

Board of Veterans Services
Meeting Minutes
July 30, 2008

A meeting of the Board of Veterans Services (BVS) was held on Wednesday, July 30, 2008 at the Sitter & Barfoot Veterans Care Center in Richmond.

Members Present

John Anderson; Vince Burgess; Mark Cole; Paris Davis; John Edwards; Paul Galanti; Pat Green; Thad Jones; Samuel Metters; Toddy Puller; Vivian Watts; and Sam Wilder.

Members Absent

Kirk Cox; Al Sample; Bettye Simmons; Judson Stanley; Max Taylor; and Frank Wickersham.

Commonwealth of Virginia Officials Present

Anne Atkins, Communications Director, Department of Veterans Services; Bert Boyd, Chief Operating Officer, Department of Veterans Services; Steve Combs, Director of Policy and Planning, Department of Veterans Services; Rhonda Earman, Special Assistant to the Commissioner, Department of Veterans Services; Don Ferguson, Senior Assistant Attorney General, Office of the Attorney General; Kristin Lewis, Summer Intern, Office of the Attorney General; Martha Mead, EO 19 Project Director, Department of Veterans Services; Armistead Ransone, Finance and Administration Director, Department of Veterans Services; Judith Reid, IT Program Assistant Department of Veterans Services; and Dawn Smith, Office of the Secretary of Public Safety.

Others Present

Roger Sullivan of the Virginia Veterans Coalition.

Materials Distributed

Meeting agenda; draft minutes of the April 17, 2008 meeting; DVS Commissioner's Report; Action Items from the April 17, 2008 Meeting; Update and brochure on the Virginia Wounded Warrior Program; Synopsis of the Post-9/11 Veterans Education Assistance Act of 2008; Benefits Committee Report; Care Centers Committee Report; Cemeteries Committee Report; Budget and Strategic Planning ad hoc Committee Report; and Veterans Services Foundation Report.

Call to Order

With 9 of 18 (16 voting) members present, Chairman Galanti called the meeting to order at approximately 11:10 a.m. Delegate Watts and Senator Edwards arrived after the meeting began. The membership and guests recited the pledge of allegiance to the American flag.

Approval of Minutes

A **motion** was made by Pat Green, seconded by Vince Burgess and passed unanimously to approve the minutes of the April 17, 2008 meeting, as drafted.

Department of Veterans Services Report

Commissioner Burgess began his report by calling attention to the DVS Commissioner's Report in the agenda packet and highlighted some of the items. Commissioner Burgess said the Virginia Wounded Warrior Program (VWWP) is moving along nicely, with the program's Executive Director recently being hired. Commissioner Burgess noted that the VWWP fund-raising events also are going well and

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that a formal report on the fund-raising efforts will be presented to the Veterans Services Foundation Board of Trustees.

Commissioner Burgess said there is a lot of interest about TurboVet, with \$100,000 in state funding appropriated by the 2008 General Assembly for continued development of the project. Commissioner Burgess added that DVS is seeking resources from the National Defense University and the Virginia Information Technologies Agency to identify items needed for further development, including IT requirements. Commissioner Burgess said it is unlikely the \$100,000 appropriation will not cover this phase of the project, and that DVS is working to prepare an estimate of what the cost will be to fully implement the program.

Commissioner Burgess noted that the current residency at the new Sitter & Barfoot Veterans Care Center (SBVCC) is 84, and that SBVCC has received Medicaid/Medicare certification, as well as approval from the United States Department of Veterans Affairs (VA) for per diem payments.

Commissioner Burgess said that in Fiscal Year 2008 12,318 benefits claims submitted by DVS have been adjudicated by the VA, resulting in approximately \$28 million in retroactive awards.

Commissioner Burgess noted that the Land Transfer Ceremony for the Dublin Cemetery is still on target for September 22.

Commissioner Burgess called attention to the handout relating to the new GI Bill prepared by Annie Mosby, Director of the State Approving Agency for Veterans Education and Training.

Commissioner Burgess said DVS had met its budget reductions as required by the Governor, but is anticipating additional cuts.

Chairman Galanti welcomed the newest member of the Board, Senator Toddy Puller.

Pre-Registered Public Comment

There was no pre-registered public comment.

