

**PENNSYLVANIA STATE VETERANS' COMMISSION MEETING
KEYSTONE CONFERENCE CENTER
FORT INDIANTOWN GAP
ANNVILLE, PA 17003-5002**

Friday, January 8, 2016

1. **CALL TO ORDER:** The State Veterans' Commission (SVC) meeting was called to order at 10:00AM by Chairman John Brenner.
2. **INVOCATION/PLEDGE OF ALLEGIANCE:** The meeting was opened with an invocation and the recitation of the Pledge of Allegiance.
3. **COMMISSION INTRODUCTION:** Commission members introduced themselves and their guests in attendance.
4. **OATH OF OFFICE:** Brigadier General, (USA, Retired), Jerry G. Beck, Jr., administered the Oath of Office to the following newly appointed State Veterans Commission member:
 - Dr. Robert Cudworth – President –Military Officers Association
5. **REVIEW AND APPROVAL OF MEETING MINUTES:** Minutes from the October 2, 2015 meeting were presented for approval. Mr. DiFrancesco made a motion to approve the minutes. Mr. Mescavage seconded. The motion carried.
6. **ARMY NATIONAL GUARD UPDATE:** COL Ferraro provided the Commission an update on current and upcoming PA Army National Guard Deployments. As of 31 December 2015, 67 soldiers have been deployed, as of 7 January 2016, 99 additional soldiers from the 2nd Brigade Combat Team were mobilized. HQ for the 2nd Brigade is currently preparing to go to Kosovo, they will head to Ft. Bliss for training, then to Germany for a mission rehearsal exercise, and then in March will assume the KFOR Mission for Multi-National Battle Group Peace. Soldiers are still supporting operations in Afghanistan and Kuwait. Recently notified that the 1st of the 110th Infantry will be mobilizing in May to Jordan and United Arab Emirates for a 365 day tour. Future mobilizations to Afghanistan. We will continue to mobilize soldiers and units throughout the course of the year. There are also volunteers for individual mobilizations. 28 Division mission in US suburban task force
7. **AIR NATIONAL GUARD UPDATE:** BG Carrelli provided the Commission an update on current and upcoming PA Air National Guard deployments. There are currently three large combat support and aviation combat packages deployed, with 229 members deployed.
8. **VISN 4 UPDATE:** Mr. Robert Callahan, Director, Lebanon VAMC, provided the following VISN 4 update:
 - **Leadership Update:** Dr. Michael Adelman, current Director Wilkes-Barre VAMC, has accepted the position of permanent Network Director, as of January 11, 2016. Karin McGraw, current Director Beckley VAMC, has accepted the position of permanent Director Pittsburgh VAMC. David Cord, former Director Erie VAMC, has accepted a transfer to the Butler VAMC. Currently, there are interim directors in both Erie and Wilkes-Barre. VISN 4 Chief Medical Officer, Dr. David Macpherson, and Chief Financial Officer, Jim Baker have both retired at the end of 2015. Recruitment is under way to fill those positions.
 - **Town Hall Meetings:** Currently in the second quarter of town hall meetings. Please help to notify Veterans and attend the town hall meetings. Please visit www.VISN4.va.gov for more information.

- Vets.gov: Vets.gov is the new website out of Washington, D.C., this will consolidate all VA websites into one portal location. It continues to be BETA tested with a small amount of information available.
- Center for Veteran Enterprise (CVE) & Residential Recovery Center (RRC): Dr. Ron Johnson is the Director of both facilities.

CVE brings together all the VA's vocational rehabilitation, including job searches, and community resources into one location. A few programs offered in the CVE are Vocational Rehabilitation Services, Mental Health Intensive Case Management (MHICM), and Psychosocial Rehabilitation and Recovery Center (PRRC). Workspaces are open access, anyone interested in helping Veterans may schedule use of the workspaces. This facility is equipped to teach basic life skills. This is a pilot program for the VA and is the only one of its kind in the Nation. Community partners include Harrisburg Area Community College (HACC), Pennsylvania Career Link, and the Office of Vocational Rehabilitation (OVR).

