

Testimony for Little Hoover Commission

Tom Splitgerber, President National Association of County Veterans Service Officers and San Diego County Veterans Service Officers

Good Morning! Thank you for the opportunity to present to you this morning.

I am Tom Splitgerber, President of the National Association of County Veterans Service Officers (NACVSO) and the San Diego County Veterans Service Officer. NACVSO was founded in 1989 because of the need to organize the Veteran Affairs accredited representatives of local governments (primarily counties). Our mission is to promote the rights of veterans, their dependents and survivors through a progressive legislation platform. We work collaboratively with the U.S. Department of Veterans Affairs (VA) and other nationally chartered Veterans organizations to assure that veterans , their families and survivors receive the entitlements they deserve for the sacrifices they endured.

In February 2013 NACVSO and the United States Department of Veterans Affairs (VA) signed a Memorandum of Understanding (MoU)¹ to recognize and enhance the partnership between the United States Veterans Benefits Administration (VBA) and the National Association of County Veterans Service Officers. Both organizations share in a common mission to serve America's Veterans, their family members, and survivors. The hallmarks of this relationship will be effective communications, exchange of ideas and information, identification of emerging needs, and continuous reevaluation of existing programs. NACVSO is right there with the veterans on a daily basis and is the best feedback to the VABA on veterans needs because of our proximity to the veteran, their families and survivors.

NACVSO has over 1,600 VA accredited representatives in 26 states and two Native American tribes throughout the United States. County Veterans Service Officers (CVSO) singularly have the greatest number of VA accredited representatives than any other national, regional or local organizations recognized by the Secretary of Veterans Affairs in the preparation, presentation, and prosecution of claims under laws administered by the Department of Veterans Affairs. There are currently forty (40) organizations and fifty-one (51) states and territories recognized by the Secretary of Veterans Affairs.

A Power of Attorney (PoA)² is generally assigned to a veteran which appoints a veterans service organization as the claimant's representative when they present themselves into our office. The PoA is determined by the veteran and this appoints the service organization or state or territory to be their representative to prepare, present and prosecute claim(s) for any and all benefits from the VA based on the service of the veteran. There is further understanding that the appointed representative will not charge any fee or compensation for service rendered pursuant to this appointment. The service organization that has been appointed as the representative may revoke this appointment at any time, subject to 38 CFR 20.608. The PoA enables us to access the veterans information in the VA database to ascertain the status of a claim, appeal or to determine

what the veteran has done in the past. The PoA is an essential tool that we have to help the veteran.

All of our work is guided by using the Code of Federal Regulations (38 CFR) to submit the claim and to use as a reference to the eligibility of the veteran to apply for the claim. The claim is then submitted to the Veterans Affairs Regional Office via the veterans service organization assigned as PoA.

Currently there is a projected Nationwide Veteran population³ of 22,328,000 as of 9/30/2012. Of which males are 90% and females 10%. The Vietnam Era veterans⁴ are approximately 7.5 million followed by the Gulf War veterans at 6.2 million and there are 5.6 million Peace time only. Some veterans have served in multiple periods or wars. Included in your handouts are some maps which show the Veteran Population by State. The four largest are California (1.9M), Texas (1.7M), Florida (1.6M) and New York (913,000). All of these states have NACVSO members.

NACVSO, of which California is a member state and has 174 members, has several Memorandum of Agreements (MoA's) with Veterans Service Organizations. These MoA's enable our members, who have passed the NACVSO accreditation course and exam, to become accredited representatives with five Veteran Service Organizations without having to take the respective VSO accreditation exam. The continuing education units that satisfy the NACVSO requirements to maintain accreditation are also accepted by the VSO's. The five VSO's are the Disabled American Veterans (DAV), AMVETS, The Retired Enlisted Association (TREA), Vietnam Veterans of America (VVA), and Military Order of the Purple Heart (MOPH). In addition several CVSO's have signed MoA's with the American Legion, Veterans of Foreign Wars and the Jewish War Veterans and their respective State agencies. Currently the VFW has 200 accredited representatives nationwide with the CVSO's supplementing them with 643 additional accredited representatives with 98 of them being in California. MOPH has 206 state and national accredited representatives and the CVSO's add an additional 360 accredited representatives to their rank.. The American Legion has stated that 85-90% of their claims are submitted by CVSO's.

