in a program that will be fair, ethical, and designed to support the largest number of veterans in Kansas.

Of course, the devil is in the detail, and much hard work lies before us. I pledge that the Kansas Commission on Veterans' Affairs will be conscientious and thorough in that regard.

There are a few issues I wish to comment upon regarding HB 3015.

First, I do not believe it necessary to mandate cross accreditation of KCVA and VSO service reps in order to make this program happen. Cross accreditation (and that is the correct term in Title 38, not "cross certification") was most certainly something important to the Agency under the Joint Employment Agreement. In that earlier arrangement, we had state employees who, because of their exclusive connection with one organization, could not assist all veterans in an equal manner. A grant program described in this bill would make that issue much less important. In addition, mandatory cross accreditation would rule out the Disabled American Veterans, because their national policies prohibit multiple accreditations, yet the D.A.V. is currently helping more Kansans with their claims than any other organization. Also, this particular mandate could open a bucket of worms, because accreditation requirements vary between organizations and even within organizations, depending upon the intended recipient. For the time being, this may be a thicket that we should avoid. Clearly, VSOs will want to have good training and accreditation for their direct employees, but even Washington State – the model – does not mandate or expect cross accreditations for all grant recipients.

Second, the title of a "one stop veterans service center" at the VA Medical Centers may be a misnomer. The program head in Washington confirms to us that they do not have one consolidated place. Rather, operations look much like what exists in the Wichita Regional Office

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where the state and VSOs do have separate but adjacent office space. The point is to have a cooperative venture, but I am concerned that this term might be interpreted as a single, large office area.

Third, a target date of August 1, 2006 may be more ambitious than we can expect. The KCVA will give it a full try to make that happen, but experience has shown that writing regulations and getting them approved – even after all parties agree on the content -- is anything but a quick process. Perhaps you would consider an initial grant of funds to be made without supporting regulations or stated expectations, but that once regulations are finalized – at some reasonable date – then grant funding would have to be achieved through performance measures stated in the regulations.

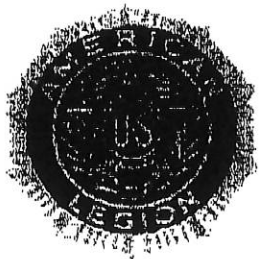
Finally, I would ask that this bill replace K.S.A. 73-1211. I don't know if the proper course is to rescind 73-1211 or to make this bill into a new 73-1211. But as I told the Senate Ways and Means Committee, 73-1211 is a 1953 anachronism that is scarcely understood or even relevant half a century later. I provided a balloon amendment to SB 428 that clears that up, and I will be glad to offer it for this bill as well.

Again, I thank you, Representative Ruff, and the Committee as a whole for the proposals in this bill. It is the right thing to do for veterans, and if we can get the regulatory details worked out, this will be a large and positive step forward.

Respectfully,



George S. Webb  
Executive Director



American Legion  
Ball - McColm Post #5  
2921 W. 12<sup>th</sup> Street  
Emporia, KS 66801  
March 21, 2006

American Legion Statement to the House Committee  
Ref: House Bill #3015

1. The American Legion's priority, to help Veterans and their dependents, to get the benefit they have earned, is well documented.
2. Our Washington D.C. office, has about 35 people in the Veteran's Affairs' section and they are in daily contact with all phases of the Veteran's Administration and Congress.
3. There are some 15,000 American Legion Posts with almost 3 million members at the National level and 330 Posts with 44,000 members in Kansas.
4. The original G.I. Bill was written by American Legion Past National Commander Harry Colmery, Attorney, from Topeka. The Colmery - O'Neal Veteran's Hospital, here in Topeka, is named after him.
5. A goal of the Kansas Veteran Affairs and Rehabilitation Committee is to work together with other VSO's, State and National organizations, for the good of Veterans in Kansas.
6. Thanks to this committee for it's interest and hard work for the Veterans in Kansas.
7. There is much to be done. By working together, we can handle it!

Lee Stolfus  
VA & R Chairman  
American Legion

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TESTIMONY BY JEFFERSON D. LAWSON, PAST STATE COMMANDER  
KANSAS VETERANS OF FOREIGN WARS  
FOR HOUSE BILL 3015

On behalf of the Kansas Veterans of Foreign Wars, I want to thank you for the opportunity to testify before this committee as a strong proponent of House Bill 3015. We would also offer our sincere appreciation to the leadership and the committee for their tireless efforts in bringing this legislation to fruition.