RRC is a 43 bed state-of-the-art facility for substance use and homelessness. Over the previous year admissions, 90% have substance use disorders, 40% have PTSD, 60% are homeless, 25% have recent involvement with the justice system and the majority are unemployed. RRC places an emphasis on vocational re-training, available options for Veterans include compensated work therapy, job placement in the community and money management. A wide array of medical needs are also addressed, allowing Veterans complete care in one facility.
- Questions/Discussion:

Q: Can you give us an update on the Choice program?
A: There have been challenges with the third-party administrator HealthNet. Some of the challenges are moving care through and getting care from the community. Another challenge they face with the Choice program is access to community care.
D: There is a backlog with the contractor for approval for outside hospital care. Some Veterans are waiting a year or more for that approval to come through.
R: HealthNet handles, specifically, outpatient care, they do not handle inpatient care. Inpatient care is a different legislative purchase care authority controlled by each hospital. Every week we review the inventory that is "stuck" in HealthNet. Anything in HealthNet, longer than the physicians would like, is pulled back to the Medical Center. If there are individual cases, that are taking longer than preferred, called the local VAMC leadership and inform them of the situation.
Q: When you pull from HealthNet are they still retaining a percentage fee?
A: This is a national contract and we are not aware of that procedure.
Q: Are we not informing the Veteran that there is a back log?
A: The Veteran calls the third party provider to schedule appointment. Even if the Veteran uses the choice program they still get a VA appointment. We don't know what HealthNet is doing.
D: The choice list has an active list and an inactive list, once a Veteran is on the inactive list they don't come off of the inactive list.
A: The rule is once a Veteran is on the choice list, they are on that list until they get an appointment. Most Veterans choose to go to VA. They do stay on that list until the appointment is complete, either in the community or at a the VA.
Q: The bill that is going in to consolidate all, is that going to lower that budget or eliminate HealthNet completely?
A: Nationally, we are not sure what is happen with funding.
Q: How long is the pilot test for the CVE?
A: Nationally, they are looking to standardize the plans for easy modeling. We are unsure of the timeframe for the pilot test.
Q: In the RRC and Pennsylvania, how does the VA handle opiate recovery?

A: Overall, there are specific requirements in the VA system for recovery, we also purchase care in community as needed.

Q: Is there discussion on a VA ID card, will the VA play a role?

A: We don't have information on the ID card at this time.

Q: How does a Veteran seeking outside treatment get reimbursed for travel expenses?

A: After completing the appointment, when the Veteran comes back into the hospital, they should provide something that shows outside care was obtained.

9. **OLD BUSINESS:**

- **Chief Council Update:** Mr. Michael Barrett presented discussion for the procedures of the Real Estate Tax Exemption program. Currently, there are three appeal cases that implicate what we refer to as the "five-acre" rule. This has required CCO to look at the basis for that rule and their ability to pursue or defend those appeals. Mr. Barratt advised the Commission that there is no basis for the "five-acre" rule.

Questions/Discussion:

Q: What steps do we take to correct this?

A: The law provides a simple standard that any disabled Veteran, determined to be in need is entitled to a real estate tax exemption for the property on which their principle residence sits. There is no limitation in the law on the amount of land that can be included. The law also requires there be a mean for determining need, the statute provides for that with the income rebuttable presumption. Common sense should apply in certain instances where the Commission may want to determine need on an individual basis.

Q: If the law says all real estate property, why not just approve all?

A: You can.

Q: What do we do with applicants previously denied due to the "five-acre" rule?

A: That is the Commission's decision. Mr. Barrett suggests to start today and when the applicant is up for the five year review, approve exemption over five acres.

D: This puts a financial burden on counties.

R: That is a legitimate concern, however, it is an unfortunate consequence of the constitutional provision.

D: Some Veterans, previously denied due to "five-acre" rule, are in need of the exemption over the five acreage now.

R: Mr. Barrett has agreed to send a letter to the taxing authorities stating the findings here and informing them to approve in full

Q: Can we eliminate the portion of the application that asks about acreage?

A: That is not recommended, the need for those questions may not be realized until an unusual circumstance. In which case, the Commission will review on an individualized basis.

Q: The current application asks "If over 5 acres, do you wish to request the State Veterans' Commission to consider whether you have a need for an exemption on more than the five (5) acres of land on which your dwelling stands?" Does the application need to be changed?

A: We can work with the questions currently on the application. When the application is updated we can determine the verbiage at that time.

D: This program was designed to ensure Veterans do not lose their home due to hardship. If we do not consider spousal income, we cannot determine need/hardship.

