2011 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1429

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1429
February 10, 2011
14351

☐ Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to county veterans' service officers

Minutes:

Chairman Bette Grande opened the hearing on HB 1429.

Vice Chairman Randy Boehning, District 27, appeared in support. **Attachments 1 and 2.** The first one is an amendment for consideration. The second attachment is what the intern can put the language into the bill as it would read.

Chairman Bette Grande: Do you want me to give a history as to why this is here? It is a bit odd as the first draft looks to you. Last session we had a bill in front of us and it was addressing the training of CVSOs, the county veterans' service officers. The conference committee decided to put forth for the commissioner to have them all go under a national association of county veterans' officers training, an accredited national program. In that legislation we put a date certain in there, and that is where you see that struck out. We are just trying to address at that point how that went, what it is, and how did it go. Rep. Boehning has brought that back saying okay, here is the bill in front of us. How do we proceed?

Vice Chairman Randy Boehning: Basically what the amendment will do taking Page 1, Line 13, currently the way the law reads it expires by August 1, 2011. Each county veteran service officer must be accredited by the national association of county veterans' service officers. We are going to strike that language and would like to insert all county veterans' service officers must maintain training, certification, and accreditation as adopted by the Department of Veterans' Affairs. It would be up to the Department of Veterans' Affairs to direct what will be acceptable training for the service officers. We are trying to get all the levels and tiers melded together. It probably won't cost so much to send everybody out for accreditation. I think the cost last time was $100,000 or something like that.

Rep. Gary Paur: Is the Department of Veterans' Affairs national or state or what is it?

Vice Chairman Randy Boehning: This would refer to the State Department of Veterans' Affairs, not the national. It is all state.

Rep. Gary Paur: Is that self explanatory?

Chairman Bette Grande: In this section we understand that it will be the commissioner.

Rep. Gary Paur: That shouldn't be capitalized.

Chairman Bette Grande: I don't believe so. Commissioner, could you fill me in—actually I heard about it all interim—but we have a lot of new committee members that all of this is just totally new things. Will you please explain to us what happened in the interim after we requested national association accreditations, how that went?

Lonnie Wangen, Commissioner of Veterans' Affairs appeared. I have a handout coming around. **Attachment 3.** Part of your request is in there.

Chairman Bette Grande: On the front page where you said there were five North Dakota Department of Veterans' Affairs staff, is that who those five people are?

Lonnie Wangen: No. I can back up and clarify that a little bit. That is paid for the Am Vets organization. They pay for that person to be there, same with the American Legion, DAV, and VFW. Those organizations are paid for and work for their organizations. Department of Veterans' Affairs are the state employees.

Rep. Karen Karls: In your first diagram you show that the veteran can go directly to these five organizations which then goes on to the Veterans' Affairs in Fargo. Then on the second one you put another step in between. Can they go directly to their county veterans' service officer and then to Fargo or do they always have to go through one of these five?

Lonnie Wangen: Anybody can file a claim with the VA. That was the first slide I was showing you. It is not highly recommended, because they really don't know what you are doing. The next slide is you can go right to a NSO. If you lived in Fargo and you were at the VA, you can walk right up to these guys and file a claim with them. If you live out in Bismarck or anywhere else, you can walk into your county veterans' service officer and you do all the work there, and then the claim itself goes. The veteran doesn't have to then go up to the NSO. The CVSO in your county will take care of your claim from there.

Rep. Karen Karls: Suppose you live in Slope or Grant County where there might not be a VFW or one of these other organizations, can you go directly through your county veterans' service officer to the VA in Fargo?

Lonnie Wangen: Exactly. You don't have to be a member of any of those organizations, and you don't have to have one in your county. You just go to your county service officer, and you choose a power of attorney which organization you want to have take your claim and it is taken from there.

Rep. Karen Karls: You are saying though that you always have that extra step of going through one of those five organizations no matter if you go through your county officer?

Lonnie Wangen: That is a step you should take, yes. Anybody can submit directly to the VA, but it wouldn't be a good idea. The NSOs are the ones who work the claims on a day to day basis with the VA, and they can work the appeals if a claim doesn't come back favorably. They can represent that veteran in appeals also.

Chairman Bette Grande: Your CVSO is your representative to the NSO. He has your things so you can kind of step back from it once you deal with him. You will have to keep into the process, but he or she is your guy or gal.

Rep. Karen Karls: Who holds the power of attorney?

Chairman Bette Grande: The NSO.

Lonnie Wangen: The NSO. That gives them a right to go across the hall to the VA and discuss that record with them. It is not a power of attorney over everything in their life. It is just on that claim there.

Rep. Karen Karls: These NSOs are I assume from these five groups. Do they actually reside or have their office at our local VFW or are they in Fargo across the street from the VA?

Lonnie Wangen: The office right in that building that I showed you right in Fargo. They don't have VSOs, national service officers, out in the posts. They are paid for those organizations and they represent those organizations for the clubs.

Rep. Lisa Meier: Once a CVSO has received accreditation, how often then do they have to go through being accredited?

Lonnie Wangen: It depends on the organization which you are accredited with. With the NACVSO once you are accredited, you have to maintain 16 continuing education units per year and maintain membership.

Rep. Lisa Meier: That is per year, they have to go through 16?

Lonnie Wangen: Yes.

Chairman Bette Grande: Are you going to go over how you stay accredited with NACVSO?

Lonnie Wangen: Continued with Attachment 3 starting with NACVSO training was a success in Bismarck and had many favorable comments from the participants.

Chairman Bette Grande: (22:10) Point of clarification. This is what you do above and beyond NACVSO?

Lonnie Wangen: Right. This goes beyond just the accreditation. You have to take these steps and then you will get that.

Chairman Bette Grande: (24:40) This is above and beyond. We have 50 CVSOs?

Lonnie Wangen: We have 49. There are eight counties that share.

Chairman Bette Grande: In that all but the two have received their NACVSO training and are nationally certified?

Lonnie Wangen: All but those that were listed.

Chairman Bette Grande: All but Mercer and Billings. I am giving Eddy and Billings, not. I am giving the other three a slide because you said they were going to do it. We have two that are not. Of these how many have gone on to do all the extra you just said?

Lonnie Wangen: We are still working on the exact number on that. We worked with quite a few of the CVSOs to get the TRIP training, to update the training. I would say we are 80% if not a little bit more on that throughout the state. I am getting through the web training as another step. There are some glitches in the system. Some of them give up, but we are working with the VA to work through those. It is up to them if they want to take it. We just at this point highly encourage them to do it.

Chairman Bette Grande: All that extra training isn't actually necessary since all they have to really do is still work with the NSO?

Lonnie Wangen: You are correct on that.

Rep. Vicky Steiner: Where is the responsibility to get the training? Does that fall with your office or with the county? If they never do take the training, is there anything that happens at that point?

Lonnie Wangen: The responsibility for them to get the training isn't set in code. It basically says that they have to have the NACVSO training and be accredited with them right now. That is their responsibility and their county commissioners to make sure that is done. This last biennium it was our department's responsibility to provide that training for them. After this it is up to the counties to ensure that they keep going to that training. If we already got all but two, it would only be a few counties now that need to go. We do have some funding left to get these last few trained up before this biennium is over. Then it falls in the hands of the counties. Hopefully, it is in our governor's budget, and so far is going well, extra money in there so that we can bring this training back to North Dakota as our CVSOs say we have a larger turnover and it is going to make more sense to bring them back to get everybody to go and get refreshed with them and get accreditation again. (Continued at 27:58)

Chairman Bette Grande: Does NACVSO have in its training the TRIP training, and does NACVSO include training and certification for the paperless system?

Lonnie Wangen: No, they do not have the TRIP training or the web training. That is things that can be done online back here.

Chairman Bette Grande: Personally, I am more than willing to discuss either the bill as it is or the amended version. I am open to that.

John Jacobsen, Chairman of the Legislative Committee of the ND Veterans' Coordinating Council, appeared. **Attachment 4.**

Opposition:

Ron Otto, Morton/Oliver County Veteran Service Officer, appeared in opposition. **Attachment 5.**

Rep. Lonny Winrich: When I first read the amendment as it was passed out, I had somewhat the same reaction that you have described. I remember from last session's discussion about this kind of being the gold standard of accreditation. I was reassured, however, by Page 4 of Commissioner Wangen's testimony where he describes the intent of the department is that new CVSOs must attend NACVSO training and after this biennium at the county's expense and the department may budget to bring that back. They must complete the VA's online TRIP training. They must complete VA's online web training and so on. Apparently, that looks like the policy of the department. What is your comment on that?

Ron Otto: The commissioner basically failed to involve all stakeholders with regard of developing this plan and program. We have no knowledge of this whatsoever. Furthermore, the law as it is sitting right now with compliance to go to NACVSO and with what I offered in my testimony is to develop that plan with all stakeholders involved and the department to maintain those accreditation processes and to assist those counties with regard to those accreditation processes. I think we are talking apples and apples here. It is just do we put the cart before the horse or the horse in front of the cart. I think we are going to get to the same spot. It is just simply involving all the stakeholders at the same time. Right now that is not happening.

Rep. Bill Amerman: Who are all the stakeholders that are not involved?

Ron Otto: Certainly all of the claims organizations are not on board on this and have not been contacted with regards to that. He may have contacted part of them. Certainly both associations of county veterans' service officers have not been a part of this. I am president of the professional veterans' advocates of the state of North Dakota and we serve over 70% of the veterans in this state. We haven't been involved. We haven't been called.

Chairman Bette Grande: Why do we have a division of our CVSOs? I thought we all came to the same page.

Ron Otto: That is a good question. Maybe we can answer that sometime in the future. Professional veterans' advocates is an organization that was born out of a need that was not being met by the other organization.

Chairman Bette Grande: What is the other organization?

Ron Otto: The other organization is the North Dakota county veterans' service officers' association.

Chairman Bette Grande: What do they do?

Ron Otto: They are county veterans' officers who have an association and exchange ideas. I was a member of them for many years and felt the need along with county service officers that they weren't meeting our full needs which was basically to advocate for a more aggressive training program and a higher standard.

Chairman Bette Grande: I don't like the idea of the fact that—I thought we were trying to get everybody all on the same page—and I am seeing division here. That is not a good thing. When I look at, as Rep. Winrich pointed out, Page 4, we are talking about above and beyond NACVSO. I don't remember what it was called two years, but the professional type group came in saying NACVSO was it. NACVSO is here and the amendment is calling for that and above and beyond. That should have made the group you said you are the president of happy, not in opposition. I am getting confused by testimony.

Ron Otto: You are absolutely correct. It would have been nice to have that very major stakeholder who serves over 70% of the veterans in the state been included in that and privy to what was going on. That would have solved all these little problems.

Chairman Bette Grande: Seeing the plan now with a lot of people in the room and if that is legislative intent by the commissioner, would you be in agreement?

Ron Otto: I haven't seen the plan. As you describe it, if NACVSO still stays the gold standard with that regard, we don't have a problem. The only problem we have now is communication.

Rep. Lonny Winrich asked Chairman Bette Grande if we could give Mr. Otto a copy of Mr. Wangen's testimony and did so.

Chairman Bette Grande: We are on reference to Page 4 after the first line as the amended amendment states. This is the first time I have seen kind of the full layout. I understand what you are saying, but I want to make sure we all get on the same page here.

Ron Otto: That is exactly right. We probably came in the door completely united had this been shared.

Mark Landis, Burleigh County Veterans' Service Officer, appeared. **Attachment 6.**

Vice Chairman Randy Boehning: You are saying that there are 20 that have not been accredited in the training of the NACVSO?

Mark Landis: They have not completed all the paperwork and have not received the actual accreditation back from the VA. If I can explain a little bit, some people think that just going through the accreditation training means they have complied with the law, but that is not correct. That accreditation also involves not only completing the training but

submitting the application to the VA for accreditation and getting that accreditation back in writing from the office of general counsel of the VA. As of last week, approximately 20 have not done that. Some may be pending and there may be some that just never bothered to fulfill that paperwork requirement. If they don't, they won't be in compliance by August 1.

Vice Chairman Randy Boehning: Going down to where you referenced 37-18-04 which provides counties recommended. If we would put this amendment on that I presented, we would have to change this portion of the century code in order that the commissioner would have the authority to direct whatever it would take for the service officer to get the training through the county. Correct?

Mark Landis: If that is the question, I am not a legislative scholar. If it required a change in that portion of the law, I would leave to your capable hands.

Vice Chairman Randy Boehning: I just wanted to make sure, because if we have something in there that says the counties come back and say well, it is only a recommendation, we don't have to follow through. That is something we will probably have to take a look at. Thank you for bringing that to our attention.

Rep. Lonny Winrich: Are you objecting to the bill as it originally was presented or to the amendment that Rep. Boehning brought in?

Mark Landis: I am speaking specifically to the amendment. That is what I oppose.

Rep. Lonny Winrich: Have you seen the proposed policy that is on Page 4 of Commissioner Wangen's testimony?

Mark Landis: No, I have not seen that.

Rep. Lonny Winrich: Shall we give him a copy? They did so.

Mark Landis: I am unclear if this means that NACVSO training is still going to be required. It is not actually what it is telling me.

Rep. Lonny Winrich: As you indicated, Chairman Grande, if this is legislative intent that certainly is what we expect of the Department of Veterans' Affairs. I would think that is the interpretation here.

Chairman Bette Grande: Correct. That would be my interpretation, and I think, committee, we will have to address that intent, but it is now in the record that it is this committee's intent to follow that.

Mark Landis: I am certainly encouraged by that statement of your intent. The way I read this it says must attend any CVSO training. That means that is the law now. After that it says after this biennium—well, again, it is not exactly clear here.

Chairman Bette Grande: I just have one, whether it is rhetorical or not, because it is not necessarily geared at you, so please take it for that. The statement is that all members were in support. That was of the Coordinating Council, but it has always been my understanding ACOVA came in all jointly in agreement on legislation also. I have now had two ACOVA members in front of me not in favor. Am I to assume since I don't have something from ACOVA stating they were in agreement, ACOVA was not in agreement on this?

Lyle Schuchard, Chairman of the Administrative Committee on Veterans' Affairs, appeared. The ACOVA did do a telephone conference and did vote to agree to pass this amendment.

Chairman Bette Grande: When they vote, it always has been my understanding that all 15 had to be in agreement, correct?

Lyle Schuchard: No, that is not correct. Ours has to have a majority vote.

Chairman Bette Grande: It is just the Coordinating Council comes in full agreement?

Lyle Schuchard: Yes, but the ACOVA did vote to approve the amendment.

There was no one neutral to this bill.

The hearing was closed.

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1429
February 17, 2011
14694

☐ Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to county veterans' service officers

Minutes:

Chairman Bette Grande started the committee work on HB 1429. There were some amendments offered at the time of the hearing. Rep. Boehning has some amendments to look at. **Attachments 1 and 2.** This first amendment is more of the formal copy of what was offered the day of the hearing so it is in proper legislative form. The second amendment is to further amend that one amendment. On Page 1, Line 9 after the period it starts the veterans' affairs commissioner may work directly with county veterans' service officers. I want the committee's opinion as to whether or not you would be willing to put in the word shall there. We have an issue as you saw in the report a couple of county service officers who just plain aren't going to get any training and they are not going to do anything. This means we have two counties who is suppose to be their service officer who takes care of getting them the grants, getting them the loans, putting them in contact with the federal office that gets them the care and guidance they need. It is the person who helps them get into the VA hospital, to the VA nursing home. This is their go to person. We have two counties where these veterans have nowhere to go unless they leave their county or come all the way to Fargo to find the NSO. The state paid for them to be trained and they thumbed their noses at us. There is no recourse to it unless we give the commissioner some teeth saying that he shall work directly with them.