By giving you above mentioned background information I want to impress on you the importance of CVSO's throughout the United States. CVSO's are at the point of the spear when it comes to reaching out to veterans in their respective states. The VSO's are generally located at the Veterans Affairs Regional Offices (VARO). CVSO's are located in their counties. In some instances the distance to a VARO can be several hundreds of miles. The CVSO's by having several PoA's can easily meet the needs of the veteran rather than sending them a great distance to seek help. When a veteran comes into one of our offices the first questions asked them is, who is your representative or PoA? If it is one that we are accredited with, we can help them instantly. If we do not have the PoA we either have to have them assign one that we can represent or change their existing PoA to one that we can represent. This can cause delays in

submitting a claim for the veteran or even get information on their existing claim. A key point is that VSO's work with their PoA only but the CVSO's work with up to eight or more veterans organizations. Thus this gives the CVSO's greater latitude in helping the veteran than the VSO's.

Because of the restriction of veterans data due to not having a PoA NACVSO introduced legislation titled HR733⁵ "Access to Veterans Benefits Improvement Act" which provides a covered employee access to the VA database without having the power of attorney. A covered employee means an employee of a Member of Congress, or a state or local governmental agency (including a veterans service officer). CVSO's are governmental employees since they are employed by the Counties. In a few instances they are State employees.

Presently NACVSO is working with VBA and the VSO's to determine the best way to submit the claims electronically to the VBA. We are having bi-monthly meetings in Washington DC at the VA Central Office. NACVSO is representing all the CVSO's in the country and will conduct extensive training at our Training Conference in Reno this June. NACVSO is on the same level as the State Directors of Veterans Affairs and the Veteran Service Organizations within the Veterans Administration. They recognize us as being with the veterans out in the various counties. In most instances CVSO's are employees of the County and in some cases are state employees such as in Alabama.

In California^{6,7} the CVSO's generate the claims procedures for most of the veterans who are living 10 or more miles from the VARO's. We assign the PoA's to the claim and submit them to the VSO who has the PoA at the VARO. If we have NACVSO accreditation we can use the NACVSO, DAV, AMVETS, TREA, VVA and MOPH PoA's. If our representatives have passed the CDVA accreditation test they can use the CDVA PoA. CDVA does not have reciprocity with NACVSO. We also independently have PoA's with the American Legion (AL), Veterans of Foreign Wars (VFW) and various other VSO's. There are 174 NACVSO members in California and most will have the NACVSO PoA so that they can also apply for the five organizations that have the MoA's with NACVSO. CVSO's are located in 56 of the States Counties. They are the outreach arm and boots to the ground for the veterans not only for CDVA but for the large VSO's located in CA such as the DAV, AL, VFW, and AMVETS. There are three VARO's located in Oakland, Los Angeles and San Diego. In the seven counties, (Ventura, Kern, San Bernardino, Riverside, Orange, San Diego and Imperial) in the southern part of the state there are approximately 1,017,942 of the 1,844,802 veterans in California. Oakland handles the Northern part of CA, LA handles Kern, Ventura, San Bernardino, and San Diego handles San Diego, Orange, Riverside, Imperial and parts of San Bernardino. All claims coming from the PoA's are submitted to the VSO and then to the VARO. The VSO's usually give feedback as to the status of the claim when it has been adjudicated.

The overall concept is simple: The CVSO's process and work directly with the Veterans in the development of the claim and obtain all the required documents. The VSO's and State Service

Officers assume the majority of the responsibilities of representing the veteran through the appeals process and conducting any hearings that are required.

Training is conducted by the California Association of County Veterans Service Officers(CACVSO) three times a year. This is required to maintain accreditation with the VA. Since the CVSO's are County employees we have required County training which covers ethics, diversity, workplace practices and many other issues or requirements not in the CFR. We also have training on demand at the VARO's and some regions of the state have quarterly training. Overall we work very well with the VSO's and the State employees. The relationship with the employees at the VARO's could not be better. We meet with them all the time and receive excellent feedback on the quality of the work that we submit.