R: The Commission determines need, the exemption of spousal income are rules the Commission can apply in terms of determining need. Guidance can be provided stating that property values over X amount does not qualify. However, an applicant may have an expensive home with very low income, for various reasons.

D: Household income should be considered, as this is a need based program.

R: Recommend sub group to discuss and determine changes that need to be implemented.

Q: Can the Commission determine an applicant is not in need if they have over five acres?

A: Low income plus high property taxes is a financial need, acreage alone should not determine need.

LTC (Ret) Nicholas Taylor made a motion to appoint a subcommittee to review and recommend new rules for the RETX policy. To be presented to the Commission by the end of SFY15/16. Mr. Glenn Umberger seconded the motion.

Discussion: The committee subgroup will work with Chief Counsel's Office and the Office of Veterans Affairs to determine and report back to the Commission. The Commission will then vote and then implement those findings.

Chairman Brenner called for a vote, the ayes carried.

- **Policy, Planning and Legislative Update:** Mr. Joel Mutschler provided the following legislative update:
 - Congress is back in session
 - MILCON and the Veterans Affairs Appropriations bill was passed before the end of the year
 - The Senate returns to session on January 11
 - The House returns to session January 19
 - The rewrite on GAC-VS Executive Order should be ready shortly, our goal is by the end of the month/early February.
 - The Persian Gulf Conflict Veterans Benefit Act has been extended through August 21, 2018.
 - An amendment to Title 51 further providing for character of discharge, this enacted legislation references back to federal law.

BG Beck reminded the Commission that January 14 is Veterans Day at the 100th PA Farm Show. He encourages all to attend. Ms. Joan Nissley provided an agenda for the day.

- **Public Affairs Highlights:** Ms. Joan Nissley provided the following initiatives to the Commission.
 - Donations for the preservation of the PA Veterans Memorial
 - Now accepting online donation to the Veterans' Trust Fund and the Military Family Relief Assistance Program.
 - Debuted three new websites for the DMVA, PA National Guard, and Ft. Indiantown Gap.
 - Provided an update on the Governor's Challenge.
 - Encouraging Veterans to connect to the DMVA through the Veterans' Registry.

Ms. Nissley stressed the importance of stakeholders and partners disseminating the information to Veterans across the state. Use information in Organizational newsletters, put links to DMVA website on you website and share social media posts.

Discussion:

Q. Why is there not a daily communication, informing partners what's going on?

A: When you sign up for the Veterans Registry, check that you want to receive communication from the department. Alternatively, you can check out our social media posts, located on our home page. We continue to improve the user experience and are working on including an RSS feed option.

Q: Is there a possibility of an independent Office of Veterans Affairs website?

A: On the top of our home page the department links are available or you can visit directly by typing in www.veterans.pa.gov.

- **State Veterans' Homes Update:** BG Jerry Beck, Jr. provided the Commission with the State Veterans' Homes update.
 - The presence of Legionnaire's Disease was found at Southeastern Veterans' Center. It was discovered in the water system and no harm came to residents as a result. An entirely new water system has been put in that prevents any further occurrence of the disease. We are working through the budget to install the same system in the remaining homes.
 - GMVC has been placed on a provisional 4 licensure. A Plan of Correction is complete and the state has view the plan. One advantage is the DOH can now assist the home. There is a consulting firm at GMVC that will determine the changes needed to get out of a provisional 4 licensure. An inspection will take place between now and June 20th. Admission and care continues at the home. If you have questions or concerns, contact the Office of Veterans Affairs.
 - Construction is set to begin August or September of this year to remove the carpets at GMVC. DVVH will provide a food trailer while the kitchen construction takes place.

Questions/Discussion:

Q: Will the carpet be put back in GMVC?

A: No, carpet does not work in a long-term care facility.

- **PIRO Update:** Director Hamp stressed the importance of getting the word out about DMVA initiatives. The wellness initiative continues and has expanded to include service members, Veterans and their families. Planning continues for a 3 day/14 hour training session. We continue to partner with DHS to provide Mental Health First Aid training in two 4 hour periods or a single 8 hour period. Plans for one more instructor course is under way. The goal is to certify 40 new instructors in addition to the 42 already certified. Veteran's Day at the 100th PA Farm Show is on January 14th.