Rep. Gary Paur: I think if you change that to shall that doesn't affect the service officers. That forces the commissioner to work with them but doesn't force them to work with the commissioner.

Chairman Bette Grande: You feel the amendment is good enough without changing that word? I just want to make sure it is doing what we want it to do.

Vice Chairman Randy Boehning: In dealing with Lines 9 and 10, the commissioner really doesn't have any authority over them and I think with the word shall or must work directly with the county officers will probably give him a little bit authority. Their bosses are the county commissioners. The commissioner would have the authority over them and what training they need, supplies, etc. The county officers would have to go to the county commission to say what their needs are.

Chairman Bette Grande: During the interim one of the tasks Lonnie was given besides the training of the CVSOs was to go and personally visit with every CVSO. He was to go through their

office to see if it was compliant to handicap accessible, what types of hours they were working, did they have access to a computer to do the filing of their paperwork, what were they doing, and how was it all working. Some of the interesting things that he found some county commissioners when he would go back and say do you realize he doesn't have an office, it is in his basement, there is no locked file cabinet, and there is no direct phone line for the veterans to call, almost every county commissioner said how do I help them? There is no ability for Lonnie to follow up to see that it gets done that way. There is no recourse if it doesn't. I am just trying to see how do we get everyone of them to be more on the same page? It frustrated me to have a group stand up there and say we are the professional ones, because we put this in place so that they could all be on the same page and this was their request. We bring all the other veterans to the same training that they are at and they all of sudden go we are still better than them and we are going to be in the professional group. I see the divide in there, and this was suppose to be the piece that brought them together. I have been asked by some of them what is a way to cooperate within inside the regions with each other? We have already said you can join counties together. I need to understand what they are doing before I try to word something like that. The other point was that if you regionalized the county veterans' service officers maybe then the state could take it over instead of the counties and then we wouldn't see the disparity between this county doesn't have as much money as that county so his office is nicer, etc. I am not ready to go down any paths like that but I think it is worth having a discussion about at some point, not in this bill.

Rep. Karen Rohr: Number 1, this is what it says to me that the veterans' affairs commissioner has the authority to encourage the CVSOs to do the training. They have the ability to go back to these people, get the wherewithal to accomplish that, and do the CVSOs have a job description that defines the expectation so that in the event like these two counties that haven't fulfilled that obligation that there is some type of consequence?

Chairman Bette Grande: No they don't. You just used that the commissioner is going to encourage them for training. No they must do.

Rep. Karen Rohr: He is accountable to enforce that these individuals get this training.

Chairman Bette Grande: Yes. He goes back to the county commissioner of that county and says yours is not meeting the standards of the state. From there it is still going to be up to the county commissioners to decide what is going on.

Rep. Karen Rohr: In other words that individual has two bosses. Therein lies the problem.

Chairman Bette Grande: The CVSO currently only has their county commissioners. If we do the shall, he doesn't have two bosses. He has one person that is telling him here is your training but it is still going to be up to the county commissioner, and only the county commissioner that can hire and fire him.

Rep. Lonny Winrich: The amendment reads in addition to any recommended qualifications or standards made by the commissioner of veterans' affairs to the board of county commissioners so he is recommending to the county commissioners and adopted by the board. Is the problem that the county commissioners haven't adopted the recommendations in those counties?

Chairman Bette Grande: Yes.

Rep. Lonny Winrich: I am not quite sure how we deal with that.

Chairman Bette Grande: That is the case at point. We need to give him some kind of teeth to say this is how you are going to do it. You get caught in how far do we tell the county commissioners to do their job? We had county commissioners that had never ever done a job review of their CVSOs. I think the commissioner has the enforcement in that when he goes to the county commission and he says your CVSO is not trained to be in that position well if they don't enforce the training after that knowledge or if they don't remove that person they are in violation of something. Maybe he needs to be writing rules. I certainly don't want to write all that out in law.

Rep. Karen Rohr: My concern then is for the veteran that needs services and has needs that need to be taken care of. What recourse does that individual have if the commissioner and or isn't doing their job?

Chairman Bette Grande: If the CVSO and the county commissioner are not doing their job? They don't have any recourse right now.

Rep. Karen Rohr: They have no appeal process that they can go through?

Chairman Bette Grande: They would just bypass their county and go to the NSO or they can go to the next county and get services.

Rep. Karen Rohr: They need to be made aware of that.

Chairman Bette Grande: Yes or we give some teeth to somebody that says you have to do this. The commissioner should have the teeth. He is the executor of the department of veterans' affairs.

THE FOLLOWING IS THE CONTINUATION OF THIS COMMITTEE WORK LATER ON IN THE DAY.

Vice Chairman Randy Boehning moved amendments 1001 and 1002.

Rep. Glen Froseth seconds the motion.

Rep. Vicky Steiner: I think we have the cart before the horse here, because if you don't have control and you are going to say the veterans' affairs commissioner shall work directly.

Chairman Bette Grande: That is a different amendment. I want to keep that separate. This is dealing with the training. This is suppose to be matching up with as the discussion went, Page 4, where the commissioner has said to us that what he would like to be doing is what is called the NACVSO training and that is the training they just went through in the last biennium—it is going to be the continuation of that and then what he wants to do is include that they participate in what is called TRIP training. That is their computer training, learning how to fill out the forms online, and everybody being able to deal with. This is an interesting piece and glad that they have this in that TRIP training would allow say these rural areas where he can take his laptop, go to the veteran's house instead of the veteran coming to him, fill out the forms online right there with the computer.

I find that to be just a great convenience to these CVSOs and to the veteran who doesn't want to travel to that county veteran officer or is unable to. I appreciate the fact that he wants to put that in as a must. I appreciate the fact that they are trying to do something that is a little more streamline when it comes to the veterans and getting the services provided. If you have been reading your emails you probably heard from three different CVSOs that say they don't like the fact that it says NACVSO training without mandating the certificate. That is the professional group that was here. They want everybody to have to be certified. I personally do not wish to state as this point that the county has to pay for that certificate. They are doing the training. If they want to pay for it and they want to get the certificate, great get it. I want to know the knowledge behind the person.

Rep. Lonny Winrich: As I read amendment 1, we are going to require certification.

Vice Chairman Randy Boehning: We are taking out accredited in there which would mean the certification. We are just requiring them to take the training.

Chairman Bette Grande: I'll explain this. What it says is the commissioner is setting the qualifications and standards. The certificates that he is talking about here are certificates for TRIP training. If we had a new commissioner that wanted to mandate NACVSO certificates this language would probably do it or he is going to make them certify the TRIP training and get the certificate for it. He is going to get a certificate for the web training and they print off those certificates and send them in. That is his only way of knowing they went on and did their training. Those are the certifications he is implying there.

Vice Chairman Randy Boehning: The commissioner says he has enough left to train the ones that haven't been trained yet from their funding from the last time yet. In his budget he has $30,000 for the continuing ed. for their twice yearly certification. It is only three mills they can levy for the veterans' service officer.

Chairman Bette Grande: I attended two of these trainings in the last year. I attended the ones in Bismarck and Fargo. They had very good attendance. They had an excellent speaker at Bismarck.

A voice vote was taken to adopt the Boehning amendments. Motion carried.

Rep. Vicky Steiner: I don't have a problem with the shall. It is like pushing a noodle up a hill. If you don't have control over the office, you are going to tell him you shall do this but he has no way—if they say we are not going to meet with you, we are not going to open our door to you, then he has failed. It is really important to train these people. If it is a state priority then we should give a carat to the counties or work with the association of counties and say we are going to certify a county that their CVSO gets a gold star and they get some kind of public recognition. Maybe you could do it without money. What you expect from him and what he might be able to accomplish might not be the same things.

Chairman Bette Grande: Easily maybe remedied is to say that the county commissioners shall work directly. The veterans' affairs commissioner shall work directly with the county veterans' service officers and the county commissioners. We can leave that up to him. He could set up his own incentive program.

Rep. Vicky Steiner: That is better. I offer this amendment. The veterans' affairs commissioner shall work directly with county veterans' service officers and the county commissioners.

Rep. Mark Sanford seconded the motion.

Rep. Karen Karls: I don't work real directly with my county commissioners. Vicky, I know you have. Would any of the rest of you know would they be resistant to?

Chairman Bette Grande: The larger counties aren't going to. Possibly the smaller ones will. The larger counties actually have a relationship with their CVSOs.

Rep. Mark Sanford: I like the amendment because I think it flows very nicely into the 1001 amendment which says that the commissioner of veterans' affairs to the board of county commissioners so it flows in there that he is going to work with it and said that he shall and kind of suggests some areas to go into.

A voice vote was taken on amendment 2. Motion carried.

Vice Chairman Randy Boehning moved a **Do Pass as amended.**

Rep. Vicky Steiner seconded the motion.

DO PASS AS AMENDED, 12 YEAS, 0 NAYS, 1 ABSENT. Rep. Vicky Steiner is the carrier of this bill.

Attachment 1
1429

11.0733.01001
Title.

Prepared by the Legislative Council staff for
Representative Boehning
February 10, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1429

Page 1, line 13, replace "Each" with "In addition to any recommended qualifications or standards made by the commissioner of veterans' affairs to the board of county commissioners and adopted by the board, and any training, certification, and accreditation required by the commissioner of veterans' affairs, to be qualified for the position, a"

Renumber accordingly

Attachment 2
1429

11.0733.01002
Title.

Prepared by the Legislative Council staff for
Representative Boehning
February 16, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1429

Page 1, line 13, overstrike "be"

Page 1, line 14, overstrike "accredited" and insert immediately thereafter "attend training provided"

Renumber accordingly

Date: 2-17-11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1429

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 11.0733.01002 & 11.0733.01002

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Boehning Seconded By Froseth

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande			Bill Amerman		
Vice Chairman Randy Boehning			Ron Guggisberg		
Glen Froseth			Lonny Winrich		
Karen Karls					
Lisa Meier					
Gary Paur					
Karen Rohr					
Mark Sanford					
Vicky Steiner					
Roscoe Streyle					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voice vote to adopt amendment motion carried

Date: 2-17-11
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1429

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Steiner Seconded By Sanford

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande			Bill Amerman		
Vice Chairman Randy Boehning			Ron Guggisberg		
Glen Froseth			Lonny Winrich		
Karen Karls					
Lisa Meier					
Gary Paur					
Karen Rohr					
Mark Sanford					
Vicky Steiner					
Roscoe Streyle					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voice Vote

to adopt amendment 2 presented by Rep. Steiner motion carried

VR
2/18/11

11.0733.01003
Title.02000

Adopted by the Government and Veterans Affairs Committee
February 17, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1429

Page 1, line 9, overstrike "may" and insert immediately thereafter "shall"

Page 1, line 10, after officers insert "and the board of county commissioners of each county of this state"

Page 1, line 13, replace "Each" with "In addition to any recommended qualifications or standards made by the commissioner of veterans' affairs to the board of county commissioners and adopted by the board, and any training, certification, and accreditation required by the commissioner of veterans' affairs, to be qualified for the position, a"

Page 1, line 13, overstrike "be"

Page 1, line 14, overstrike "accredited" and insert immediately thereafter "attend training provided"

Renumber accordingly

Date: 2-17-11
Roll Call Vote #: 3

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1429

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Boehning Seconded By Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande	✓		Bill Amerman	✓	
Vice Chairman Randy Boehning	✓		Ron Guggisberg	✓	
Glen Froseth	✓		Lonny Winrich	✓	
Karen Karls	✓				
Lisa Meier					
Gary Paur	✓				
Karen Rohr	✓				
Mark Sanford	✓				
Vicky Steiner	✓				
Roscoe Streyle	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Steiner

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1429: Government and Veterans Affairs Committee (Rep. Grande, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1429 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "may" and insert immediately thereafter "shall"

Page 1, line 10, after officers insert "and the board of county commissioners of each county of this state"

Page 1, line 13, replace "Each" with "In addition to any recommended qualifications or standards made by the commissioner of veterans' affairs to the board of county commissioners and adopted by the board, and any training, certification, and accreditation required by the commissioner of veterans' affairs, to be qualified for the position, a"

Page 1, line 13, overstrike "be"

Page 1, line 14, overstrike "accredited" and insert immediately thereafter "attend training provided"

Renumber accordingly

2011 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1429

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1429
March 18, 2011
15679

☐ Conference Committee

Committee Clerk Signature Katie Olson

Explanation or reason for introduction of bill/resolution:

Relating to county veterans' service officers.

Minutes: *Testimony attached.*

Representative Randy Boehning: District 27, Fargo and West Fargo. I have some amendment to pass out (see attachment #1)

Senator Nelson: Why do we have this bill in front of us?

Representative Boehning: Line 13 we had to revisit it, because we had to get the veterans service officers trained. What this will do is basically clean up the language from last session. After working the last few years brining the veterans service officers up we need to give the commissioner the ability to decide what needs to be done. I think that it's important that the veteran service officers should have the tools to help these veterans including training and it's important to the veterans and the citizens of North Dakota.

Representative Boehning: I believe we don't have to it presented by council. When we started with this last session we set up a time table.

Chairman Dever: NACVSO is still the standard?

Representative Boehning: That is correct. One thing with the NACSCO training is that it opens it up and allows the training to change quite a bit. This would help that.

Chairman Dever: In the amendment on page 1 line 17, "the board of county commissioners shall adopt any qualification, standard policy training requirement." What if they don't?

Representative Boehning: I think that they will.

Chairman Dever: I am just wondering if it can be better stated.

Representative Boehning: We need to get the county commissioners on board. The most important thing here is the veterans. We want to make sure that there is a level playing field for the services that can be provided.

Lonnie Wangen: See attached testimony #2

Chairman Dever: Page 2, 5 different organizations w/ 3 different officers.

Lonnie Wangen: 3 of the above, you can get cross accredited with those organizations.

Chairman Dever: Amvet must be a member?

Lonnie Wangen: Yes. Not all CVSO's are veterans

Ron Otto: See attachment #3.

Mr. Otto also provided testimony from other VSO's though the state. See attachments #4-7.

Chairman Dever: Have you seen the amendment?

Ron Otto: Yes

Chairman Dever:

Ron Otto: There are 4 levels of NASCO training there is no specification as to what ones they should attend.

Senator Cook: Billings County no longer has a VSO; Stark County is now overseeing that?

Cindy Munch: See attachment # 8.

Chairman Dever: That sounds like it would be a larger barrier than the cost.

Cindy Munch: Maintaining of the educational units is provided.

Mark Landis: See attached testimony #9.

Chairman Dever: The amendment deals with the ability to...

Mark Landis: The only thing that we were trying to accomplish is establish a standard, if we want to go beyond that fine.

John Jacobsen: See attached testimony #10

Jim Hilzendager: Country Veteran Service Officer. I disagree with some of the previous testimony, I have has the opportunity to work with. I don't think that they should look over the law and have them decide. It would require more than the county vet service training. I am here to say that our association supports the legislation.