HB 3015 in our opinion is certainly one of the most important piece of veterans legislation to be considered in over 50 years. Admittedly, after our initial readings, we had concerns as to the intent and mechanics of this legislation, however, after some deep breathing exercises and consultation with your leadership, we now have a full understanding of the intent of this legislation, and the process in which we must partner with this committee and the KCVA in order for this legislation to become successful. We truly believe that HB 3015 is progressive and will have a positive impact on the methods used in insuring Kansas Veterans receive professional and expert representation when seeking their earned entitlements from the Department of Veterans Affairs. We enthusiastically look forward to this partnership with a renewed sense of duty with honor in representing Kansas veterans now and in the future.

There is however, one thing that we believe is imperative when seeking funds -- funding for this legislation should be appropriated with "new money." Monies currently appropriated for the operation of the KCVA should be left in tact. We certainly understand the present concerns of the legislature in regards to school's funding, however this country is still at war, and as long as we have Kansas sons &

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daughters still serving in harms way, it is essential that our returning service members, many of whom will be in need of immediate assistance with their entitlements, have a fully funded, one stop service center available to assist them.

Once again, we thank you for this opportunity and we want to insure you that unlike some, the Kansas VFW has total trust and confidence in the abilities and wisdom of our legislature to do what is right on behalf of Kansas veterans and their families.

Monday, March 20, 2006

Testimony of James Bunker in support of House Bill 3015

Before the House Committee on Veterans Affairs

Dear Committee Chairmen and members of the committee,

I stand before you today in support of the HB 3015. This bill is a good start into the granting program that some of the Veteran Service Organization (VSO) wanted with the Kansas Commission on Veterans Affairs. By having the KCVA setting up regulation to administer this grant program will give it the flexibility it will need to change over time. We all know that it is easier to change the regulations than it is to change the statute.

Even with that, the setting up of the first set of regulation may take some time. Yes, there are some other states to look at and to draw from in setting up the ones we will need for Kansas; but it will take some time to get it all worked out. That is why I am here to ask you to change the wording on page one line 24-25 from "on or before August 1, 2006" to "no later than 30 days after the completion of the regulation" that will govern the granting program.

What this bill does not address is any funding source for the program. I have heard that the funding will be all new money from the state. We all know that it will be hard to get any new money from the state, and I will do what I can to help. One place I would not mind to see as a place to raise some of the money is to have a surcharge on the different veteran license plates. Having three of them, I would be happy to give \$30 to the program. It may not raise all the money, but it would be a start.

James A. Bunker

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**DISABLED AMERICAN VETERANS  
DEPARTMENT OF KANSAS  
P.O. BOX 99, OSWEGO, KANSAS 67356  
Phone: 620-795-4328 Fax: 620-795-4327**

March 22, 2006

Chairman Tafinelli, Representatives, I would like to thank you for the opportunity to testify today.

The Disabled American Veterans are proud to have represented Kansas Veterans and assisted them with obtaining the benefits that they have earned. As a result of the work of our two (2) National Service Officers and two (2) Department Service Officers, the Disabled American Veterans helped our Kansas Veterans and their families to bring thirty-three million dollars (\$33,000,000) in retroactive and new awards into the State of Kansas during Fiscal Year 2005.

Section 1 (f) (2) of this proposed legislation would not allow the Disabled American Veterans Organization to participate in the State of Kansas grant program. In light of the impact of our Service Officer Program I am certain that the State of Kansas would like to include the reporting numbers of above to emphasize how Kansas Veterans and their families benefit from all Veterans Service Organizations (large or Small) throughout the State of Kansas.

The Disabled American Veterans would again like to be partners with the State of Kansas in representing Veterans. Therefore, request that Section 1 (f) (2) be changed to read as follows:

“(2) the veterans service organization shall agree to cross-certify (except where the National Organization’s by-laws prohibit such cross-certifying) the officers and employees of the Kansas Commission on Veterans Affairs and veterans claims assistance representatives of other veterans service organizations who are performing services under the veterans claims assistance program.”

