



House Committee on Veterans and Emergency Preparedness

Senate Bill 251 | April 23, 2015

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Senate Bill 251 clarifies the statutory authority for the Oregon Department of Veterans' Affairs (ODVA) to act as a representative payee or fiduciary.

ODVA acts as a conservator for veterans who are unable to manage their finances under appointment by a court. ODVA also acts as a "representative payee" for Social Security benefits for veterans and as a "fiduciary" for veterans' federal VA benefits under appointment by a federal agency.

The US Social Security Administration (SSA) uses the term "representative payee." As a representative payee for a veteran, the SSA appoints ODVA to receive social security or supplemental security income benefits on behalf of a veteran after the SSA has determined that the veteran is not fully capable of managing their own benefits.

The US Department of Veteran's Affairs (USDVA) refers to a representative payee as a "fiduciary" and appoints ODVA to receive monetary federal VA benefits (e.g. disability compensation or pension benefits) on behalf of a veteran after the USDVA has determined that the veteran is not fully capable of managing their own benefits. The USDVA establishes a budget for the veteran that the Department is required to follow when paying expenses on behalf of a veteran.

ODVA currently has the authority to act as a representative payee or fiduciary. Senate Bill 251 clarifies the authority by using the federal terminology in Oregon statutes.