Chairman Dever: They might pay the dues for NAVSCO.

There was no further testimony in support, opposition or a neutral position and Chairman Dever closed the public hearing on HB 1429

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1429
March 24, 2011
15969

☐ Conference Committee

Committee Clerk Signature Kathy Dwyer

Explanation or reason for introduction of bill/resolution:

Relating to county veterans' service officers.

Minutes: *No testimony attached.*

Chairman Dever: Was there a fiscal note drafted for this?

Senator Marcellais: I talked to Lonnie and he said that we don't need it. But the department is going to employ and pay.

Chairman Dever: I have heard him make reference to tribal service officers.

Senator Marcellais: Some do but they are paid by the tribe. Fort Berthold and ...in our district we only have someone there from 9-5 on Thursday. The Native American population is the largest groups of Veterans in the state. How many Veterans do they service?

Senator Cook: Where is he the rest of the time?

Senator Marcellais: Nowhere, that is all they pay him for

Senator Cook: Last session we had too many Veteran Service Officers in the state. They didn't have the training that we wanted them to have in order to serve. If we set the standard that we want for our officers to have we can work to bring these jobs to full time that is the direction that we need to move in. If you have served you deserve the best service possible that is available.

Senator Marcellais: There is communication there. A Native won't open up to a non Native. I know when I did the outreach program 3 years ago we had 100 veterans come out. Currently we only do that one time every 3 years and I believe we need to do this annually to provide that. Out of the 100 that were there 2 got 100% disability out of it.

Senator Cook: If you had a full time VSO up there we wouldn't need the outreach program.

Chairman Dever: I think that if you look at the time schedules from across the state and some of them have no regular hours.

Senator Nelson: Part of the problem is to extend the sunset date and how many CVSO haven't done what they are supposed to. Maybe we set a date, August 1, 2012 in which they have to be certified but I don't want to water down what we are requiring, I think what we are requiring is just fine. There will always be turnover so people will need the training on an ongoing basis.

Chairman Dever: The stated opposition to the accreditation was the $30 annual membership more likely I think that it is the 16 hour continuing education.

Senator Marcellais: Last session they were supposed to do a survey to make sure that they have what they need and I don't know if that has happened or not.

Chairman Dever: In order for them to have access they need to have that training.

Senator Cook: What we did last session is pointblank so I don't understand the problem

Senator Nelson: What about the new guys?

Chairman Dever: Didn't we give them a year?

Senator Cook: The intent was that if they didn't fulfill the requirement then they would have to merge with another county.

Senator Nelson: If they are scheduled to have the training and it doesn't happen by then a few months later I am ok with that

Senator Cook: I would just assume kill 1429.

Senator Nelson: Can we hog house and add the Senator Marcellais amendment?

Senator Cook: Howe does that improve what we have currently? What we need is the county to have someone in there taking care of the whole thing

Senator Nelson: As Senator Marcellais said the Natives won't open up to the non Native.

Senator Marcellais: If you look at the listing it has 4 Native county services officers.

A motion for a do not pass was made by Senator Nelson with a second by Senator Cook, there was no further discussion, roll was taken, the motion passed and Senator Nelson carried the bill to the floor.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1429
March 31, 2011
16238

☐ Conference Committee

Committee Clerk Signature Kathleen Dever

Explanation or reason for introduction of bill/resolution:

Relating to county veterans' services officers

Minutes: *No testimony attached.*

Chairman Dever: We acted on this last week with a do not pass and the House came over and said that there would be no standard after August 1, 2011. Our committee is not interested in relaxing the standards in any way. I was thinking about going all the way back to the original language, change the date to 2013, put a sentence in there that addresses after that giving a new CVSO a year or two years after that to get the training.

Senator Cook: I don't understand their comment they say if we kill this bill and let the current language that we don't have a standard after August 1, 2011.

Senator Berry: My understanding on the day we heard it was that it would stay the way it was.

Senator Cook: If they don't meet the standard how do we employ them?

Chairman Dever: I was thinking that if they hired a new CVSO

Senator Marcellais: The first time I was on Government and Veterans Affairs there was a study.

Senator Cook: They should have to have the training before they are hired. Before you become a doctor, you go get the training.

Senator Nelson: I just wondered if you got the email from the attorney in Grand Forks County who said that Ron Otto shouldn't be trusted, it was kind of ugly because Ron is here a lot. When I looked at the list, Billings County has already been swallowed up by someone else so that one that hadn't gotten certified was taken care of. Edey could go with Foster County if they don't get that one straightened out because if that guy doesn't answer you can imaging the service that he is giving to his people. The other three looked like they were going to take th training this year and were going to be just fine.

Senator Cook: Did the attorney that wrote the letter mention anything about the bill? What was right, what was wrong with the bill?

Chairman Dever: I know that there is attorney in Grand Forks who serves on WACO with Ron Otto; it might be the same person.

Senator Cook: When they can't argue with your message they try to tear apart the messenger.

Chairman Dever: Do we need to go to conference committee to discuss this. As we have it right now do we feel that it adequately addresses the situation subsequent to August 1, 2011?

Senator Cook: August 1, 2011, the county has to employ the CVSO who is certified. That was our intent when we did this was to get some consolidation because they are doing this with part time people.

Chairman Dever: I am considering what they are attempting to do; the accreditation requires 16 CEUs a year and a $30 membership. They are trying to get a commissioner to provide the training.

Senator Marcellais: Is there someplace in here where the education is going to continue because the laws are changing all the time?

Chairman Dever: New CVSOs coming on and some counties are going to be vacant until the opportunity for training takes place.

Senator Marcellais: I got a call from a constituent regarding her father who is a WWII Purple Heart veteran. His benefits were terminated and I turned it over to Jean Kuba.

There was no further discussion, the committee chose to stand on the previous motion and subsequent do not pass on HB 1429.

Date: 3-24-11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1429

Senate GVA Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen Nelson Seconded By Sen Cook

Senators	Yes	No	Senators	Yes	No
Chairman Dever	X		Senator Marcellais	X	
Vice Chairman Sorvaag	X		Senator Nelson	X	
Senator Barry	X				
Senator Cook	X				
Senator Schaible	X				

Total (Yes) 7 No 0

Absent _____

Floor Assignment Sen Nelson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1429, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1429 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1259, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1259 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1429

Attachment 1
1429

Rep. Boehning's Proposed Amendments to HB 1429

Page 1, line 13, replace "Each county veterans' service officersoffice must be accredited by the national association of county veterans' service officers" with "All county veterans' service officers must maintain training, certification, and accreditation as adopted by the department of veterans' affairs"

Page 1, line 19, remove "to"

Attachment 2
1429

HOUSE BILL NO. 1429 WITH REP. BOEHNING'S PROPOSED AMENDMENTS

37-14-18. County veterans' service officer – Appointment – Duties.

The board of county commissioners of each county of ~~the~~this state ~~of North Dakota~~ shall appoint, employ, and pay, on a full-time or part-time basis, an officer to be known as a county veterans' service officer. The veterans' affairs commissioner may work directly with county veterans' service officers. An individual may serve as a county veterans' service officer in more than one county. The appointment must be made with the prior advice of the commissioner of veterans' affairs, and in accordance with veterans' preference as provided in section 37-19.1-02. ~~By August 1, 2011, all~~Each ~~county veterans' service officers~~officer ~~must be accredited by the national association of county veterans' service officers~~All county veterans' service officers must maintain training, certification, and accreditation as adopted by the department of veterans' affairs. ~~It is the duty of the~~The county veterans' service officer ~~to~~shall become acquainted with the laws, both state and federal, enacted for the benefit of returning servicemen and servicewomen to assist ~~such~~ returning members of the armed forces in the presentation, proof, and establishment of ~~such~~their claims, privileges, and rights ~~as they have. It also is the duty of the~~. The county veterans' service officer ~~to~~shall actively cooperate with and ~~to~~ coordinate the activities of the state and federal agencies within the county ~~which~~ the officer serves to facilitate ~~their~~the agencies' operation and ensure promptness in the solution of the problems concerned with the reestablishment of returning servicemen and servicewomen in civilian pursuits. A county veterans' service officer may not serve as a conservator for an individual who is receiving benefits or services from the department of veterans' affairs or the United States department of veterans' affairs, except if the individual is the spouse or an immediate family member of the officer, or unless the conservator is appointed by the county under chapter 11-21.

HB 1429
Attachment
3

February 10, 2011

HB 1429

Testimony of Lonnie Wangen Commissioner of Veterans Affairs

Madam Chairman Grande and Committee members,

First of all I would like to thank this committee for taking the initiative to ensure that all County Veteran Service Officers (CVSO's) received the same level of training during the last biennium with the National Association of County Veteran Service Officers (NACVSO) and for supporting the appropriations to provide that training. The training was conducted in Bismarck April 19-23, 2010 with 56 Students in attendance. $13,000 cost

- 38 CVSO's, 5 assistant CVSO's
- 5 ND Department of Veterans Affairs staff
- 4 ND Tribal Veterans Service Officers
- 4 out of state CVSO's (paid for their own binders and materials).
- 5 CVSO's not in attendance and not previously trained by NACVSO
    - Billings County (no response to attending)
    - Eddy County (no response to attending)
    - Mercer County
        - CVSO retired
        - New CVSO as of 10/18/2010
    - Slope County
        - Had personal emergency
        - Plans to attend this spring
    - William County
        - CVSO retired
        - New CVSO as of 11/17/2010

- Opportunities to attend training by August 1, 2011 deadline
    - March 14-18 2011 in Atlantic Beach North Carolina
    - June 4-11 2001 Biloxi MS

To better understand how the claims process works see attachment 1 on page 5.

NACVSO training was a success and had many favorable comments from the participants.

The current requirement of NDCC 37-14-18's "All county veteran service officers must be accredited by the National association of county veteran service officers" has done its part to bring the training to North Dakota.

To maintain accreditation with NACVSO the CVSO's need to

- Be a member of NACVSO
  - Pay annual dues ($30-$45)
- Acquire and submit 16 continued education units (CEU's) per year
  - By attending the NACVSO annual training or other training
  - ND DVA spring and fall training provide these CEU's
    - Ensure the 16 required CEU's are met in our training
    - Offer over 30-40 hours per year

Maintaining membership with NACVSO as set by NDCC 37-14-18 provides this benefit...

- Access to e-mail forum with NACVSO members to discuss veteran issues

Members could take this further and **apply for cross accreditation** with other Veteran Service Organizations that NACVSO has cross accreditation agreements with

- AMVETS(American Veterans of WWII, Korea and Vietnam)
- DAV (Disabled American Veterans)
- VVA (Vietnam Veterans of America)
- TREA (The Retired Enlisted Association)
- MOPH (Military order of the Purple Heart)

Three of the above organizations have National Service Officers (NSO's) located in North Dakota

- AMVETS
- DAV
- VVA (ND Department of Veterans Affairs is NSO for VVA)

To gain cross accreditation with these organizations the CVSO will need to

- **Complete "Training Responsibility *I*nvolvement and Preparation of Claims Program" (TRIP) training with the Federal VA (online training)**
- Sign Service organizations accreditation agreement
- Submit Application for accreditation (VA form 21)
- Abide by service organizations accreditation requirements

Having accreditations with these organizations provides this benefit...

- Access by phone with pension center for information on veterans
  - Veteran must have their Power of Attorney (POA)-(NSO) with the organization the CVSO is accredited with.

Members could take this further by **taking VA online web access training**

- Cyber security training –privacy information training and agreement
- Annual Cyber security re-training

When this is completed the CVSO can have the benefits of...

- Access to the Federal VA web based applications
  - **SHARE**
    - Veterans Claim information
      - Payments
      - Pending issues
      - Ratings
      - Much more information
  - **MAPD**
    - CVSO's use to track the development of claims
      - VA RO letters and documents
      - VA evidence
      - Medical requests
      - Etc.
  - **VIRTUAL VA**
    - Post claim rating information
      - Ratings
      - Award letters
      - Summary of benefits letters
      - Pension claim information

- Accessing their Veterans information online or by phone with the VA Pension Center.
- Would not have to call the National Service Officer (NSO) from that organization to request information.

North Dakota has five National Service Officer Organizations located at the Fargo VA Regional Office

- AMVETS
  - Local NSO accredit CVSO's
    - CVSO must be a paid member of AMVETS
  - Can get cross accredited with NACVSO

- AMERICAN LEGION
  - Local NSO accredits CVSO's

- DISABLED AMERICAN VETERANS
  - Only NACVSO can accredit CVSO's
    - CVSO must be a paid member of NACVSO

- VETERANS OF FORIEGN WAR
  - Local NSO accredits CVSO's

- NORTH DAKOTA DEPARTMENT OF VETERANS AFFAIRS
  - ND-DVA accredits CVSO's

ND DVA has provided training and cross accreditation for these organizations.

As the amendment states "All county veteran service officers must maintain training, certification, and accreditation as set by the North Dakota Department of Veterans Affairs"

This amendment allows the ND-DVA to set requirements so that the CVSO's and Veterans get more out of the training and tools available to them.

- New CVSO's
  - Must attend NACVSO training
    - After this biennium...
      - At counties expense
      - May have budget to bring NACVSO back in event of large turnover in CVSO's

- All CVSO's
  - Must complete VA's online TRIP training
  - Must complete VA's online web training to gain access to VA web Applications

- ND-DVA can adjust as the Federal VA's requirements or needs change.

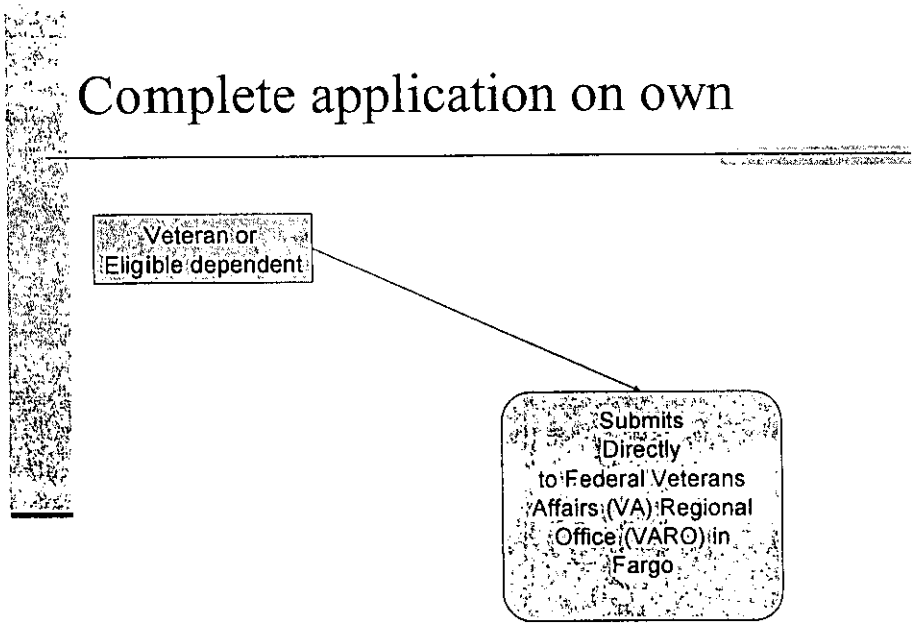
- If Veteran Service Organizations eliminate their NSO's in North Dakota or if New Veteran Service Organizations add NSO's we will need to adjust to their requirements

ND DVA works with the CVSO's, NSO's and VARO to determine their needs and to assist them in completing the required training.