Virginia Wounded Warrior Program Update

Chairman Galanti asked Executive Order 19 Project Director Martha Mead to provide an update on the VWWP. Ms. Mead stated the objective of the program is to expand mental health services, substance abuse services and services for troops with traumatic brain injuries, focusing on those returning from combat, but also including any veteran and their family dealing with these issues. Ms. Mead noted that the program was funded by the 2008 General Assembly in the amount of \$2.4 million the first year, and \$2 million the second year. Ms. Mead added that, because this amount will not be sufficient to fully fund the program, non-general funds are being sought, including those from federal and private sources.

Ms. Mead reported that thus far, two Virginia is for Heroes conferences have been held, from which the necessary networking and partnering relationships for the VWWP were established. Martha noted that she is working with officials from the VA and the Virginia National Guard's Yellow Ribbon Reintegration Program to reach out to veterans and national guard troops who could benefit from the VWWP. Ms. Mead added that DVS has developed a detailed implementation plan for the 2008-2009 fiscal year.

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Pat Green added that, in his discussions with VA medical center officials, he has found they do not understand that the VWWP is simply a referral program, not a treatment program and, therefore, the VA officials feel threatened that the VWWP will impede the VA's treatment program already in place for combat stress and traumatic brain injury. Mr. Green stressed the importance of communicating to these officials and Virginia veterans the purpose of the program. Ms. Mead said she recognized that this is an issue that needs to be addressed, and to that end, she will be making a presentation on the program to all the VA Medical Centers' mental health directors in August, adding that before the Program was put in place, DVS consulted with the leadership of VISN-6 (VA's Veterans Integrated Services Network, Region 6). Ms. Mead said she would also stay in touch with the VA Medical Center directors and their Community Based Outpatient Clinics across the state. Mr. Wilder emphasized that publicity about the program needs to be done across the state at large, not just to VA officials. Ms. Mead responded that DVS is putting together a public awareness plan, which will include the state's 211 referral system for health and human services, and the Department of Defense (DoD) as part of its national public awareness campaign. Ms. Mead said DVS has offered the VWWP to the DoD as a pilot program. Mr. Wilder suggested DVS contact editorial boards of media across the state to aid in the publicity, and Senator Edwards suggested Op Ed pieces also might be a good mechanism for getting the word out.

Mr. Davis emphasized the importance of servicing the needs of veterans of all wars, not just those of the current wars in Afghanistan and Iraq.

Mr. Anderson said he is encouraged that the Veterans Services Foundation is involved in obtaining funding to support the VWWP.

Standing Committee Reports

Benefits Committee

In Mr. Sample's absence from the meeting, Mr. Combs called attention to the Benefits Committee report included in the agenda packets.

Care Centers Committee

Mr. Jones began his report by calling attention to the Care Centers Committee report in the agenda packets. Mr. Jones said that approximately \$16.9 million was appropriated to remodel the Virginia Veterans Care Center (VVCC) and that, thus far, only about \$6.7 of that amount has been expended, resulting in a significant cost savings. Mr. Jones also noted that of the 254 positions authorized to staff the facility, only about two-thirds are filled. Mr. Jones said that of the 240 beds available at the VVCC, currently 210 are filled. Mr. Jones said that of the approximately \$17.1 million in anticipated revenue, VVCC has collected over \$18.2 million. Mr. Jones reported that the annual VA inspection soon will be conducted at VVCC, and that last year's inspection resulted in zero deficiencies.

Mr. Jones said that of the \$11.3 million appropriated for the operation of the Sitter & Barfoot Veterans Care Center (SBVCC), only about \$5 million has been expended thus far. Mr. Jones noted that of the 233 positions authorized for the SBVCC, 162 are filled. Mr. Jones added that of the 180 beds available at the SBVCC, 101 are filled, and that of the \$106 million in anticipated revenues, SBVCC has collected nearly \$1 million. Mr. Jones that SBVCC will open a third care unit on August 4.

Discussion followed about the naming of Virginia's veterans care centers, and Mr. Combs noted that DVS is working on a draft policy for naming of DVS facilities, which will be provided to the Board for consideration at its next meeting.

