

HOUSE COMMITTEE ON
VETERANS' AFFAIRS

March 10, 2005 Hearing Room C

8:30 A.M. Tapes 30 – 31 & 37

Corrected 10/17/05

MEMBERS PRESENT: **Rep. Donna Nelson, Chair**

Rep. Phil Barnhart, Vice-Chair

Rep. Debi Farr, Vice-Chair

Rep. Brian Boquist

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Betty Komp

STAFF PRESENT: **Jim Stembridge, Committee Administrator**

Erin Seiler, Committee Assistant

MEASURES/ISSUES HEARD:

Veterans' Issues – Informational Meeting

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 30, A

004	Chair Nelson	
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Calls the meeting to order at 8:36 a.m. Opens the informational meeting on Veterans' Issues.

VETERANS' ISSUES – INFORMATIONAL MEETING

- 032 Paula Brown Deputy Director, Oregon Department of Veterans' Affairs (ODVA). States that the purpose of appearance is to discuss statistics relative to compensation and pension benefits received by Oregon veterans.
- 046 Val Conley Administrator of Veterans' Services Divisions, ODVA. Submits United States Department of Veterans' Affairs Compensation and Pension Statistics Report (**EXHIBIT A**). Explains the 2004 Per Capita Compensation and Pension Dollars State Ranking chart (**EXHIBIT A, Page 1**).
- 064 Chair Nelson Asks if the chart reflects the per month pension a veteran receives.
- 066 Conley Confirms that the chart reflects the average pension per month per veteran in each state.
- 081 Chair Nelson Confirms that compensation and pension benefits are equivalent regardless of what military conflict that the individual served in.
- 083 Conley Explains how the laws pertaining to benefits have evolved over time because each conflict results in different types of disabilities.
- 093 Rep. Boquist Asks what distinguishes compensation benefits from pension benefits.
- 100 Conley Explains the difference between compensation benefits and pension benefits.
- 108 Rep. Boquist Asks if pension benefits are only based on a income-formula or if military rank is considered.
- 111 Conley Clarifies that military rank is not a consideration when determining pension benefits.
- 127 Chair Nelson Addresses the "horrific" practice of veterans' disability benefits being offset by military retirement income.

134	Conley	Speaks to the federal governments' practice of "double-dipping," which is when a veteran's compensation for a service connected disability is offset by military retirement income.
161	Brown	Cites a hypothetical situation of how the practice of "double-dipping" works.
173	Rep. Boquist	Comments on the failure of the federal government to correct this problem.
191	Rep. Barnhart	Comments on the amount and depth of analysis of compensation and pension data, hypothesizing on the possible reasons for the different amounts of benefits from each state.
208	Conley	Suspects that the difference in benefits between states is related to service delivery.
225	Rep. Farr	Asks if some of the states with a lower payout have a higher income threshold.
230	Conley	States that the income threshold is the same for all states.
249	Conley	Explains the rankings of Oregon Counties based on Per Capita Compensation and Pension Rates chart (EXHIBIT A, Page 2).
273	Rep. Hunt	Asks if there is a reason why there is significant inequity in compensation and pension benefits between similar counties.
289	Conley	Suggests that the inequity is related to the level of staffing in each County Veterans Service Office.
328	Rep. Boquist	Comments on the reasons why some veterans do not seek benefits and how County Veterans Service Officers are the best resource to reach out to veterans.
396	Conley	Explains the 2004 U.S. Per Capita Compensation and Pension map (EXHIBIT A, Page 3).

TAPE 31, A

007	Conley	Reviews spreadsheet of the National Compensation and Pension Dollars in 2004 (EXHIBIT A, Page 4).
014	Chair Nelson	Verifies that the compensation and pension benefits of Oregon veterans increased twenty-two percent from 2003-2004.
026	Brown	States that there are different statistics regarding the number of veterans' nationally and cites the source that ODVA uses to determine the statistics for Oregon.
038	Conley	Reviews spreadsheet of Oregon Counties Compensation and Pension Dollars in 2004 (EXHIBIT A, Page 5).
062	Van Moore	Senior Vice-President of Operations, Westcare Management, Inc.
070	David Looper	Administrator, Oregon Veterans' Home. Submits and summarizes Unintended Consequences of the Millennium Bill On Nursing Home Care Eligible Veterans report (EXHIBIT B).
174	Chair Nelson	Clarifies that the Millennium Bill requires a veteran to go to a federally contracted veteran's nursing home in order to receive full benefits.
184	Moore	Explains how the Millennium Bill specifically allows the federal government to deny state operated veterans' homes from having federal contracts and the subsequent effect on veterans.
217	Moore	Hypothesizes as to how and why the federal government, through the Millennium Bill, denies veterans a choice of where to receive nursing home care.
225	Rep. Barnhart	Asks if the operative issue could be repaired by establishing a private, non-profit to operate the state veterans' nursing home.
236	Moore	Speaks to belief that the Millennium Bill is intended to prevent the problem of "double-dipping" by veterans.
270	Staryl Austin	Advisory Committee Member, ODVA.
286	Chair Nelson	Confirms there has not been an effort, at the federal level, to defeat the Millennium Bill.