Currently the Federal VA does not require any accreditations and certifications to work as a CVSO's. However our CVSO's can better serve their veterans by having access to this information and the training. With the Federal VA looking at going to a paperless system we need to be prepared, we have already established a paperless system, if the Federal VA's paperless system requires certifications and accreditations North Dakota will be ready.

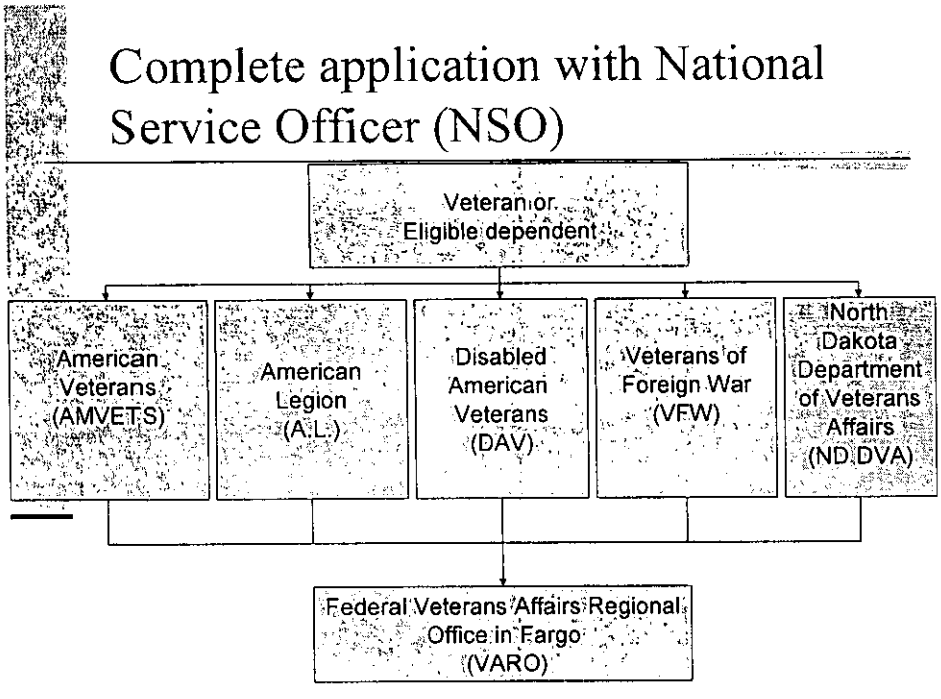
Thank you for your time. I will be happy to answer any questions you may have.

ATTACHMENT 1

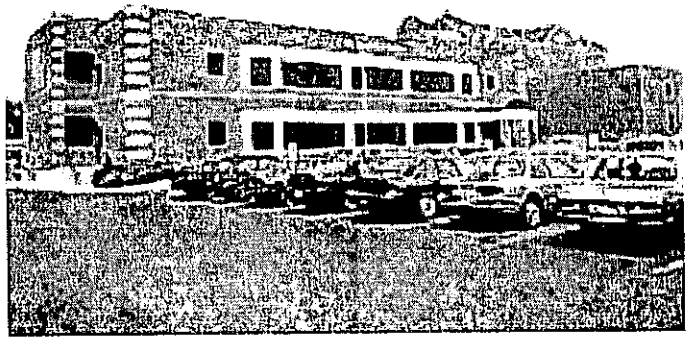


Not recommended.

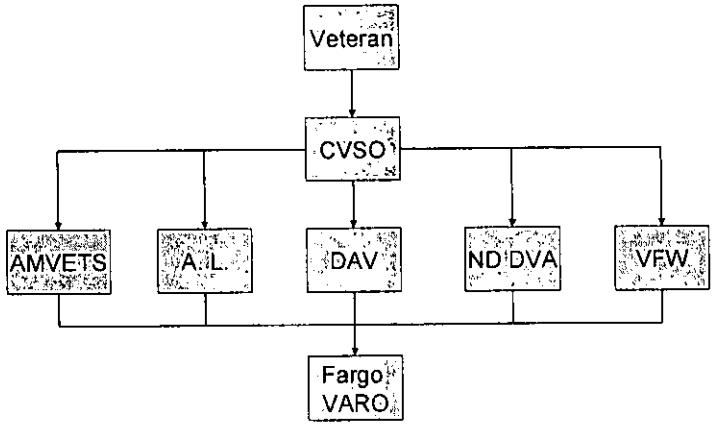
No representation and no training or knowledge of how to properly file for benefits.



Fargo VA Regional Office



Complete application with County Veteran Service Officer (CVSO)



CVSO helps veteran with claim development and submits to the NSO. The NSO submits to the VA Regional Office and represents the Veteran.

CVSO also helps with Pensions, state and other federal benefits.

Attachment 4
1429

TESTIMONY ON HB 1429 - ND VETERANS COORDINATING COUNCIL.

A veteran is an individual that has signed a blank check in the amount of and up to including his or her life for their country. Good morning, my name is John L. Jacobsen. I am the Chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am also a member of the American Legion and the Veterans of Foreign Wars.

I served in the North Dakota National Guard and the US Army Reserve for a total of 30 years. I retired in 1995 as a Colonel. I was mobilized for Active Duty in 1991 during Operation Desert Shield/Desert Storm. Like all mobilizations, I left my home and family to serve in the Persian Gulf, stationed in the United Arab Emirates.

The Coordinating Council is made up of 15 members, 3 from each of the five Veterans Organizations in North Dakota:

- American Legion
- AMVETS
- Disabled American Veterans
- Veterans of Foreign Wars
- Vietnam Veterans of America

It is the policy of the Coordinating Council to support legislation that will benefit the welfare of the members of the Armed Forces. The committee MUST concur totally, that is all 15 members must agree on the legislation to be supported or else it does not get the support.

In this case, I have been instructed to recommend to this legislative committee that a "DO PASS" on HB 1429 is supported by the entire membership of the Veterans Coordinating Council.

Attachment 5
1429

Morton / Oliver Veterans Service

[redacted] Ave. NW
[redacted]dan, ND 58554

Janice Braun, Secretary

701-667-3365
Fax 701-667-3284

email:rotto@mortonnd.org

Ronald D. Otto
Service Officer

Chairman Grande, Committee Members

My name is Ron Otto. I am the Morton and Oliver County Veteran Service Officer. I have been a full time veteran service officer for 24 years. I would be opposed to an amendment which would change the accreditation process as it now exists in law.

The National Association of County Veteran Service Officers (NACVSO) is the best standard available to give county service officers their initial accreditation training and give them a jump start to working with the varied claims and clients they will be encountering. The very base and nature of NACVSO is training and support on a national scale. With a click of a button service officers across the nation ask questions and receive answers to complicated issues that have arisen and been addressed in locations across America. In addition that accreditation opens the door to numerous cross accreditations that are vital to their work. A paperless Veterans Administration is now on the way. We have already plowed the ground for electronic monitoring of claims, but to do this you must be accredited with the "claims organizations" that are in place, such as Disabled American Veterans (DAV), Veterans of Foreign Wars (VFW), American Legion, AMVETS and others. NACVSO gives you this access.

In our jurisdiction as of Monday this week, 1,571 claims were working their way through the system. 29% were claims filed through the DAV, 29% were VFW, 25% were American Legion, 4% were AMVETS, 4% were Department of Veterans Affairs of the State of North Dakota (Department) and the balance chose not to be represented or chose another available organization. I use this electronic access every day.

It is my belief that the Department of Veterans Affairs of the State of North Dakota can and should play a significant role in this matter. Continued Education Units (CEUs) are required to maintain accreditation status with NACVSO and other organizations. If the "Department" would involve all stake holders in developing a plan for maintaining this accreditation, a critical program would emerge that could satisfy this necessary requirement. To conclude, I urge you to reject the proposed amendment and I stand ready to assist developing a new proposal.

Ronald D. Otto

Attachment 6

1429

HOUSE BILL 1429
PROPOSED AMENDMENT
TESTIMONY TO HOUSE GOVERNMENT & VETERANS AFFAIRS COMMITTEE
FEBRUARY 10, 2011

Madam chair, committee members, good morning.

My name is Mark Landis. I am the Burleigh County veterans service officer. Every day, I work on the ground level with veterans who seek benefits from a grateful state and nation.

The proposed amendment to house bill 1429 is seriously flawed. It is the same verbiage that was rejected two years ago by the legislature, and with good reason.

The 61st Legislature, with great vision, established one standard for accreditation of county veterans service officers in our state. It is a standard that is nationally recognized and respected. The vast majority of CVSO's in North Dakota have successfully completed accreditation training provided by the National Association of County Veterans Service Officers. The reviews were outstanding.

Any veteran in North Dakota, or any veteran that moves to the state, should be able to receive top quality service in any county. That's the vision. If the commissioner of veterans affairs has the ability to arbitrarily establish any standard, we invite inconsistency. I believe any change to the current law would be a step backward for North Dakota.

In addition, if the proposal is adopted and eventually passed into law, it would be in direct conflict with North Dakota Century Code chapter 37-18-04, duties of commissioner. The law reads the commissioner is to "provide counties with recommended qualifications and standards for county veterans service officers".

I'd like to offer some historical perspective. Prior to 2005, the century code indicated the commissioner directed the activities of CVSO's. However, CVSO's are employed by their respective counties, and in practice the commissioner had no ability to direct the activities of county employees. In their wisdom, the legislative assembly changed the law to reflect the reality of the situation.

I might add we have seen no plan to implement this change. That fact alone should stop this proposal dead in its tracks.

Once again, we are contemplating going backward instead of fulfilling the vision and promise to our veterans. There is no value added, no compelling reason to change the law. While it is entirely appropriate for the commissioner to make recommendations to counties, it would be wholly inappropriate to delegate the authority to establish accreditation standards. That should be a matter decided by the elected representatives of the people of our great state.

Thank you for the opportunity to present testimony on this important issue.

March 18, 2011

HB 1429

Testimony of Lonnie Wangen Commissioner of Veterans Affairs

Chairman Devers and Committee members,

First of all I would like to thank this committee for taking the initiative to ensure that all County Veteran Service Officers (**CVSO's**) received the same level of training during the last biennium with the National Association of County Veteran Service Officers (NACVSO) and for supporting the appropriations to provide that training. The training was conducted in Bismarck April 19-23, 2010 with 56 Students in attendance.

- 38 CVSO's, 5 assistant CVSO's
- 5 ND Department of Veterans Affairs staff
- 4 ND Tribal Veterans Service Officers
- 4 out of state CVSO's (paid for their own binders and materials).
- 5 CVSO's not in attendance and not previously trained by NACVSO
    - Billings County (no response to attending)
    - Eddy County (no response to attending)
    - Mercer County
        - CVSO retired
        - New CVSO as of 10/18/2010
    - Slope County
        - Had personal emergency
        - Plans to attend this spring
    - William County
        - CVSO retired
        - New CVSO as of 11/17/2010

- Opportunities to attend training by August 1, 2011 deadline
    - March 14-18 2011 in Atlantic Beach North Carolina
    - June 4-11 2001 Biloxi MS

To better understand how the claims process works see attachment 1 on page 5.

NACVSO training was a success and had many favorable comments from the participants.

The prior requirement of NDCC 37-14-18's "All county veteran service officers must be accredited by the National association of county veteran service officers" has done its part to bring the training to North Dakota.

To maintain accreditation with NACVSO the CVSO's need to

- Be a member of NACVSO
  - Pay annual dues ($30-$45)
- Acquire and submit 16 continued education units (CEU's) per year
  - By attending the NACVSO annual training or other training
  - ND DVA spring and fall training provide these CEU's
    - Ensure the 16 required CEU's are met in our training
    - Offer over 30-40 hours per year

Maintaining membership with NACVSO as previously set by NDCC 37-14-18 provides this benefit...

- Access to e-mail forum with NACVSO members to discuss veteran issues

Members could take this further and **apply for cross accreditation** with other Veteran Service Organizations that NACVSO has cross accreditation agreements with

- AMVETS(American Veterans of WWII, Korea and Vietnam)
- DAV (Disabled American Veterans)
- VVA (Vietnam Veterans of America)
- TREA (The Retired Enlisted Association)
- MOPH (Military order of the Purple Heart)

Three of the above organizations have National Service Officers (NSO's) located in North Dakota

- AMVETS
- DAV
- VVA (ND Department of Veterans Affairs is NSO for VVA)

To gain cross accreditation with these organizations the CVSO will need to

- **Complete "Training Responsibility *I*nvolvement and Preparation of Claims Program" (TRIP) training with the Federal VA (online training)**
- Sign Service organizations accreditation agreement
- Submit Application for accreditation (VA form 21)
- Abide by service organizations accreditation requirements

Having accreditations with these organizations provides this benefit...

- Access by phone with pension center for information on veterans
  - Veteran must have their Power of Attorney (POA)-(NSO) with the organization the CVSO is accredited with.

Members could take this further by **taking VA online web access training**

- Cyber security training –privacy information training and agreement
- Annual Cyber security re-training

When this is completed the CVSO can have the benefits of...

- Access to the Federal VA web based applications
  - **SHARE**
    - Veterans Claim information
      - Payments
      - Pending issues
      - Ratings
      - Much more information
  - **MAPD**
    - CVSO's use to track the development of claims
      - VA RO letters and documents
      - VA evidence
      - Medical requests
      - Etc.
  - **VIRTUAL VA**
    - Post claim rating information
      - Ratings
      - Award letters
      - Summary of benefits letters
      - Pension claim information

- Accessing their Veterans information online or by phone with the VA Pension Center.
- Would not have to call the National Service Officer (NSO/POA) from that organization to request information.

North Dakota has five National Service Officer Organizations located at the Fargo VA Regional Office

- **AMVETS**
  - Local NSO accredit CVSO's
    - CVSO must be a paid member of AMVETS
  - Can get cross accredited with NACVSO
  - Local NSO accredits
- **AMERICAN LEGION**
  - Local NSO accredits CVSO's
- **DISABLED AMERICAN VETERANS**
  - Only NACVSO can accredit CVSO's
    - CVSO must be a paid member of NACVSO
- **VETERANS OF FORIEGN WAR**
  - Local NSO accredits CVSO's

- **NORTH DAKOTA DEPARTMENT OF VETERANS AFFAIRS**
  - ND-DVA accredits CVSO's

ND DVA has provided training and cross accreditation for these organizations.

As HB 1429's First Engrossment states "In addition to any recommended qualifications or standards made by the commissioner of veterans' affairs to the board of county commissioners and adopted by the board, and any training, certification, and accreditation required by the commissioner of veterans' affairs, to be qualified for the position, a county veterans' service officers officer must attend training provided by the national association of county veterans' service officers"

This amendment allows the ND-DVA to set requirements so that the CVSO's and Veterans get more out of the training and tools available to them.