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Cemeteries Committee

Mr. Green began his report by stating the Cemeteries Committee had met just prior to the full Board meeting and by calling attention to the Cemeteries Committee report in the agenda packets. Mr. Green said that the land transfer ceremony for the Southwest Virginia Cemetery is on schedule for September 22, 2008 and that construction has begun at the site. Mr. Green stated that state legislation needs to be introduced to support the Missing in America project, a nation-wide effort to recover the unclaimed cremated remains of veterans and give them a proper burial. Mr. Green asked Mr. Combs to prepare a position paper on this matter, and emphasized the importance of funeral homes and cemeteries collaborating to effect the burials, working through state associations such as Virginia Funeral Directors Association, Independent Funeral Homes of Virginia and the Virginia Cemetery Association. Mr. Green also stressed the importance of state legislation holding funeral homes harmless from legal liability if the remains are turned over to a cemetery for burial without the consent of a loved one. Mr. Ferguson stated that Virginia law provides that mortuaries may dispose of remains 90 days after notice is given of the intent to do so to the contracting party, i.e., the person who requests the cremation, and keeps a record of how and where the cremains were disposed of. Mr. Ferguson recommended that existing law be amended to allow mortuaries to give notice to the contracting party, as well as publish the notice for any unknown relatives who may wish to claim the remains; then after an established period, turn the remains over to a veterans organization. Ms. Lewis noted that current law provides for various methods of disposing of the remains. Mr. Combs noted that if DVS had the name and the Social Security of a the person whose cremated remains are stored at a funeral home, it could work with the VA to determine whether or not that person was a veteran and, if so, order a copy of the veteran's discharge papers and then have the remains buried at one of its veterans cemeteries for burial.

Delegate Watts recommended the Board support the Missing in America Project at a point in the future when it is determined exactly what is needed to go forward. Senator Edwards added that DVS also needs to discuss with the funeral home associations what kind of resistance it might encounter in requiring funeral homes to participate in this project, as well as determine what the fiscal impact to the Commonwealth would be. Mr. Green suggested that DVS contact the leadership of the three funeral home associations in Virginia about conducting a survey to determine how many unclaimed cremated remains are stored, and to seek their input on how best to achieve the goal of providing proper burial to veterans remains. Commissioner Burgess asked that this matter be explored further by DVS staff for a report back to the Board at its next meeting, without a corresponding JLC legislative objective being put forward at this time.

Mr. Green said that state legislation also should be introduced to fund vault liners at existing Virginia veterans cemeteries.

Mr. Green made a **motion**, that the Veterans Services Foundation raise funds for placement of bell towers at each Virginia veterans cemetery, a project which will cost approximately \$300,000. The motion was seconded by Paris Davis and passed unanimously.

Mr. Green also said that the VA burial allowance for state veterans cemeteries needs to be increased from the current amount of \$300 to at least \$550, and that he plans to raise this issue with members of the Virginia Congressional Delegation after the November elections. Mr. Combs added that this additional revenue could be used to (1) offer free services at the cemeteries; (2) provide funding for equipment replacement; or (3) decrease the amount of state support for operations of state cemeteries. Mr. Combs noted that the Commonwealth provides approximately 75% of the cemeteries operating

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expenses, with the remainder coming from the federal burial reimbursement and from amounts collected from the family of the veterans to bury their spouses.

Mr. Combs also noted that state coordinators for the Missing in America Project are working with veterans service organizations like DVS to provide a dignified final resting place for remains of veterans that have been sitting on shelves in funeral homes for years, some of which date back to the Spanish-American War.

Budget and Strategic Planning ad hoc Committee

Dr. Metters began his report by calling attention to the Budget and Strategic Planning ad hoc Committee report in the agenda packets. Dr. Metters stressed the importance of the Board's standing committees completing their review of the recommendations that came out of the July 2007 Board retreat, as well as their review of the DVS Strategic Plan and Service Area Plans, and provide feedback.

Dr. Metters highlighted the appropriations by the 2008 General Assembly for the Wounded Warrior Program and the Education Center at the Virginia War Memorial, but also noted that state revenue shortfalls will result in additional budget reductions for some DVS services supported by allocations from the state's General Fund. Dr. Metters emphasized that DVS will take steps to minimize the impact the reductions will have on direct services to veterans.