Questions/Discussion:

Q: Where will the wellness programs be presented?

A: All across the Commonwealth.

- **Veterans' Programs Update:** Mr. Brian Natali presented the Veterans Programs Report for approval "in total". The State Veterans Commission held a singular vote to encompass the following reports as presented:
 - Veterans Temporary Assistance report:
 - ❖ Expended \$285,317, as of December 18th
 - ❖ Project to expend \$414,683
 - ❖ 218 claimants on the program
 - ❖ Budget of 700,00, expect to go over
 - Blind Veterans Pension report:
 - ❖ Budget of \$222,000
 - ❖ Expended \$120,300, as of December 18th.
 - ❖ Project to spend the remaining \$101,700
 - ❖ 116 Veterans on the program
 - Paralyzed Veterans Pension report:
 - ❖ Budget approved for \$3.5m
 - ❖ 1,809 Veterans on this program
 - ❖ Expended 1.6m
 - ❖ Expect to spend the remainder of the appropriation
 - Educational Gratuity Program report:
 - ❖ We had a proposed budget of 505,000, enacted budget is \$101,000
 - ❖ Expended \$84,731 as a result of relief payments sent out this week. This is current with the applications approved.

- ❖ 126 students on program
- Disabled Veterans' Real Estate Tax Exemption Program report:
 - ❖ 9806 Veterans on the program
 - ❖ Approved 793 applications or 85% since September's SVC meeting.
 - ❖ Denied (Financial Need) 63 or 7%
 - ❖ Denied (Ineligible) 77 or 8%

Mr. Michael Mescavage made a motion to approve the reports as presented. Mr. John Cyprian seconded the motion. The motion carried.

- Disabled Veterans' Real Estate Tax Exemption Program – 5 Acre Rule:
 - ❖ Mr. Natali presented six requests for waiver to the five acre rule.

Questions/Discussion:

Chairman Brenner requested the advice of Mr. Barrett, Chief Counsel. Mr. Barrett provided three options: do not act on them today, approve them subject to the five-acre rule (not recommend), approve in full not with standing the five acre rule. Suggest if financial need is apparent approve.

BG Beck commented that a committee is appointed, we should stay with the status quo until the committee makes decision. Unless the appointed committee decides, today, things will change, we cannot arbitrarily change them.

Chairman Brenner asked for a decision from the Commission. Do we want to stay the status quo and do what we've been doing all along and wait for the committee to make their recommendations?

Q: What is the harm in tabling the appeals and defer them until a policy is in place?

A: That is another option.

Mr. Cyprian made a motion to table the 6 waiver requests and the 3 appeal cases. The motion was seconded. The motion carried.

BG Beck recommends the committee be prepared to present their findings to the Commission at the next meeting.

Chairman Brenner states the committee will come from members of the SVC. He is asking for four volunteer representatives to work on the committee with the Office of Veterans Affairs.

- Persian Gulf Bonus Program (no vote required): Mr. Natali provided an update report on the Persian Gulf Bonus Program
 - ❖ Lifetime total applications – 11,781
 - ❖ 9,149 payments have been sent
 - ❖ Total payments - \$3.8 million
 - ❖ Processing time – 5 days
- Military Family Assistance Program (MFRAP) (no vote required): Mr. Natali provided an update report on the Military Family Assistance Program
 - ❖ Total contributions – over \$1.6 million
 - ❖ Approved Grant application payments total over \$708,000
 - ❖ Account balance – \$897,341

- **Outreach & Reintegration Update:** Mr. Chip Gilliland briefed the commission on Act 66 year to date claims and recoveries.
 - 9961 claims submitted with just over \$75m in recoveries.
 - The organizations that participate in Act 66 should have received their first and second quarter payments this week. The third quarter payment should be out in the first week of February.

- About 20 outreach engagements have been cancelled due to the budget impasse.
- The outreach team will be at Veterans Day at the 100th PA Farm Show.
- Governor's Challenge Update: Since 23 September to 30 November 481 have been permanently housed. The goal for the last 100 days of 2015 was 550. We are averaging a little over 200 Veterans housed per month.
- Veterans' Trust Fund is doing well with the check offs. Today, the notification of funding announcement should go out for the Veterans Trust Fund Grant process.