- New CVSO's
  - Must attend NACVSO training
    - After this biennium...
      - At counties expense
      - ND DVA may have budget to bring NACVSO back in event of large turnover in CVSO's

- All CVSO's
  - Must complete VA's online **TRIP** training
  - Must complete **VA's online web training** to gain access to VA web Applications

- ND-DVA can adjust requirements
  - As the Federal VA's requirements or needs change.

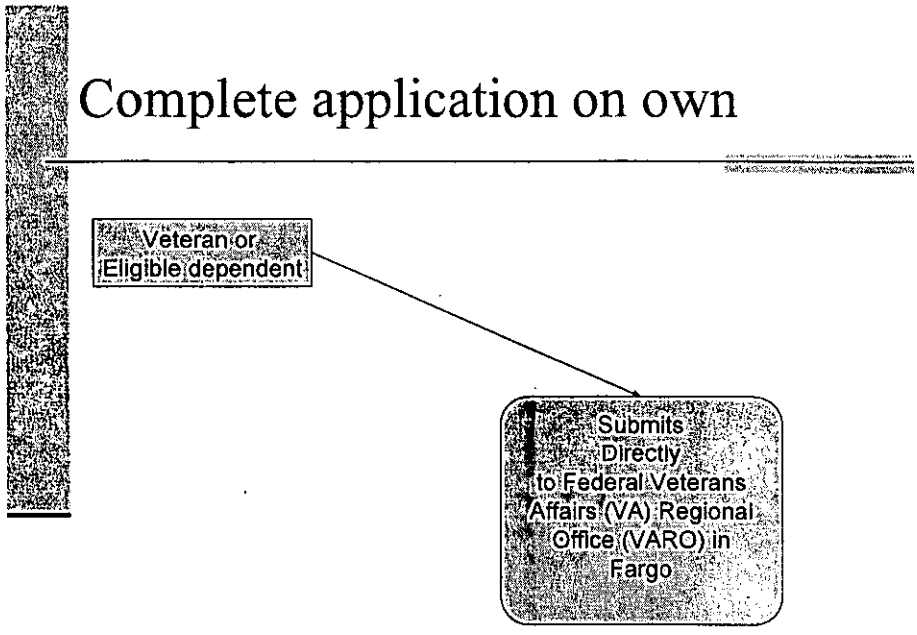
  - If Veteran Service Organizations eliminate their NSO's in North Dakota or if New Veteran Service Organizations add NSO's we will need to adjust to their requirements

ND DVA works with the CVSO's, NSO's and VARO to determine their needs and to assist them in completing the required training.

Currently the Federal VA does not require any accreditations and certifications to work as a CVSO's. However our CVSO's can better serve their veterans by having access to this information and the training. With the Federal VA looking at going to a paperless system we need to be prepared, we have already established a paperless system, if the Federal VA's paperless system requires certifications and accreditations North Dakota will be ready.

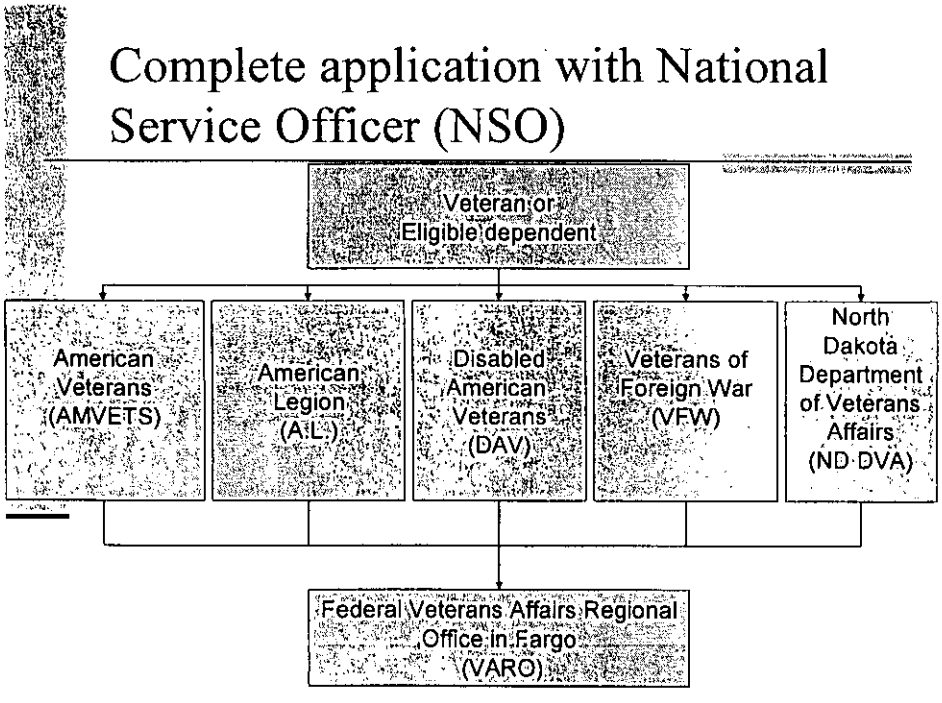
Thank you for your time. I will be happy to answer any questions you may have.

ATTACHMENT 1

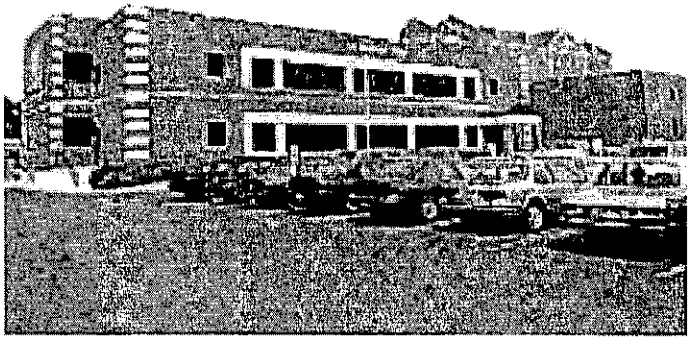


Not recommended.

No representation and no training or knowledge of how to properly file for benefits.

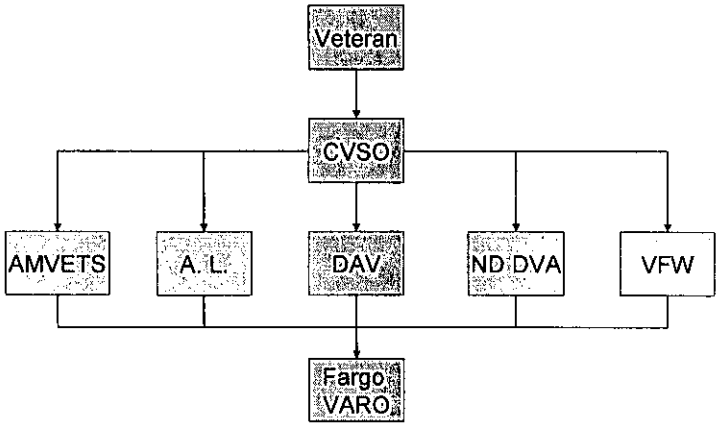


Fargo VA Regional Office



NSO's located here. Not throughout the state, as CVSO's are.

Complete application with County Veteran Service Officer (CVSO)



CVSO helps veteran with claim development and submits to the NSO. The NSO submits to the VA Regional Office and represents the Veteran.

CVSO also helps with Pensions, state and other federal benefits.

Morton / Oliver Veterans Service

210 2nd Ave. NW
Mandan, ND 58554

Janice Braun, Secretary

701-667-3365
Fax 701-667-3284

email:rotto@mortonnd.org

Ronald D. Otto
Service Officer

Government & Veterans Affairs Committee
Senator Dick Dever – Chairman

Chairman Dever and Committee Members:

My name is Ron Otto. I am the Morton and Oliver County Veteran Service Officer. I have been a full time veteran service officer for 24 years. I am also the President of The Professional Veterans Advocates of North Dakota. We are a group of county veteran service officers and we serve over 70% of the veteran population in the State of North Dakota. I and the Professional Veterans Advocates of North Dakota are opposed to HB 1429.

The current law which requires accreditation by The National Association of County Veteran Service Officers (NACVSO) is the gold standard available to give county service officers their initial accreditation training and give them a jump start to working with the varied claims and clients they will be encountering. The very base and nature of NACVSO is training and support on a national scale. With a click of a button service officers across the nation ask questions and receive answers to complicated issues that have arisen and been addressed in locations across America. In addition that accreditation opens the door to numerous cross accreditations that are vital to their work. A paperless Veterans Administration is now on the way. We have already plowed the ground for electronic monitoring of claims, but to do this you must be accredited with the "claims organizations" that are in place, such as Disable American Veterans (DAV), Veterans of Foreign Wars (VFW) American Legion, AMVETS and others. NACVSO gives you this access and I use this access every day.

In our jurisdiction, when this bill was introduced, we had 1,571 claims working their way through the system. 29% (456) were claims filed through the DAV, 29%

(456) were VFW, 25% (393) were American Legion, 4% (62) were AMVETS, and the North Dakota Department of Veterans Affairs had 4% (62). The balance of the claims are either not represented or have chosen other available organizations. These numbers speak directly to the skill level of the representatives of these organizations. The more skilled the more they are sought out to assist us, the county veteran service officers, to represent our veteran clients.

Continued Education Units (CEUs) are required to maintain accreditation status with NACVSO and other organizations. The North Dakota Department of Veterans Affairs already has the ability to set their training standards as low or as high as they want. I urge a no vote on this unnecessary bill.

Ronald D. Otto

March 18, 2011

Government and Veterans Affairs Committee
Chairman ~~Grande~~ Devin and Committee Members

Greetings

My name is Cindy Munsch from rural New Salem, ND. After 25 years of employment at the Burleigh County Veterans Service Office I retired as Deputy Veterans Service Officer in 2010. I received National Association of County Veterans Service Officers accreditation in 2004. I am a charter member of ND Professional Veterans Advocates, cofounder of Dakota Sisterhood of Women Veterans in 2009, life member of DAV Auxiliary.

I am here to testify regarding HB 1429.

Being nationally accredited by the National Association of County Veterans Service Officers gave me an opportunity to better serve all veterans. When a member of NACVSO's you are a member of a professional organization and held to a high standard of knowledge and service in the profession of Veterans Service Officer. As an accredited NACVSO member you have the opportunity to network with other veterans service officers from across the United States. As a Veterans Service Officer you never have all the answers all the time on veterans claims filed with the US Department of Veterans Affairs, but being accredited with NACVSO you have a peer-to-peer network to utilize.

As an accredited VSO with NACVSO you must maintain your accreditation by obtaining CEU's yearly. The Continuing Education Units can be picked up by attending the yearly NACVSO conference or by attending the ND Department of Veterans Affairs Spring and Fall training sessions, which will provide the necessary classes to meet NACVSO CEU requirements. You can also be cross accredited with other organizations such as Disabled American Veterans, Veterans of Foreign Wars, Amvets and others.

The issue here today is whether or not the NACVSO accreditation requirements for County Veteran Service Officers should be dropped.

On line 17 - 18 where it states "must attend NACVSO training", ***attending training by NACVSO is not the same as attending training to become accredited by NACVSO.*** To be accredited you must take a written test and pass. National accreditation opens the door to many more resources and tools in order for a service officer to provide the best service to the veteran for all benefits to which he may be entitled. Accreditation opens a direct door between the accredited CVSO

and the VA to provide better service to veterans.

I am sure that each committee member has at one time or another seen a medical doctor, a dentist, or had a child in school, or needed an electrician or carpenter or needed to obtain a lawyers advice, or needed the services of any other professional. All of the professions I mentioned have strict criteria they must meet in order to continue to practice in their profession. Would you want any of these professionals have less than the highest standards? Would you want any professional with a lower standard of professionalism provide service to you or your family realizing that it could mean a matter of life or death.

The same holds true for a Veterans Service Officer, who is a professional that cares for the veteran who could be your father, brother, daughter, son, mother, sister or yourself for that matter. A Veterans Service Officer must deal with situations that could mean life or death to the veteran who maybe your father, mother, brother, sister or yourself. A CVSO must work with many agencies. This really come to light in the news with veteran Brad Savelkoul in McKenzie County. It is not just the County Veterans Service Officer that cares for and supports the veteran in the community; it takes the whole community to care for veterans.

I believe that the individual/individuals who proposed this legislation did not, I repeat DID NOT have the welfare of veterans in their heart.

At this moment I want each of you to think of the veterans you know and then search your heart and ask yourself if this bill is in the best interest of the veterans you know? Would you want anything but the absolute best for your father, mother, son, daughter, brother or sister.

If you as an individual Committee member has the welfare and best interests of the veteran in your heart - Do Not Pass HB 1429.

I repeat my position on this bill, it is: DO NOT PASS HB1429.

Sincerely,

Cindy Munsch
3955 43rd Street
New Salem ND 58563
PH: 701-333-8340

VETERANS SERVICE OFFICE
Traill County, North Dakota
701-636-4414 Fax: 701-636-4415

Les Ashe
Veterans Service Officer

P.O. Box 785
Hillsboro, ND 58045

March 15, 2011

Dear Chairman Dever and Members of the Senate Government & Veterans Affairs Committee:

Subject: Senate Testimony: NON-Support HB 1429

As the Traill County Veterans Service Officer and resident of Gilby, Grand Forks County, I'm writing in NON-support of HB 1429, which pertains to removing the mandatory accreditation requirement for county veterans service officers in the state. I suspect you have received a few emails from a "minority" of County Veterans Service Officers (CVSOs) and others who oppose the accreditation requirement and have asked the GVA Committee now to remove this law through introduction of HB 1429, in spite of strong majority support in both chambers of the legislature in a previous session where HB 1057 was passed into law. North Dakota is a leader in the nation with regards to establishing standards for all of its Veteran Service Officers and as such other states are following suit.

The State of North Dakota paid nearly $13,000 to have the NACVSO national training team come to ND and give all CVSOs that were not already trained, the training and test. Everyone passed the test. They have taken the test and some have not finished submitting the paperwork and organization membership application to actually gain their accreditation. The way HB 1429 is written, the only thing CVSOs have to do is take the training. It says nothing about taking and passing the test. Where is the validation of the fundamental grasp of the concepts and understanding of the material being trained on? If accreditation is not mandatory, many CVSOs won't do it and County Commissioners won't make them do it because additional funds will have to be expensed.

While it is true, that becoming accredited through NACVSO and maintaining credentials is not a guarantee of success as a CVSO. However, accreditation does serve as a professional watchdog for the profession and ensures that other agencies are also completing their duties as they are required to do. If you do not maintain your accreditation and professional competence, you lose your accreditation and your ability to stay in your position as a county service officer. This is a good thing! Why would any political sub-division want a CVSO in a public position just collecting a paycheck not doing their utmost to serve our deserving veterans?

All CVSOs must be motivated by their desire to help veterans, this includes personal initiative and verifiable professional competence. The current law helps enforce the standards our veterans deserve. Veterans benefits are ever-changing and part of professional competence, is keeping up with those changes in order to make well-informed recommendations and suggestions to our veteran clients. Anything less is professionally irresponsible.