Legislative Report

Chairman Galanti asked each of the legislative Board members for their comments on the recent General Assembly session and veterans measures that may be introduced in 2009.

Senator Edwards said the success of veterans measures during the 2008 session was due in large part to making members of the legislature aware that there are approximately \$800,000 veterans living in Virginia that have important needs that are not being met. Senator Edwards praised DVS for constantly looking for new ways to serve Virginia veterans, including the recent focus on fundraising by the Veterans Services Foundation. Commissioner Burgess added that the General Assembly appropriations supporting the recently opened Fisher House at McGuire VA Medical Center underscores the commitment the Commonwealth has to its veterans.

Delegate Watts said the Commonwealth's mental health initiatives, generally, will interface well with the Wounded Warrior program, and that the response to the fundraisers being conducted across the state for that program demonstrates the commitment of the citizens of the Commonwealth to those who have sacrificed so much. Delegate Watts emphasized the importance of not losing site of the objective to provide this kind of support to veterans and their families for years to come.

Delegate Watts said that other important legislative objectives for the 2009 Legislative Agenda include providing tax relief to members of the National Guard and Reserve who are deployed outside the U.S., as well as veterans workforce development. Delegate Watts also stressed the importance of those seeking legislation to provide the legislators with enough information to support definitions for the language in the bills.

JLC Chairman's Report

Mr. Wilder began his report by listing some of the legislative priorities the JLC may present to the 2009 General Assembly, including:

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1. TurboVet – Mr. Wilder stressed that this is a high priority, depending on whether there any federal funding is obtained.
2. Tax relief for citizen soldiers – Mr. Wilder said the cost to the state would be approximately \$300,000, but because the Virginia Department of Military Affairs does not strongly support this objective, the JLC is uncertain whether it should make it one of its top priorities, especially given the state revenue shortfalls. Senator Puller noted that when she introduced similar legislation in the past, Legislative Services staff drafting the language expressed concern about the constitutionality of treating one segment of the military population differently than others.
3. Interstate Compact – Mr. Wilder said this legislation was carried over from 2008 to 2009, and it is hoped that it will be passed in the coming session. Mr. Wilder noted that the cost of this initiative is estimated to be approximately \$1 per child, or a total of \$80,000–\$85,000. Mr. Wilder noted that the Virginia Military Advisory Council fully supports this initiative.
4. TriCare – Mr. Wilder said a bill on this subject was introduced by Delegate Cole last year. This legislation would address problems that military families living in remote areas are experiencing in receiving this medical benefit. Mr. Wilder noted, however, that the Virginia National Guard says it would not support this initiative and, therefore, it may not be worth the JLC pursuing. Delegate Cole said that most of the complaints he receives are from active duty military and retirees. Mr. Green noted that the problem is with TriCare Advanced, not TriCare Standard.
5. Veterans Workforce Development – the JLC is waiting for specific recommendations of the Veterans Workforce Development Taskforce before finalizing this objective.
6. Missing in America Project.

Mr. Wilder noted that the Virginia Citizen-Soldier Support Council and the Virginia Military Advisory Council will provide input into the JLC Legislative Agenda.

Veterans Services Foundation Report

In Mr. Wickersham's absence from the meeting, Chairman Galanti called attention to the Veterans Services Foundation report included in the agenda packet.

Election of Officers

Mr. Green submitted the following nominations for consideration:

Paul Galanti – President
Thad Jones – Vice Chairman
Mark Cole – Secretary

Dr. Anderson noted that the nominations should be opened to the floor, then the votes cast. Accordingly, the nominations were opened to the floor, and the same three persons were nominated. Mr. Green made a **motion** that the nominations be closed, it was seconded by Toddy Puller and passed with Mark Cole opposing. Paul Galanti was elected President; Thad Jones was elected Vice Chairman; and Mark Cole was elected Secretary.

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Open Public Comment

There was no open public comment.

Scheduling of Next Meeting and Adjournment

The next meeting was scheduled for October 8, 2008, 11:00 am, at the Sitter & Barfoot Veterans Care Center. There being no further business, the meeting was adjourned at approximately 1:20 p.m.