California is slightly below the National Average for Compensation and Pension (C&P)^{8,9} benefits. The state average for the monetary return and the percentage of veterans receiving the C&P benefits is below the national average. We are usually compared with Texas and Florida because of the number of veterans residing in those states. Texas and Florida have close to twice as many CVSO representatives helping veterans get connected with their benefits along with their state employees that are also at a much higher staffing level than California. California has the largest veteran population of any state with veterans under the age of 25.¹⁰ This is the population that we should be very concerned about. They have the high prevalence of injuries not seen before such as the loss of limbs combined with PTSD and TBI. Some of these may not become apparent until 5 to 10 years down the road. The question is, are we prepared to face up to the demands that will be placed on us in the future? Veterans are concentrated in Southern California and some Bay Area counties. Here is where the attention should be on doing outreach to the veteran and obtaining as much help as we can from the Federal government. The veterans need advocates to show them the way. More funding emphasis should be provided by the California Legislature to support the CVSO's in providing more help to hire more veterans service representatives. The CVSO's are the leading edge in helping the veteran seek federal, state and county benefits such as health care, compensation, pension, employment, education and housing to provide a successful transition to civilian life. Emphasizing the transition and early help will help to prevent the one thing we want to eliminate: homelessness.

The importance of CVSO's to CDVA was pointed out in the CDVA Veterans Services Division Strategic Plan of 2004 pointed out that collectively, the County Veterans Service Offices, through claims initiation and development, and the California Department of Veterans Affairs, through claims development and representation, provide assistance to veterans and their dependents in preparing and submitting claimants before the federal, state and local agencies providing veterans benefits. The Department has a critical relationship with CVSO's statewide in ensuring that veterans receive all eligible benefits. Where the state directly supports representative services in VARO's, the CVSO's provide an underlying network that facilitates the direct support of the individual veteran or family member. This was also pointed out in the California State Auditor report of the California Department of Veterans Affairs in October

2009. State funding to assist the CVSO's has held constant for the past eight years, it was increased to \$11M two years ago but was cut back to its current \$2.6M level. The funding has not increased but the demands on the office for claims submission and outreach efforts has increased tremendously. CalVet should reacquaint themselves with their Strategic Plan for FY 2009-2014 and then look at the CDVA Implementation Plan, Plans of Action for the Veterans Services Division. There has been a tremendous change in CDVA the past two years it seems like much of the hard work that was done by the Department and the CVSO's has been lost.

The recommendation that I would make in California is to increase the budget to the \$11M level that is available to the CVSO's as proposed in SB419 of 2009 so that they may hire more veterans representatives and include in that some money that the VSO's may compete for on a competitive basis to get more help. It has been published that \$400 million in federal funds have been left on the table because there are not enough veteran representatives where the veterans are. Emphasis should be on the areas where the most veterans are located. CalVet should work closer with the CVSO's to help accomplish the goal of surpassing the national average for compensation and pension claims as well as the percentage of veterans receiving payments. Outreach to veterans is the key! Since the CVSO's and VSO's are located where the veterans are in the counties they should be funded with enough resources to perform the outreach functions. In the CalVet Annual Report to the CA Legislators¹¹ CVSO's brought in to California approximately \$183M new, recurring veteran benefits into the State's economy and an additional \$163 million as one-time payments. Working together the CVSO's and VSO's along with State veterans representatives, California veterans currently receive \$4,542,309,852 for Compensation and Pension for FY2011 according to the USDVA. For a rather small investment by the State there can be an exponential amount of money returned in increased payments for veterans claims. An example would be since 1995¹² to the present the state has contributed \$38.8 M to the CVSO's and CVSO's brought back \$3.6 Billion in benefits to the State of California. That is a return of \$90 for every \$1 invested by the state. Thus investing in the CVSO's is a very wise investment for the State.

Thank you

Attachments

1. Memorandum of Understanding- United States Department of Veterans Affairs (VA) and National Association of County Veterans Service Officers (NACVSO)
2. Appointment of Veterans Service Organization as Claimant's Representative (Power of Attorney)
3. Projected Veteran Population
4. Veteran Period of Service Statistics
5. H.R. 733- 'Access to Veterans benefits Improvement Act'
6. Veteran Population by County- United States
7. California Veteran Population Estimates by County
8. 2012 California Per Capita Compensation and Pension
9. 2011 United States Compensation and Pension Cases
10. Percent of Veteran Population Under 25 years Old by State: FY 2012
11. Annual Report California Department of Veterans Affairs FY 2011-2012 "Monetary Benefits Attributable to the Assistance of County Veterans Service Offices"
12. Federal Funds Awarded to California's Veterans Through the Efforts of Your County Veterans Service Officers