

HOUSE BILL No. 2212

By Committee on Veterans, Military and Homeland Security

2-5

1 AN ACT concerning the Kansas commission on veterans affairs; relating
2 to the veterans claims assistance program; relating to the requirements
3 of service grants; amending K.S.A. 2012 Supp. 73-1234 and repealing
4 the existing section.
5

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

7 Section 1. K.S.A. 2012 Supp. 73-1234 is hereby amended to read as
8 follows: 73-1234. (a) The Kansas commission on veterans affairs shall
9 establish and administer a veterans claims assistance program in
10 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. The Kansas commission on veterans
14 affairs shall establish and commence operations under the veterans claims
15 assistance program in accordance with this section on or before August 1,
16 2006. The Kansas commission on veterans affairs shall appoint the
17 director of the veterans claims assistance program, who shall be in the
18 classified service under the Kansas civil service act. No employee of the
19 Kansas commission on veterans affairs shall act as an agent with power of
20 attorney for any claimant.

21 (b) The veterans claims assistance program shall implement and
22 administer annual service grants to eligible veterans service organizations
23 pursuant to grant agreements entered into with the Kansas commission on
24 veterans affairs in accordance with this section. *All grant agreements shall*
25 *include any match requirements described in subsection (g).* All service
26 grants and grant agreements shall be subject to the provisions of
27 appropriation acts.

28 (c) The Kansas commission on veterans affairs shall adopt rules and
29 regulations to implement and administer the veterans claims assistance
30 program and the service grant program. The rules and regulations shall
31 include: (1) The detailed requirements of the veterans claims assistance
32 program and grant agreements; (2) the responsibilities of all parties to the
33 grant agreements; (3) the duration of the grants; (4) any insurance or
34 bonding requirements; (5) the format and frequency of progress and final
35 reports; (6) the initial and continuing training requirements for veterans
36 claims assistance representatives; (7) the provisions of a quality assurance

1 program for the veterans claims assistance program and the services
2 performed by veterans service organizations receiving grants under this
3 section; and (8) any other information or requirements deemed necessary
4 or appropriate by the commission.

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

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

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

17 (1) The veterans service organization shall be congressionally
18 chartered by the United States Congress;

19 (2) the veterans service organization shall agree to cross-accredit the
20 officers and employees of the Kansas commission on veterans affairs who
21 are veterans and who work in the veteran services program, as well as
22 veterans claims assistance representatives of other veterans service
23 organizations who are performing services under the veterans claims
24 assistance program, subject to the following:

25 (A) The person to be cross-accredited shall provide proof to the
26 director that the person has successfully completed the national association
27 of county veterans service officers training or equivalent, as determined by
28 the director and that such person shall participate in a minimum of one
29 annual training session as approved by the director as well as maintain the
30 continuing education requirements of the cross-accrediting veterans
31 service organization; and

32 (B) the cross-accrediting veterans service organization has reserved
33 the right to terminate the accreditation if the person fails to meet the
34 continuing education requirement of the veterans service organization or
35 participate in a minimum of one annual training session as approved by the
36 director;

37 (3) agree to participate in one-stop veterans service centers at the
38 federal veterans administration regional office and each federal veterans
39 administration medical center in Kansas;

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

42 (5) demonstrate the ability to comply with the requirements
43 prescribed by this section or adopted by the Kansas commission on

1 veterans affairs under this statute for accounting, service work activity and
2 other satisfactory performance requirements and measures;

3 (6) have established state headquarters in Kansas;

4 (7) have staff present in the federal veterans administration regional
5 office and the United States department of veterans affairs medical centers
6 located in Topeka and Leavenworth;

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

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

12 (10) have assisted in filing a minimum of 300 claims for veterans for
13 which the veterans service organization has power of attorney in the past
14 12-month period;

15 (11) agree to make no reference to membership eligibility on claims
16 documentation and not solicit membership due to information received on
17 claim forms;

18 (12) agree to cross-accredit service officers participating in the
19 service grant program to include service officers of partnered veterans
20 service organizations and Kansas commission on veterans affairs staff
21 located in the federal veterans administration regional office and the
22 United States department of veterans affairs medical centers in
23 Leavenworth and Topeka; *and*

24 ~~(13) agree that grant funding will not replace the monetary support~~
25 ~~currently provided by the veterans service organization to offices in the~~
26 ~~federal veterans administration regional office and the United States~~
27 ~~department of veterans affairs medical centers in Leavenworth and Topeka~~
28 ~~for veterans claims assistance but will supplement the veterans service~~
29 ~~organization's monetary support currently in place; and (14) agree that the~~
30 ~~veterans service organization's monetary support currently provided for~~
31 ~~veterans claims assistance in the federal veterans administration regional~~
32 ~~office and the United States department of veterans affairs medical centers~~
33 ~~in Leavenworth and Topeka will be equal to or greater than the monetary~~
34 ~~support that the veterans service organization provided in the previous year~~
35 ~~organization shall continue to provide monetary support for the veterans~~
36 ~~claims assistance program pursuant to the requirements in subsection (g).~~

37 For the purposes of this subsection, "director" means the *director of the*
38 *veterans claims assistance program* ~~director~~.

39 (g) *Any monetary support provided under subsection (f)(13) shall be*
40 *in a combination of monetary and non-monetary support, herein called*
41 *"match." The veterans claims assistance advisory board shall determine*
42 *the percentage of the match as a percent of the amount of the service grant*
43 *provided to the veterans service organization, and submit such*

1 *determination to the Kansas commission on veterans affairs for approval.*

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

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

18 Sec. 2. K.S.A. 2012 Supp. 73-1234 is hereby repealed.

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