By passing this bill, what kind of message would this legislature be sending to the people of North Dakota and most especially the veterans? It is clear what that message would be; the level of competency of CVSOs is not important and Veterans /Widows getting maximum VA benefits and high quality service is not important either. I am confident that is a message you do not want to send. I would ask you to consider this:

Should nurses no longer require certification to take care of patients? Should Doctors no longer be require to be licensed in the State? What about pharmacy technicians? Radiology Technicians? What about electricians? Plumbers? How about lawyers? The list goes on. What would happen to the citizens of our state without certifications? How would they be protected against fraud, malpractice, incompetency and level and quality of service without certifications and credentialing? Should these certification/license requirements also be delegated to County Commissioners? I think not.

These licensure requirements, in our case we call it accreditation, are placed there for a reason, protecting the rights and benefits of our clients, our Veterans! The most appropriate place to ensure professional competence is through our legislature through laws that protect our veteran citizens. We have to have standards and professional competency and when those are broken there has to be accountability. By removing the current law, we will be stepping back in time and have no accountability rather than moving forward. To what gain?

If there are CVSOs that do not want to be trained and accredited, then they should be looking for a different line of work. Untrained unaccredited CVSOs do more harm to veterans than good.

We now have a law in place, designed to help all North Dakota veterans and their widows. Why would North Dakota want to "dumb down" our CVSOs? I don't believe that it's too much to expect of a CVSO get the best training available and be held accountable for their knowledge, skills, and abilities to better serve the veterans in their county. It's about doing the right thing, because it's the right thing to do.

We have an opportunity to raise the level of professionalism and competency among the CVSOs in North Dakota. Highly qualified CVSOs dramatically improve the quality of life for our veterans and the overall result will be an increase in the level of service and benefits received for our veterans, and that's really our charter as County Veteran Service Officers.

I respectfully urge you to NOT to PASS HB 1429 for the sake of our Veterans. It does not make sense to go back to the old way of doing business. It is time to move forward and hold those CVSOs who have not completed the NACVSO Accreditation process accountable. I am available to answer any questions you might have. Thank you for your consideration.

Respectfully,

LES ASHE
TRAILL COUNTY VETERANS SERVICE OFFICER
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WARD COUNTY
1885

Veterans Service Office

Dale E. Braun
Service Officer
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Fax (701) 857-6491

Kathy Holte
Admin. Assistant
(701) 857-6492

Date: March 16, 2011

To: Chairman Dick Dever
Senate Government and Veterans Affairs Committee
ND State Capital
Bismarck, ND

Dear Chairman Dever,

My name is Dale Braun. I am the Ward County Veterans Service Officer, a position I have held for the last 15 years. I am writing this letter to voice my opposition to HB 1429.

When I became a CVSO 15 years ago, I was not prepared for the enormous amount of local, state, and federal regulations and rules that I needed to know to adequately serve our veterans. Training at the state level was almost non-existent, and I picked up most of my job knowledge through personal research, reading as much as I could and talking with other more experienced CVSOs. Over the years, training provided at the state level was mediocre at best, poor at worst. While some of the training was good, most was repetitive or irrelevant. I attended National Association of County Veterans Service Officer (NACVSO) training in 2004 on my own initiative. I was amazed! In spite of being a Service Officer for almost eight years, and attending about 16 state training sessions, I was amazed at how much I did not know about veteran's benefits and how to best serve our veterans

The aspect of state training that was most noticeable was the lack of a measuring device. Did the CVSOs who received the training really learn anything? There was no testing or measurement of mastery of the material. The state usually offered two training sessions per year, each two to three days long. At the end of the session, each trainee was given a certificate of attendance and sent on his way. It was very apparent to me, after working and talking with many of these CVSOs, that they had learned or retained very little from their training experience. That lack of knowledge carried over in how they served their veterans in their home counties. I know that from personal experience, by helping veterans from surrounding counties because their CVSO didn't know how. I believe those CVSOs had good intentions but lacked the knowledge to help veterans access all their benefits.

The push behind HB 1157 two years ago was to change that deficiency. HB 1157 required intensive, valuable training via the National Association of County Veterans Service Officers. All participates were tested and subsequently able to obtain accreditation. Training and measuring became mandatory, and that is a good thing for our veterans.

HB 1429 attempts to strip away any requirement to mandate meaningful training and reverts to the old way. It gives the Commissioner the authority to determine that meaningful training is whatever he wants, just like the old way. As a veterans advocate who has worked in the trenches for many years, I can vouch that the "old way" does not work anymore. The VA claims process

has become too complicated to try to" just wing it". A CVSO should not be in a position where he does not even know what he doesn't know. I have seen the impact of HB 1157 in the decrease of out-of-county veterans who now come through my office. Apparently, those CVSOs have become much better trained and are now more fully serving veterans in their counties.

Current standards need to be maintained so County Veterans Service Officers receive the best possible training and can provide the best possible service to our state veterans. For what many of our veterans have gone through, they deserve nothing less. Passing HB 1429 will open the door for something less. I sincerely hope this committee does not let that happen.

Sincerely,

Dale E Braun

Dale E. Braun
Ward County Veteran Services
PO Box 5005
Minot, ND 58702-5005

Testimony Regarding House Bill 1429, First Engrossment

Good Afternoon, I am Warren Tobin and I am the Stutsman County Veterans Service Officer and Vice President of the Professional Veterans Advocates of North Dakota. I have been the VSO for over 14 years and have approximately 10 years of experience in planning and conducting CVSO training. During my Air Force Career I was an instructor, instructor supervisor and director of instructional systems development for approximately 300 operations personnel in the missile wing. As you can see, my experience and qualifications identify me as the state's foremost expert in CVSO training and accreditation.

I oppose House Bill 1429 as engrossed.

I believe the current section of the North Dakota Century Code (37-14-18) is already correct and more than adequate as enacted to provide legislative guidance and intent regarding CVSO training. There is perhaps one minor technical correction that could be made for accreditation by the National Association of County Veterans Service Officers by August 1, 2011 (or within two years of appointment).

Any additional changes to the century code are unnecessary. The Engrossed House Bill 1429 represents an unnecessary expansion of the duties and powers of the commissioner of veterans affairs office and would ultimately result in additional and unnecessary costs to provide for training for CVSOs. The commissioner already has sufficient latitude and discretion in providing for recurring training and Continuing Education Units (CEUs) for CVSOs. The current section 37-14-18, when completely implemented, will provide for the best and most cost effective method of ensuring our state's veterans population has access to a CVSO who has demonstrated the capability of performing those tasks to assist the veteran with the veteran's needs.

The National Association of County Veterans (NACVSO) provides the "Gold Standard" for CVSO training as recognized by the US Department of Veterans Affairs and national veteran service organizations such as the Disabled American Veterans and the Veterans of Foreign Wars. Achievement of NACVSO accreditation demonstrates to the veterans' service community that the individual has met the minimum standards to effective perform the duties of the office.

To remove the requirement of NACVSO accreditation from the century code does not have any positive impact for our state's veterans community. Instead it would likely to be interpreted by some of the CVSOs as a lowering of the standards required to perform their duties. There is a huge difference in the concepts of "complete NACVSO accreditation training", and completing accreditation. Accreditation is the best way to ensure all minimum standards have been achieved. In addition, NACVSO accreditation provides for the opportunity to become cross-accredited with other service organizations such as the DAV. When those actions are complete, the CVSO can provide the best possible services to his or her client.

Respectfully Submitted,

Warren Tobin, Stutsman County CVSO

My name is Leslie Ross and I am a CVSO for Stark, Dunn and Billings Counties and I would like to thank all of you for allowing me to offer this testimony through a third party. I can't be there today to offer a perspective on services that you might not have heard previously because I am a one deep office and I am the only CVSO who is responsible for three counties.

I am a military retiree and I have been a CVSO for almost three years. In that time I have had the pleasure of attending many forms of training and have the resources afforded to me by being in a financially secure county.

Training and experience is the catalyst that propels a CVSO to succeed in maximizing the benefits for Veterans, widow/widowers and their beneficiaries. I have attended the ND Department of Veterans Affairs training before and after switching to a NACVSO based with CEU's and I have gone to the Professional Veterans Advocates of North Dakota training and also the National Association of County Veterans Service Officers. I am accredited with 8 organizations and that is due to first being accredited with NACVSO which is required by 6 of the 8 service organizations.

This translates into an 11% increase in hard dollars and a 23% increase in overall benefits in my first full year for a combined total of 6.27 million dollars of compensation, education, medical care for veterans each year.

I would not have been able to accomplish this same feat had I not gone beyond the minimum training standard and attained additional VA training and accreditations with all the service organizations. Additional VA training is not required but is instrumental for access to the Virtual Private Network which allows me to have access to my clients case file information. I took additional training and installed the software on my desktop and laptop in order to bring those services directly to the client. I have 7 nursing homes in my area and two satellite offices so this access has been vital in serving my clients.

What I think we have been missing in the discussion of the requirements of CVSO's is a few basic questions. Who delivers the services to Veterans? Who is the process owner of that delivery? Who identifies the clients? Who personalizes the interaction with all the referral agencies working for the betterment of our veteran population? The answer is the County Veterans Service Officer. What a wonderful opportunity you have to empower a CVSO by requiring NACVSO accreditation not just NACVSO training. Through accreditation many doors are opened for increasing expertise and the delivery of services to our veterans that we all want.

I leave you with this. Would a person who goes to Medical School or Law School not take their boards? Surely you wouldn't want to have counties send CVSO's to National Training and not

follow through with accreditation. This is not fiscally responsible and provides no value added results.

HOUSE BILL 1429
TESTIMONY TO SENATE GOVERNMENT & VETERANS AFFAIRS COMMITTEE
MARCH 18, 2011

Chairman Dever, committee members, good morning. My name is Mark Landis. I am the Burleigh County veterans service officer. Every day, I have the privilege of working on the ground level with veterans who seek benefits from a grateful state and nation.

House Bill 1429 is seriously flawed. It does nothing to improve the level of service to our veterans. It actually lowers the professional standards required of county veterans service officers who produce the lion's share of veterans benefit claims.

The 61st Legislature, with great vision, established one standard for accreditation of county veterans service officers in our state. It is a reasonable, attainable standard that is nationally recognized and respected. The vast majority of CVSO's in North Dakota have successfully completed accreditation training provided by the National Association of County Veterans Service Officers. The reviews were outstanding. Approximately 15 CVSO's have not fully completed the accreditation process, although a few have submitted the appropriate application forms and are awaiting their credentials.

Any veteran in North Dakota, or any veteran that moves to the state, should be able to receive an acceptable level of service in any county. That's the vision. I believe any change to the current law would be a step backward for North Dakota.

If we lower the standards, we risk sending a negative message. We are telling the public that the needs of veterans are not as important as the needs of the consumers of other goods and services. By comparison, should we also remove the credentialing requirements for social workers, police officers, nurses, teachers, etc. and leave that matter to local authorities? Of course not.

The bill also proposes an expansion of powers to the commissioner of veterans affairs by allowing him or her to establish additional standards for CVSO's. That responsibility rightfully belongs to the elected officials of our state. The commissioner currently has tremendous latitude to be creative with ongoing professional training, which is appropriate.

I'd like to offer some historical perspective. Prior to 2005, the century code indicated the commissioner directed the activities of CVSO's. However, CVSO's are employed by their respective counties, and in practice the commissioner had no ability to establish standards or direct the activities of county employees. In their wisdom, the legislative assembly changed the law to reflect the reality of the situation.

Once again, we are contemplating going backward instead of fulfilling the vision and promise to our veterans. There is no value added, no compelling reason to change the law. I respectfully urge you to vote no on this bill.

I wish to make it very clear that my concerns about this legislation pertain to the processes we should be following, and are in no way intended to reflect on the abilities or efforts of any individual.

Thank you for the opportunity to present testimony on this important issue.

Mark J. Landis
Burleigh County VSO

TESTIMONY ON HB 1429 - ND VETERANS COORDINATING COUNCIL.

A veteran is an individual that has signed a blank check in the amount of and up to including his or her life for their country. Good morning, my name is John L. Jacobsen. I am the Chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council.

The Coordinating Council is made up of 15 members, 3 from each of the membership of the five Veterans Organizations in North Dakota:

- American Legion
- AMVETS
- Disabled American Veterans
- Veterans of Foreign Wars
- Vietnam Veterans of America

It is the policy of the Coordinating Council to support legislation that will benefit the welfare of the veterans of the State of North Dakota. The committee MUST concur totally, that is all 15 members must agree on the legislation to be supported or else it does not get the support.

In this case, the Coordinating Council is neutral on HB 1429.

March 18, 2011

HB 1429

Testimony of Lonnie Wangen Commissioner of Veterans Affairs

Chairman Devers and Committee members,

First of all I would like to thank this committee for taking the initiative to ensure that all County Veteran Service Officers (**CVSO's**) received the same level of training during the last biennium with the National Association of County Veteran Service Officers (NACVSO) and for supporting the appropriations to provide that training. The training was conducted in Bismarck April 19-23, 2010 with 56 Students in attendance.

- 38 CVSO's, 5 assistant CVSO's
- 5 ND Department of Veterans Affairs staff
- 4 ND Tribal Veterans Service Officers
- 4 out of state CVSO's (paid for their own binders and materials).
- 5 CVSO's not in attendance and not previously trained by NACVSO
    - Billings County (no response to attending)
    - Eddy County (no response to attending)
    - Mercer County
        - CVSO retired
        - New CVSO as of 10/18/2010
    - Slope County
        - Had personal emergency
        - Plans to attend this spring
    - William County
        - CVSO retired
        - New CVSO as of 11/17/2010

- Opportunities to attend training by August 1, 2011 deadline
    - March 14-18 2011 in Atlantic Beach North Carolina
    - June 4-11 2001 Biloxi MS

To better understand how the claims process works see attachment 1 on page 5.

NACVSO training was a success and had many favorable comments from the participants.

The prior requirement of NDCC 37-14-18's "All county veteran service officers must be accredited by the National association of county veteran service officers" has done its part to bring the training to North Dakota.

To maintain accreditation with NACVSO the CVSO's need to

- Be a member of NACVSO
  - Pay annual dues ($30-$45)
- Acquire and submit 16 continued education units (CEU's) per year
  - By attending the NACVSO annual training or other training
  - ND DVA spring and fall training provide these CEU's
    - Ensure the 16 required CEU's are met in our training
    - Offer over 30-40 hours per year

Maintaining membership with NACVSO as previously set by NDCC 37-14-18 provides this benefit...

- Access to e-mail forum with NACVSO members to discuss veteran issues

Members could take this further and **apply for cross accreditation** with other Veteran Service Organizations that NACVSO has cross accreditation agreements with

- AMVETS(American Veterans of WWII, Korea and Vietnam)
- DAV (Disabled American Veterans)
- VVA (Vietnam Veterans of America)
- TREA (The Retired Enlisted Association)
- MOPH (Military order of the Purple Heart)

Three of the above organizations have National Service Officers (NSO's) located in North Dakota

- AMVETS
- DAV
- VVA (ND Department of Veterans Affairs is NSO for VVA)

To gain cross accreditation with these organizations the CVSO will need to

- **Complete "Training Responsibility *I*nvolvement and Preparation of Claims Program" (TRIP) training with the Federal VA (online training)**
- Sign Service organizations accreditation agreement
- Submit Application for accreditation (VA form 21)
- Abide by service organizations accreditation requirements

Having accreditations with these organizations provides this benefit...

- Access by phone with pension center for information on veterans
  - Veteran must have their Power of Attorney (POA)-(NSO) with the organization the CVSO is accredited with.