- 294 Austin States that Millennium Bill must be defeated at the federal level.
- 310 Chair Nelson Asks how many veterans currently reside at the Oregon Veterans' Home and at the Evergreen Veterans' Home.
- 328 Looper Addresses the resident capacity of the Oregon Veterans' Home and Evergreen Veterans' Home and confirms that only federal veterans' home is in Vancouver, Washington.
- 367 Chair Nelson Asks how much the administrative and maintenance costs are for the Oregon Veterans' Home.
- 385 Looper Speaks to the importance of continuous maintenance and improvements at the Oregon Veterans' Home.

TAPE 30, B

- 010 Morgan Addresses the difficulties of determining a dollar figure for maintenance costs and cites the best resource for getting a dollar figure is the manager of plant services at the Oregon Veterans' Home.
- 031 Rep. Barnhart Asks if the difference in rates between private facilities and federal facilities is a result of how debt service is collected and the federal governments up-front investment in the facility.
- 052 Morgan Explains how federal government restrictions prevent ODVA from accruing reserves on state-operated nursing homes.
- 074 Rep. Barnhart Confirms that the accounting practices instituted by the federal government prevent total reimbursement by the Oregon Veterans' Home and the ability to impute costs in order to determine real operating costs.
- 106 Chair Nelson Asks if either men have knowledge of a veteran being forced to leave the Oregon Veterans' Home because of Medicaid versus Medicare payment issues.
- 113 Looper States that the only insistence of a veteran having to leave the Oregon Veterans' Home was because of the Millennium Bill.

- 127 Morgan Cites that there is the potential for conflict with Medicaid certification because it is possible that a person may qualify for skilled nursing care in a state-veterans home under veterans' criteria, but not qualify for skilled nursing care in a state-veterans' home under Medicaid criteria.
- 155 Looper Restates opposition to the Millennium Bill.
- 168 Rep. Farr Verifies that it could potentially cost one hundred percent of a veteran's pension to pay for a state nursing home facility.
- 201 Morgan Points out that the Oregon Veterans' Home does have volunteers to run a cantina in order to provide funds to supplement incidental expenses of residents.
- 219 Chair Nelson Asks for a projection of the number of nursing home beds that will be necessary for veterans in the next decade.
- 222 Morgan Addresses why there is a need to build veterans' nursing home facilities in the population centers of Oregon.
- 270 Austin Explains why The Dalles was selected as a location for the Oregon Veterans' Home and why future location decisions must be made based on the concentration of veteran population.
- 307 Bill Penhollow Assistant Executive Director, Association of Oregon Counties (AOC). Explains the work of the County Veterans Service Program and variations in general fund budget resources for each county.
- 390 Chair Nelson Asks how the funds from the Federal Forest Safety Net are distributed to each county.
- 395 Penhollow Explains how funds from the Federal Forest Safety Net are distributed to each county's general funds.

TAPE 31, B

- 018 Penhollow Introduces Ralph Wyatt, Pat Brillon, Diane Clienti, and John Krawczyk.
- 033 Chair Nelson