The Disabled American Veterans would like to K.S.A. 73-1211 deleted from the law, as the draft covers all parts of the K.S.A. 73-1211

**Let us all give the Kansas Veterans the service they deserve.**

Steven A. Henre  
Disabled American Veterans  
Kansas Department Commander

David W. Brader  
Disabled American Veterans  
Kansas Department Adjutant

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Proposed Amendments to HB 3015

For Consideration by Select Committee on Veterans Affairs

March 22, 2006

**DRAFT**

On page 1, in line 25, after the period, by inserting "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.";

First Amendment

On page 2, following line 41, by inserting the following to read as follows:

"Sec. 2. (a) There is hereby established with the Kansas commission on veterans affairs an advisory board which shall be known as the veterans claims assistance advisory board. The advisory board shall advise the Kansas commission on veterans affairs in the implementation and administration of the veterans claims assistance program.

(b) The advisory board shall consist of six members as follows:

(1) The director of the veterans claims assistance program, who shall be a permanent member of the advisory board and shall serve as the chairperson of the advisory board.

(2) Three members of the advisory board shall be veterans representing veterans service organizations. The director shall notify the state level unit of each national veterans service organization which has an office in the federal department of veteran affairs regional office in Wichita, Kansas, and request written confirmation of the intent of the veterans service organization to participate in the veterans claims assistance program and to request an annual service grant. Each such veterans service organization submitting such confirmation shall prepare and submit a list of three nominations of veterans from such veterans service organization. The governor shall appoint one veteran as a member of the advisory board from each list.

(3) Two legislators, one from each house, shall be appointed to the advisory board with the speaker

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of the house of representatives and president of the senate each appointing a member. One legislator shall be a member of the democratic party and one legislator shall be a member of the republican party.

(c) Within 90 days of the effective date of this act, the governor, the speaker of the house of representatives and the president of the senate shall appoint the initial members of the advisory board. Of the initial appointments to the advisory board by the governor, one shall be for a term of one year, one shall be for a term of two years and one shall be for a term ending three years after the date of the initial appointment. After the initial appointments, terms of office of the members appointed by the governor shall be for three years. The term of office of each member appointed by the speaker of the house of representatives or the president of the senate shall end on the first day of the regular session of the legislature which commences in the first odd-numbered year occurring after the year such member was appointed.

(d) Each member of the advisory board, other than the director of the veterans claims assistance program, shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the advisory board for any reason other than the expiration of a member's term of office, the governor, the speaker of the house of representatives or president of the senate shall appoint a successor of like qualifications to fill the unexpired term in accordance with this section. In the case of any vacancy occurring in the position of an advisory board member who was appointed from a list of nominations submitted by a veterans service organization, the governor shall notify that veterans service organization of the vacant position and request a list of three nominations of veterans from which the governor shall appoint a successor to the advisory board.

(e) Annually, the advisory board shall elect a vice-chairperson and secretary from among its members and shall meet at least four times each year at the call of the chairperson.

(f) The members of the advisory board attending meetings of the advisory board or attending a

subcommittee meeting thereof authorized by the advisory board shall receive no compensation for their services but shall be paid subsistence allowances, mileage and other expenses as provided in subsections (b), (c) and (d) of K.S.A. 75-3223 and amendments thereto.”;

And by renumbering sections accordingly;

On page 3, following line 5, by inserting the following to read as follows:

Second Amendment  
“Sec. 4. K.S.A. 73-1211 is hereby amended to read as follows: 73-1211. All claims filed with the federal veterans' administration by the Kansas [veterans'] commission on veterans affairs shall be prosecuted by an accredited representative of [~~one of the participating veterans' service organizations~~] a national veterans service organization. No employee of any [veterans'] veterans service organization shall participate in or receive any funds [~~hereinafter~~] appropriated or made available to the Kansas [veterans'] commission on veterans affairs unless such employing national veterans' organization shall prosecute any and all claims to the federal veterans' administration that are referred to [~~them or their~~] the national veterans service organization, or to the employees of the organization by the Kansas [veterans'] commission on veterans affairs, unless such national veterans service organization certifies in writing that it is the intent of such organization to participate in the veterans claims assistance program and to comply with the provisions of section 1 and amendments thereto and the rules and regulations adopted thereunder.

Sec. 5.

K.S.A. 73-1211 is hereby repealed.”;

And by renumbering sections accordingly;

On page 1, in the title, in line 12, before “providing” by inserting “establishing an advisory board;”; in line 14, before the period, by inserting “; amending K.S.A. 73-1211 and repealing the existing section”