

Enrolled
House Bill 2162

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Veterans' Affairs)

CHAPTER

AN ACT

Relating to survivors of veterans; creating new provisions; and amending ORS 406.450, 406.452, 406.454, 406.456 and 408.410.

Be It Enacted by the People of the State of Oregon:

SECTION 1. As used in ORS 406.450, 406.452, 406.454 and 406.456, "survivor of a veteran" means the spouse or a dependent of a deceased veteran.

SECTION 2. ORS 406.450 is amended to read:

406.450. (1) The Director of Veterans' Affairs shall establish a program to enhance and expand the services provided by county veterans' service officers appointed under ORS 408.410.

(2) The program shall:

(a) Conduct outreach and provide veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans** with:

(A) Information regarding veterans' benefit programs and other benefit programs; and

(B) Assistance by trained representatives who are certified by the state in applying for all federal and state veterans' benefits and aid to which veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans** may be entitled on account of [*their*] **the veterans'** military service and in appealing any denial of veterans' benefits or aid;

(b) Develop and offer informational materials and training opportunities for county veterans' service officers;

(c) Develop a comprehensive and coordinated statewide network of information and referral resources for veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans**;

(d) Ensure that the receipt of veterans' benefits or aid does not adversely impact other benefits or aid that a veteran [*or*], the spouse or dependent of a veteran **or a survivor of a veteran** may be receiving or may be eligible to receive; and

(e) Facilitate coordination of computer systems to ensure the seamless transfer of information.

SECTION 3. ORS 406.452 is amended to read:

406.452. The Director of Veterans' Affairs may establish by rule a state certification program for veterans' service officers appointed under ORS 408.410 and other individuals providing similar services to ensure their competency. The program curriculum shall provide the training and education necessary to allow veterans' service officers and other individuals to assist veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans** in applying for all federal and state veterans' benefits and aid to which veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans** may be entitled and in appealing any denial of veterans' benefits or aid.

The curriculum shall include, but need not be limited to, training and education in the following areas:

(1) Applicable federal, state and local laws providing benefits or aid for veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans** and other benefits or aid for which veterans, [*or their*] spouses or dependents **of veterans or survivors of veterans** may be eligible;

(2) Skills necessary to provide quality representation and advocacy on behalf of veterans, [*or their*] spouses or dependents **of veterans or survivors of veterans**, including case preparation and handling of administrative hearings and appeals;

(3) Effective communication skills;

(4) Health care, human services and referral resources; and

(5) Claims management.

SECTION 4. ORS 406.454 is amended to read:

406.454. (1) The Director of Veterans' Affairs shall adopt by rule a formula to distribute to county governing bodies funds appropriated to the director to enhance and expand the services provided by county veterans' service officers appointed under ORS 408.410. In developing the distribution formula, the director shall consider factors that include, but need not be limited to:

(a) The number of veterans residing in each county;

(b) A base amount to be distributed equally among counties;

(c) Retention of an amount, not to exceed six percent of the total amount appropriated to the director for the purposes of ORS 406.450, that would otherwise be distributed to a county governing body if the county governing body has not appointed county veterans' service officers; and

(d) Criteria for withholding funds from a county governing body.

(2) Funds retained under subsection (1)(c) and (d) of this section must be spent on:

(a) Training costs of veterans' service officers and other individuals providing similar services; and

(b) The coordination of computer systems and technology to facilitate efficient delivery of services to veterans, [*and their*] spouses and dependents **of veterans or survivors of veterans**.

SECTION 5. ORS 406.456 is amended to read:

406.456. The Director of Veterans' Affairs shall adopt rules to implement ORS 406.450, 406.452 and 406.454. The rules shall include, but need not be limited to:

(1) Development and implementation of a distribution formula;

(2) Establishment of reporting and data collection requirements for county veterans' service officers including, but not limited to, the number of interviews conducted, the number of veterans, [*and*] spouses and dependents of veterans **or survivors of veterans** served by the program, the number of claims filed, the outcomes of claims filed and the outreach activities conducted; and

(3) Establishment of service outcomes for county veterans' service officers.

SECTION 6. ORS 408.410 is amended to read:

408.410. (1) The county governing body in each county may appoint a service officer who shall give aid and assistance to any veteran, the spouse or dependents of the veteran **or the survivors of the veteran**, in applying for all benefits and aid to which they are entitled by federal, state or local laws, rules and regulations. The county governing body shall fix the compensation of the service officer, provide the service officer with an office and the necessary equipment therefor in the same manner as provided for any other county officer. If a county governing body appoints a service officer, the governing body shall also provide in the annual budget for expenditure of moneys sufficient to enable the county to employ the service officer, to properly maintain the office provided for the service officer and to pay the costs incurred by the service officer in providing assistance to veterans, [*their*] spouses and dependents **of veterans or survivors of veterans**. The annual expenditures required by this section shall be made from the county funds referred to in ORS 408.720.

(2) **As used in this section, "survivor of a veteran" means the spouse or a dependent of a deceased veteran.**

Passed by House February 8, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 18, 2007

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President of Senate

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State