		Asks if it is accurate that the state only funds two-tenths of a County Veterans Service Officer.
038	Penhollow	Explains that the state allocates ten thousand dollars to each county towards the salary of a County Veterans Service Officer.
055	Chair Nelson	Asks why each county has not asked for additional funding for the County Veterans Service Officer position.
062	Penhollow	Speaks to the numerous programs that counties provide in partnership with the state and how limited state and county fiscal resources are.
109	Chair Nelson	Asks if there is a reason why ODVA cannot serve as the administrative body for County Veterans Service Officers.
111	Ralph Wyatt	Administrative Officer, Linn County. Submits and summarizes Linn County Veterans' Services Costs and Revenue chart (EXHIBIT C).
161	Chair Nelson	Inquires how to insure that if the state were to allocate funds to each county for the purpose of funding the position of a County Veterans' Service Officer the money would not be spent to backfill other services.
166	John Krawczyk	Administrative Officer, Yamhill County. Speaks to the commitment of Yamhill County to supporting their County Veterans Service Officer and addresses concern that state funds would be used judiciously.
197	Rep. Hunt	Concurs that there is a need for a greater level of assurance "that not one dollar would be backfilled into other programs," adding that "comfort level of passing those new dollars will be low" without firm commitment from counties that this will not occur.
209	Wyatt	Explains how lack of state funding has resulted in counties supplementing their County Veterans Service Program with monies from the their General Fund and it is "unreasonable" to expect counties "not to direct one dollar" to supplement other programs.
244	Rep. Barnhart	Asks if the concern is whether counties have the ability of each county to afford the costs that will accompany the expansion in the program if requests for services and assistance increase at the anticipated rate.

- 260 Pat Brillon County Veteran Service Officer, Linn County. Speaks to the increase in the active work load in the Linn County Veterans' Service Office.
- 286 Rep. Barnhart In reference to the Linn County Veterans' Services Costs and Revenue chart, asks if the county budget can maintain the current rate of growth.
- 293 Wyatt Explains how the cost and revenue figures were calculated on the chart (**EXHIBIT C**).
- 310 Rep. Boquist States why the committee must have definitive statistics, by county, of the number of County Veterans' Service Officers, current budget allocations for the program, and the number of veterans.
- 365 Chair Nelson Affirms why it is important to have definitive county by county statistics for County Veterans' Service Officers.

TAPE 37, A

- 005 Jacqueline Zimmer Director, Oregon Association of Area Agencies on Aging and Disabilities. Speaks to previous efforts to attain funds for County Veterans' Service Officers.
- 026 Debbie Kincaid Secretary, Oregon County Veterans Service Officer Association (OCVSOA). Submits and summarizes OCVSOA information packet which includes County Veterans Service Officer job description, Current Staffing and Funding of Oregon County Veterans Service Officers spreadsheet, and County Veterans Service Officer Bill Expense Allocations chart (**EXHIBIT D**).
- 051 Krawczyk Confirms that each county submits a quarterly budget report to the state of the expenses and recoveries for veterans' services and receive a reimbursement check.
- 061 Rep. Komp Verifies that there are annual audits completed to monitor expenditures and accounting revenues.
- 071 Kincaid Clarifies the basis for the veteran population statistics and what compromises the other funds accounting figures (**EXHIBIT D, Page 4**).
- 092 Zimmer

		Explains how the total budget proposal for County Veterans Service Officers was determined.
103	Kincaid	Speaks to why it is not possible for County Veterans Service Officers to be a part of the ODVA.
120	Kincaid	Explains why Washington County ranks lowest in per capita dollars received from United States Department of Veterans' Affairs.
138	Kincaid	Discusses the information and referral services that County Veterans Service Officers provide that cannot be reflected in performance measures or accounted for in a caseload report.
168	Kincaid	Explains the Multnomah and Washington County Veterans Service Medicaid Pilot Project.
189	Chair Nelson	Explains the need for the county administrative officers to meet with County Veterans Service Officers in order to evaluate Medicaid program.
210	Zimmer	Points out the effect that the decrease in funding for health services has had on the ability to provide assistance to people with disabilities, including veterans and seniors and the that the Medicaid Pilot Program would assist in restoring the lost services.
265	Kincaid	Explains that OCVSOA are in the process of developing accountability measures for County Veterans Service Officers.
276	Rep. Hunt	Urges OCVSOA to be aware of the dollar for dollar comparison that will occur when Ways and Means is balancing funding of veterans services and other state services.
308	Diane Clienti	County Veteran Service Officer, Yamhill County. Speaks to the role and responsibilities of a County Veterans Service Officer and the increasing demand for assistance.
396	Chair Nelson	Closes the informational meeting on Veterans' Issues. Adjourns the meeting at 10:45 a.m.

EXHIBIT SUMMARY

- A. **Veterans' Issues, United States Department of Veterans' Affairs Compensation and Pension Statistics Report, Val Conley, 6 pp**
- B. **Veterans' Issues, Unintended Consequences of the Millennium Bill On Nursing Home Care Eligible Veterans Report, David Looper, 12 pp**
- C. **Veterans' Issues, Linn County Veterans' Services Costs and Revenue Chart, Ralph Wyatt, 1 p**
- D. **Veterans' Issues, information packet, Debbie Kincaid, 5 pp**