Members could take this further by **taking VA online web access training**

- Cyber security training –privacy information training and agreement
- Annual Cyber security re-training

When this is completed the CVSO can have the benefits of...

- Access to the Federal VA web based applications
  - **SHARE**
    - Veterans Claim information
      - Payments
      - Pending issues
      - Ratings
      - Much more information
  - **MAPD**
    - CVSO's use to track the development of claims
      - VA RO letters and documents
      - VA evidence
      - Medical requests
      - Etc.
  - **VIRTUAL VA**
    - Post claim rating information
      - Ratings
      - Award letters
      - Summary of benefits letters
      - Pension claim information
- Accessing their Veterans information online or by phone with the VA Pension Center.
- Would not have to call the National Service Officer (NSO/POA) from that organization to request information.

North Dakota has five National Service Officer Organizations located at the Fargo VA Regional Office

- **AMVETS**
  - Local NSO accredit CVSO's
    - CVSO must be a paid member of AMVETS
  - Can get cross accredited with NACVSO
  - Local NSO accredits
- **AMERICAN LEGION**
  - Local NSO accredits CVSO's
- **DISABLED AMERICAN VETERANS**
  - Only NACVSO can accredit CVSO's
    - CVSO must be a paid member of NACVSO
- **VETERANS OF FORIEGN WAR**
  - Local NSO accredits CVSO's

- **NORTH DAKOTA DEPARTMENT OF VETERANS AFFAIRS**
  - ND-DVA accredits CVSO's

ND DVA has provided training and cross accreditation for these organizations.

As HB 1429's First Engrossment states "In addition to any recommended qualifications or standards made by the commissioner of veterans' affairs to the board of county commissioners and adopted by the board, and any training, certification, and accreditation required by the commissioner of veterans' affairs, to be qualified for the position, a county veterans' service officers officer must attend training provided by the national association of county veterans' service officers"

This amendment allows the ND-DVA to set requirements so that the CVSO's and Veterans get more out of the training and tools available to them.

- New CVSO's
  - Must attend NACVSO training
    - After this biennium...
      - At counties expense
      - ND DVA may have budget to bring NACVSO back in event of large turnover in CVSO's

- All CVSO's
  - Must complete VA's online **TRIP** training
  - Must complete **VA's online web training** to gain access to VA web Applications

- ND-DVA can adjust requirements
  - As the Federal VA's requirements or needs change.

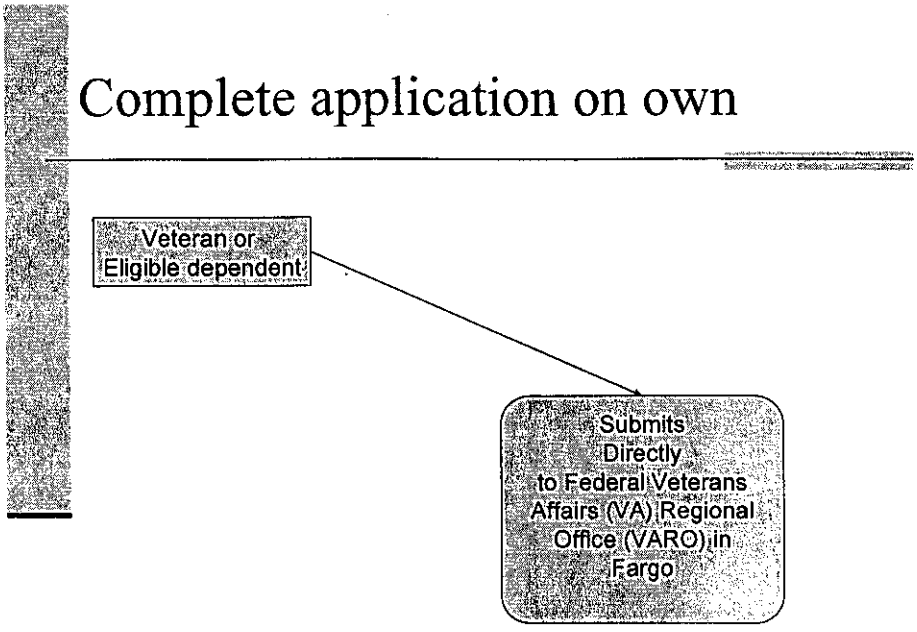
  - If Veteran Service Organizations eliminate their NSO's in North Dakota or if New Veteran Service Organizations add NSO's we will need to adjust to their requirements

ND DVA works with the CVSO's, NSO's and VARO to determine their needs and to assist them in completing the required training.

Currently the Federal VA does not require any accreditations and certifications to work as a CVSO's. However our CVSO's can better serve their veterans by having access to this information and the training. With the Federal VA looking at going to a paperless system we need to be prepared, we have already established a paperless system, if the Federal VA's paperless system requires certifications and accreditations North Dakota will be ready.

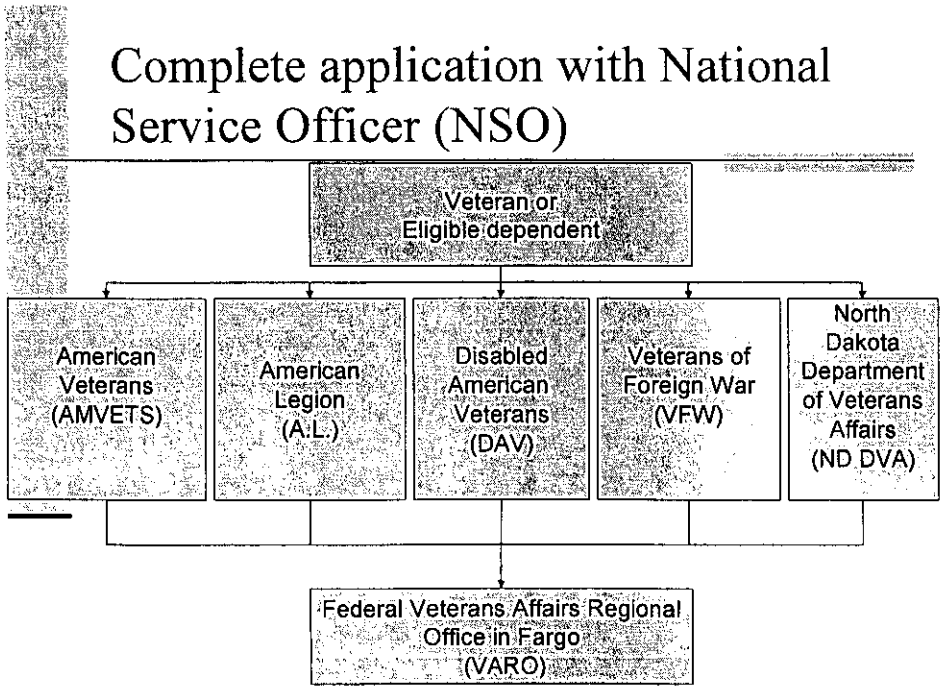
Thank you for your time. I will be happy to answer any questions you may have.

ATTACHMENT 1

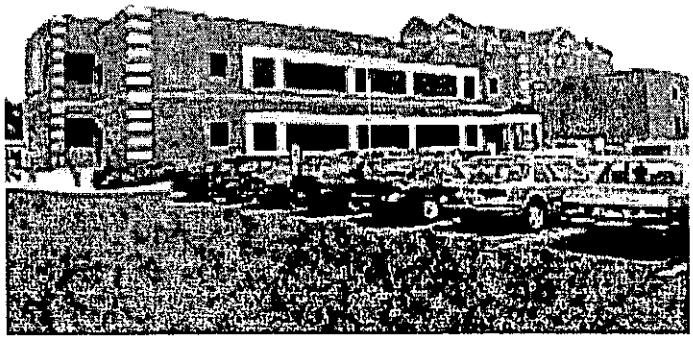


Not recommended.

No representation and no training or knowledge of how to properly file for benefits.

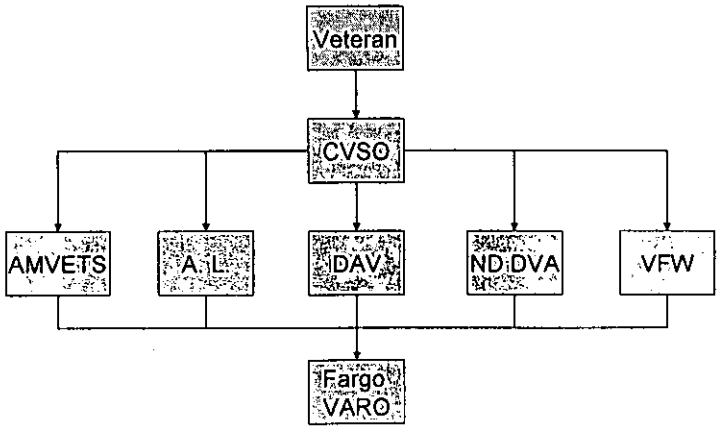


Fargo VA Regional Office



NSO's located here. Not throughout the state, as CVSO's are.

Complete application with County Veteran Service Officer (CVSO)



CVSO helps veteran with claim development and submits to the NSO. The NSO submits to the VA Regional Office and represents the Veteran.

CVSO also helps with Pensions, state and other federal benefits.

[redacted] nd Ave. NW
Mandan, ND 58554

Janice Braun, Secretary

Morton / Oliver Veterans Service

701-667-3365
Fax 701-667-3284

email:rotto@mortonnd.org

Ronald D. Otto
Service Officer

Government & Veterans Affairs Committee
Senator Dick Dever – Chairman

Chairman Dever and Committee Members:

My name is Ron Otto. I am the Morton and Oliver County Veteran Service Officer. I have been a full time veteran service officer for 24 years. I am also the President of The Professional Veterans Advocates of North Dakota. We are a group of county veteran service officers and we serve over 70% of the veteran population in the State of North Dakota. I and the Professional Veterans Advocates of North Dakota are opposed to HB 1429.

The current law which requires accreditation by The National Association of County Veteran Service Officers (NACVSO) is the gold standard available to give county service officers their initial accreditation training and give them a jump start to working with the varied claims and clients they will be encountering. The very base and nature of NACVSO is training and support on a national scale. With a click of a button service officers across the nation ask questions and receive answers to complicated issues that have arisen and been addressed in locations across America. In addition that accreditation opens the door to numerous cross accreditations that are vital to their work. A paperless Veterans Administration is now on the way. We have already plowed the ground for electronic monitoring of claims, but to do this you must be accredited with the "claims organizations" that are in place, such as Disable American Veterans (DAV), Veterans of Foreign Wars (VFW) American Legion, AMVETS and others. NACVSO gives you this access and I use this access every day.

In our jurisdiction, when this bill was introduced, we had 1,571 claims working their way through the system. 29% (456) were claims filed through the DAV, 29%

(456) were VFW, 25% (393) were American Legion, 4% (62) were AMVETS, and the North Dakota Department of Veterans Affairs had 4% (62). The balance of the claims are either not represented or have chosen other available organizations. These numbers speak directly to the skill level of the representatives of these organizations. The more skilled the more they are sought out to assist us, the county veteran service officers, to represent our veteran clients.

Continued Education Units (CEUs) are required to maintain accreditation status with NACVSO and other organizations. The North Dakota Department of Veterans Affairs already has the ability to set their training standards as low or as high as they want. I urge a no vote on this unnecessary bill.

Ronald D. Otto

March 18, 2011

Government and Veterans Affairs Committee
Chairman ~~Grande~~ Dever and Committee Members

Greetings

My name is Cindy Munsch from rural New Salem, ND. After 25 years of employment at the Burleigh County Veterans Service Office I retired as Deputy Veterans Service Officer in 2010. I received National Association of County Veterans Service Officers accreditation in 2004. I am a charter member of ND Professional Veterans Advocates, cofounder of Dakota Sisterhood of Women Veterans in 2009, life member of DAV Auxiliary.

I am here to testify regarding HB 1429.

Being nationally accredited by the National Association of County Veterans Service Officers gave me an opportunity to better serve all veterans. When a member of NACVSO's you are a member of a professional organization and held to a high standard of knowledge and service in the profession of Veterans Service Officer. As an accredited NACVSO member you have the opportunity to network with other veterans service officers from across the United States. As a Veterans Service Officer you never have all the answers all the time on veterans claims filed with the US Department of Veterans Affairs, but being accredited with NACVSO you have a peer-to-peer network to utilize.

As an accredited VSO with NACVSO you must maintain your accreditation by obtaining CEU's yearly. The Continuing Education Units can be picked up by attending the yearly NACVSO conference or by attending the ND Department of Veterans Affairs Spring and Fall training sessions, which will provide the necessary classes to meet NACVSO CEU requirements. You can also be cross accredited with other organizations such as Disabled American Veterans, Veterans of Foreign Wars, Amvets and others.

The issue here today is whether or not the NACVSO accreditation requirements for County Veteran Service Officers should be dropped.

On line 17 - 18 where it states "must attend NACVSO training", ***attending training by NACVSO is not the same as attending training to become accredited by NACVSO.*** To be accredited you must take a written test and pass. National accreditation opens the door to many more resources and tools in order for a service officer to provide the best service to the veteran for all benefits to which he may be entitled. Accreditation opens a direct door between the accredited CVSO

and the VA to provide better service to veterans.

I am sure that each committee member has at one time or another seen a medical doctor, a dentist, or had a child in school, or needed an electrician or carpenter or needed to obtain a lawyers advice, or needed the services of any other professional. All of the professions I mentioned have strict criteria they must meet in order to continue to practice in their profession. Would you want any of these professionals have less than the highest standards? Would you want any professional with a lower standard of professionalism provide service to you or your family realizing that it could mean a matter of life or death.

The same holds true for a Veterans Service Officer, who is a professional that cares for the veteran who could be your father, brother, daughter, son, mother, sister or yourself for that matter. A Veterans Service Officer must deal with situations that could mean life or death to the veteran who maybe your father, mother, brother, sister or yourself. A CVSO must work with many agencies. This really come to light in the news with veteran Brad Savelkoul in McKenzie County. It is not just the County Veterans Service Officer that cares for and supports the veteran in the community; it takes the whole community to care for veterans.

I believe that the individual/individuals who proposed this legislation did not, I repeat DID NOT have the welfare of veterans in their heart.

At this moment I want each of you to think of the veterans you know and then search your heart and ask yourself if this bill is in the best interest of the veterans you know? Would you want anything but the absolute best for your father, mother, son, daughter, brother or sister.

If you as an individual Committee member has the welfare and best interests of the veteran in your heart - Do Not Pass HB 1429.

I repeat my position on this bill, it is: DO NOT PASS HB1429.

Sincerely,

Cindy Munsch
3955 43rd Street
New Salem ND 58563
PH: 701-333-8340

VETERANS SERVICE OFFICE
Traill County, North Dakota
701-636-4414 Fax: 701-636-4415

Les Ashe
Veterans Service Officer

P.O. Box 785
Hillsboro, ND 58045

March 15, 2011

Dear Chairman Dever and Members of the Senate Government & Veterans Affairs Committee:

Subject: Senate Testimony: NON-Support HB 1429

As the Traill County Veterans Service Officer and resident of Gilby, Grand Forks County, I'm writing in NON-support of HB 1429, which pertains to removing the mandatory accreditation requirement for county veterans service officers in the state. I suspect you have received a few emails from a "minority" of County Veterans Service Officers (CVSOs) and others who oppose the accreditation requirement and have asked the GVA Committee now to remove this law through introduction of HB 1429, in spite of strong majority support in both chambers of the legislature in a previous session where HB 1057 was passed into law. North Dakota is a leader in the nation with regards to establishing standards for all of its Veteran Service Officers and as such other states are following suit.