10. NEW BUSINESS:

- Mr. Bruce Foster provided a PA War Veterans Council update. By 1 feb reach out to service orgs. And get their input on the six bills on RETX. Need another week. Orgs not on legislative committee send comments to bruce foster at bruce@pa-legion.com want to hear from every org. so recommendation can be made ,
- CSM Christopher Kepner presented to the Commission information on donating to the 28th ID Global War on Terrorism Memorial. Checks can be made payable to the "28th ID Memorial Fund" and mailed to 28th ID Memorial Committee, Attn: Clyde Brown, Building #1, 1400 Calder Street, Harrisburg, PA 17103.
- Chairman Brenner relayed a need for casket flags for the Indiantown Gap Cemetery to display along the driveways of the cemetery. They must be casket flags. They are currently in need of about 600 flags. A flyer is available for anyone wishing to donate flags.

11. GOOD OF THE ORDER/ANNOUNCEMENTS:

- Mr. Foster requested the packets be printed with two slides per page.

12. NEXT MEETING:

Friday, **February 5**, 2016 at 10:00AM
Arrowheads Community Club
Fort Indiantown Gap
Annville, PA 17003

13. ADJOURNMENT: The meeting was adjourned at 12:32PM.

14. ROLL CALL:

- **Members Present:**

Mr. Glenn Umberger, Commander, Veterans of Foreign Wars
Mr. John Getz, Adjutant, Veterans of Foreign Wars
Mr. Walter Simpson, Commander, Disabled American Veterans
Mr. Samuel Petrovich, Adjutant, Disabled American Veterans
Mr. John Cyprian, President, County Directors of Veterans' Affairs
Mr. Chris Fidler, Site Representative, Keystone Paralyzed Veterans of America
Mr. Thomas Haberkorn, President, Vietnam Veterans of America
LTC (R) Nicholas Taylor, Commander, Catholic War Veterans
Dr. Robert Cudworth, President, Military Officers Association of America
Mr. Gordon Sheriff, Designee, Marine Corps League
Mr. Allan Abramson, Commander, Jewish War Veterans
Mr. Michael Mescavage, Commander, Military Order of the Purple Heart
Mr. Bruce Foster, Designee, American Legion
Mr. Dominic DiFrancesco, Member at Large, State Veterans' Commission

Mr. John Brenner, Chairman, State Veterans Commission
Mr. Bernie McDonald, Commander, AMVETS
Mr. Jason Dulski, Executive Director, AMVETS
Ms. Jeannine Botta Guth, Member at Large, State Veterans' Commission
Mr. Neil Appleby, President, Blinded Veterans Association

- **Others Present:**

BG, USA, (R) Jerry G. Beck, Secretary, State Veterans Commission
BG Anthony Carrelli, Deputy Adjutant General, Air National Guard
COL Marc Ferraro, Deputy Chief of Staff – Operations
Mr. Bob Callahan, VISN 4, Director-Lebanon VAMC
Dr. Ron Johnson, Lebanon VAMC
Mr. Tim Cleveland, Tioga County VA
Ms. Belinda Albright, Northumberland County VA
Mr. Tony DiFrancesco, Dauphin County VA
Ms. Colleen Washinger, Dauphin County VA
Mr. Dale Derr, Berks County VA
Mr. Justin Slep, Franklin County VA
Ms. Constance Snavely, KPVA
Mr. Rich Hudzinski, VVA
Mr. Chuck Jackson, MOPH
Mr. Chip Gilliland, DMVA-VA
Mr. Brian Natali, DMVA-VA
Mr. Louis Abramson, JWV
Mr. Dan Osten, TAL
Mr. Robert Gray, MOAA
Mr. Dave Brady, MCL
Mr. Vincent Demedier II, USDOL-VET
Mr. John Tokarczyk, Office of Attorney General
Mr. Michael Barrett, DMVA-CCO
Mr. Joel Mutschler, DMVA-PPL
Ms. Joan Nissley, DMVA-PAO
Mr. Andrew Ruscavage, DMVA-BVH
Mr. Rick Hamp, DMVA-PIRO
CSM Christopher Kepner, 28th ID - Memorial
Ms. Joyce Gibson, DMVA-VA

The minutes of this meeting are respectfully submitted by:

Jerry G. Beck, Jr.
Brigadier General, USA, Retired
Deputy Adjutant General
Veterans' Affairs