The State of North Dakota paid nearly $13,000 to have the NACVSO national training team come to ND and give all CVSOs that were not already trained, the training and test. Everyone passed the test. They have taken the test and some have not finished submitting the paperwork and organization membership application to actually gain their accreditation. The way HB 1429 is written, the only thing CVSOs have to do is take the training. It says nothing about taking and passing the test. Where is the validation of the fundamental grasp of the concepts and understanding of the material being trained on? If accreditation is not mandatory, many CVSOs won't do it and County Commissioners won't make them do it because additional funds will have to be expensed.

While it is true, that becoming accredited through NACVSO and maintaining credentials is not a guarantee of success as a CVSO. However, accreditation does serve as a professional watchdog for the profession and ensures that other agencies are also completing their duties as they are required to do. If you do not maintain your accreditation and professional competence, you lose your accreditation and your ability to stay in your position as a county service officer. This is a good thing! Why would any political sub-division want a CVSO in a public position just collecting a paycheck not doing their utmost to serve our deserving veterans?

All CVSOs must be motivated by their desire to help veterans, this includes personal initiative and verifiable professional competence. The current law helps enforce the standards our veterans deserve. Veterans benefits are ever-changing and part of professional competence, is keeping up with those changes in order to make well-informed recommendations and suggestions to our veteran clients. Anything less is professionally irresponsible.

By passing this bill, what kind of message would this legislature be sending to the people of North Dakota and most especially the veterans? It is clear what that message would be; the level of competency of CVSOs is not important and Veterans /Widows getting maximum VA benefits and high quality service is not important either. I am confident that is a message you do not want to send. I would ask you to consider this:

Should nurses no longer require certification to take care of patients? Should Doctors no longer be require to be licensed in the State? What about pharmacy technicians? Radiology Technicians? What about electricians? Plumbers? How about lawyers? The list goes on. What would happen to the citizens of our state without certifications? How would they be protected against fraud, malpractice, incompetency and level and quality of service without certifications and credentialing? Should these certification/license requirements also be delegated to County Commissioners? I think not.

These licensure requirements, in our case we call it accreditation, are placed there for a reason, protecting the rights and benefits of our clients, our Veterans! The most appropriate place to ensure professional competence is through our legislature through laws that protect our veteran citizens. We have to have standards and professional competency and when those are broken there has to be accountability. By removing the current law, we will be stepping back in time and have no accountability rather than moving forward. To what gain?

If there are CVSOs that do not want to be trained and accredited, then they should be looking for a different line of work. Untrained unaccredited CVSOs do more harm to veterans than good.

We now have a law in place, designed to help all North Dakota veterans and their widows. Why would North Dakota want to "dumb down" our CVSOs? I don't believe that it's too much to expect of a CVSO get the best training available and be held accountable for their knowledge, skills, and abilities to better serve the veterans in their county. It's about doing the right thing, because it's the right thing to do.

We have an opportunity to raise the level of professionalism and competency among the CVSOs in North Dakota. Highly qualified CVSOs dramatically improve the quality of life for our veterans and the overall result will be an increase in the level of service and benefits received for our veterans, and that's really our charter as County Veteran Service Officers.

I respectfully urge you to NOT to PASS HB 1429 for the sake of our Veterans. It does not make sense to go back to the old way of doing business. It is time to move forward and hold those CVSOs who have not completed the NACVSO Accreditation process accountable. I am available to answer any questions you might have. Thank you for your consideration.

Respectfully,

LES ASHE
TRAILL COUNTY VETERANS SERVICE OFFICER
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WARD COUNTY
1885

Veterans Service Office

Dale E. Braun
Service Officer
(701) 857-6490
Fax (701) 857-6491

Kathy Holte
Admin. Assistant
(701) 857-6492

Date: March 16, 2011

To: Chairman Dick Dever
Senate Government and Veterans Affairs Committee
ND State Capital
Bismarck, ND

Dear Chairman Dever,

My name is Dale Braun. I am the Ward County Veterans Service Officer, a position I have held for the last 15 years. I am writing this letter to voice my opposition to HB 1429.

When I became a CVSO 15 years ago, I was not prepared for the enormous amount of local, state, and federal regulations and rules that I needed to know to adequately serve our veterans. Training at the state level was almost non-existent, and I picked up most of my job knowledge through personal research, reading as much as I could and talking with other more experienced CVSOs. Over the years, training provided at the state level was mediocre at best, poor at worst. While some of the training was good, most was repetitive or irrelevant. I attended National Association of County Veterans Service Officer (NACVSO) training in 2004 on my own initiative. I was amazed! In spite of being a Service Officer for almost eight years, and attending about 16 state training sessions, I was amazed at how much I did not know about veteran's benefits and how to best serve our veterans

The aspect of state training that was most noticeable was the lack of a measuring device. Did the CVSOs who received the training really learn anything? There was no testing or measurement of mastery of the material. The state usually offered two training sessions per year, each two to three days long. At the end of the session, each trainee was given a certificate of attendance and sent on his way. It was very apparent to me, after working and talking with many of these CVSOs, that they had learned or retained very little from their training experience. That lack of knowledge carried over in how they served their veterans in their home counties. I know that from personal experience, by helping veterans from surrounding counties because their CVSO didn't know how. I believe those CVSOs had good intentions but lacked the knowledge to help veterans access all their benefits.

The push behind HB 1157 two years ago was to change that deficiency. HB 1157 required intensive, valuable training via the National Association of County Veterans Service Officers. All participates were tested and subsequently able to obtain accreditation. Training and measuring became mandatory, and that is a good thing for our veterans.

HB 1429 attempts to strip away any requirement to mandate meaningful training and reverts to the old way. It gives the Commissioner the authority to determine that meaningful training is whatever he wants, just like the old way. As a veterans advocate who has worked in the trenches for many years, I can vouch that the "old way" does not work anymore. The VA claims process

has become too complicated to try to" just wing it". A CVSO should not be in a position where he does not even know what he doesn't know. I have seen the impact of HB 1157 in the decrease of out-of-county veterans who now come through my office. Apparently, those CVSOs have become much better trained and are now more fully serving veterans in their counties.

Current standards need to be maintained so County Veterans Service Officers receive the best possible training and can provide the best possible service to our state veterans. For what many of our veterans have gone through, they deserve nothing less. Passing HB 1429 will open the door for something less. I sincerely hope this committee does not let that happen.

Sincerely,

Dale E Braun

Dale E. Braun
Ward County Veteran Services
PO Box 5005
Minot, ND 58702-5005

Testimony Regarding House Bill 1429, First Engrossment

Good Afternoon, I am Warren Tobin and I am the Stutsman County Veterans Service Officer and Vice President of the Professional Veterans Advocates of North Dakota. I have been the VSO for over 14 years and have approximately 10 years of experience in planning and conducting CVSO training. During my Air Force Career I was an instructor, instructor supervisor and director of instructional systems development for approximately 300 operations personnel in the missile wing. As you can see, my experience and qualifications identify me as the state's foremost expert in CVSO training and accreditation.

I oppose House Bill 1429 as engrossed.

I believe the current section of the North Dakota Century Code (37-14-18) is already correct and more than adequate as enacted to provide legislative guidance and intent regarding CVSO training. There is perhaps one minor technical correction that could be made for accreditation by the National Association of County Veterans Service Officers by August 1, 2011 (or within two years of appointment).

Any additional changes to the century code are unnecessary. The Engrossed House Bill 1429 represents an unnecessary expansion of the duties and powers of the commissioner of veterans affairs office and would ultimately result in additional and unnecessary costs to provide for training for CVSOs. The commissioner already has sufficient latitude and discretion in providing for recurring training and Continuing Education Units (CEUs) for CVSOs. The current section 37-14-18, when completely implemented, will provide for the best and most cost effective method of ensuring our state's veterans population has access to a CVSO who has demonstrated the capability of performing those tasks to assist the veteran with the veteran's needs.

The National Association of County Veterans (NACVSO) provides the "Gold Standard" for CVSO training as recognized by the US Department of Veterans Affairs and national veteran service organizations such as the Disabled American Veterans and the Veterans of Foreign Wars. Achievement of NACVSO accreditation demonstrates to the veterans' service community that the individual has met the minimum standards to effective perform the duties of the office.

To remove the requirement of NACVSO accreditation from the century code does not have any positive impact for our state's veterans community. Instead it would likely to be interpreted by some of the CVSOs as a lowering of the standards required to perform their duties. There is a huge difference in the concepts of "complete NACVSO accreditation training", and completing accreditation. Accreditation is the best way to ensure all minimum standards have been achieved. In addition, NACVSO accreditation provides for the opportunity to become cross-accredited with other service organizations such as the DAV. When those actions are complete, the CVSO can provide the best possible services to his or her client.

Respectfully Submitted,

Warren Tobin, Stutsman County CVSO

My name is Leslie Ross and I am a CVSO for Stark, Dunn and Billings Counties and I would like to thank all of you for allowing me to offer this testimony through a third party. I can't be there today to offer a perspective on services that you might not have heard previously because I am a one deep office and I am the only CVSO who is responsible for three counties.

I am a military retiree and I have been a CVSO for almost three years. In that time I have had the pleasure of attending many forms of training and have the resources afforded to me by being in a financially secure county.

Training and experience is the catalyst that propels a CVSO to succeed in maximizing the benefits for Veterans, widow/widowers and their beneficiaries. I have attended the ND Department of Veterans Affairs training before and after switching to a NACVSO based with CEU's and I have gone to the Professional Veterans Advocates of North Dakota training and also the National Association of County Veterans Service Officers. I am accredited with 8 organizations and that is due to first being accredited with NACVSO which is required by 6 of the 8 service organizations.

This translates into an 11% increase in hard dollars and a 23% increase in overall benefits in my first full year for a combined total of 6.27 million dollars of compensation, education, medical care for veterans each year.

I would not have been able to accomplish this same feat had I not gone beyond the minimum training standard and attained additional VA training and accreditations with all the service organizations. Additional VA training is not required but is instrumental for access to the Virtual Private Network which allows me to have access to my clients case file information. I took additional training and installed the software on my desktop and laptop in order to bring those services directly to the client. I have 7 nursing homes in my area and two satellite offices so this access has been vital in serving my clients.

What I think we have been missing in the discussion of the requirements of CVSO's is a few basic questions. Who delivers the services to Veterans? Who is the process owner of that delivery? Who identifies the clients? Who personalizes the interaction with all the referral agencies working for the betterment of our veteran population? The answer is the County Veterans Service Officer. What a wonderful opportunity you have to empower a CVSO by requiring NACVSO accreditation not just NACVSO training. Through accreditation many doors are opened for increasing expertise and the delivery of services to our veterans that we all want.

I leave you with this. Would a person who goes to Medical School or Law School not take their boards? Surely you wouldn't want to have counties send CVSO's to National Training and not

follow through with accreditation. This is not fiscally responsible and provides no value added results.

HOUSE BILL 1429
TESTIMONY TO SENATE GOVERNMENT & VETERANS AFFAIRS COMMITTEE
MARCH 18, 2011

Chairman Dever, committee members, good morning. My name is Mark Landis. I am the Burleigh County veterans service officer. Every day, I have the privilege of working on the ground level with veterans who seek benefits from a grateful state and nation.

House Bill 1429 is seriously flawed. It does nothing to improve the level of service to our veterans. It actually lowers the professional standards required of county veterans service officers who produce the lion's share of veterans benefit claims.

The 61st Legislature, with great vision, established one standard for accreditation of county veterans service officers in our state. It is a reasonable, attainable standard that is nationally recognized and respected. The vast majority of CVSO's in North Dakota have successfully completed accreditation training provided by the National Association of County Veterans Service Officers. The reviews were outstanding. Approximately 15 CVSO's have not fully completed the accreditation process, although a few have submitted the appropriate application forms and are awaiting their credentials.

Any veteran in North Dakota, or any veteran that moves to the state, should be able to receive an acceptable level of service in any county. That's the vision. I believe any change to the current law would be a step backward for North Dakota.

If we lower the standards, we risk sending a negative message. We are telling the public that the needs of veterans are not as important as the needs of the consumers of other goods and services. By comparison, should we also remove the credentialing requirements for social workers, police officers, nurses, teachers, etc. and leave that matter to local authorities? Of course not.

The bill also proposes an expansion of powers to the commissioner of veterans affairs by allowing him or her to establish additional standards for CVSO's. That responsibility rightfully belongs to the elected officials of our state. The commissioner currently has tremendous latitude to be creative with ongoing professional training, which is appropriate.

I'd like to offer some historical perspective. Prior to 2005, the century code indicated the commissioner directed the activities of CVSO's. However, CVSO's are employed by their respective counties, and in practice the commissioner had no ability to establish standards or direct the activities of county employees. In their wisdom, the legislative assembly changed the law to reflect the reality of the situation.

Once again, we are contemplating going backward instead of fulfilling the vision and promise to our veterans. There is no value added, no compelling reason to change the law. I respectfully urge you to vote no on this bill.

I wish to make it very clear that my concerns about this legislation pertain to the processes we should be following, and are in no way intended to reflect on the abilities or efforts of any individual.

Thank you for the opportunity to present testimony on this important issue.

Mark J. Landis
Burleigh County VSO

TESTIMONY ON HB 1429 - ND VETERANS COORDINATING COUNCIL.

A veteran is an individual that has signed a blank check in the amount of and up to including his or her life for their country. Good morning, my name is John L. Jacobsen. I am the Chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council.

The Coordinating Council is made up of 15 members, 3 from each of the membership of the five Veterans Organizations in North Dakota:

- American Legion
- AMVETS
- Disabled American Veterans
- Veterans of Foreign Wars
- Vietnam Veterans of America

It is the policy of the Coordinating Council to support legislation that will benefit the welfare of the veterans of the State of North Dakota. The committee MUST concur totally, that is all 15 members must agree on the legislation to be supported or else it does not get the support.

In this case, the Coordinating Council is neutral on HB 1429.

11.0733.02002
Title.

Prepared by the Legislative Council staff for
Representative Boehning
March 11, 2011

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1429

Page 1, line 2, after "officers" insert "; and to provide for application"

Page 1, line 14, remove "In addition to any recommended qualifications or standards made by the commissioner of"

Page 1, remove lines 15 and 16

Page 1, line 17, replace "qualified for the position, a" with "The board of county commissioners shall adopt any qualification, standard, policy, training requirement, certification, and accreditation for a county veterans' service officer as required by the commissioner of veterans' affairs. A"

Page 1, line 19, after "~~the~~" insert "A board of county commissioners may not appoint, employ, or pay an individual as a county veterans' service officer who does not satisfy a qualification, standard, policy, training requirement, certification, or accreditation required under this section."

Page 2, after line 6, insert:

"**SECTION 2. APPLICATION.** A board of county commissioners and county veterans' service officer shall comply with this Act within one year of the effective date of this Act."

Renumber accordingly