

**OFFICE OF POLICY AND LEGAL ANALYSIS**

**Date:** March 24, 2021

**To:** Veterans and Legal Affairs Committee

**From:** Janet Stocco, Legislative Analyst

**LD 658** **An Act To Provide Funding for 3 Veterans Services Officers in the Maine Bureau of Veterans' Services** (Rep. Justin Fecteau)

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**SUMMARY**

**Section 1** of the bill requires the Department of Defense, Veterans and Emergency Management to:

1. Coordinate homeless veterans services delivery, data collection and data analysis and reporting in collaboration with other state agencies and veterans organizations;
2. Identify homeless veterans and veterans at risk of becoming homeless; and
3. Serve as case managers to connect veterans with needed resources, including emergency food and clothing.

**Section 2** of the bill appropriates General Funds for 3 Veterans Services Officer (VSO) positions.

**ADDITIONAL INFORMATION:**

**A. Current VSO positions.**

Maine Bureau of Veterans' Services (the bureau) reports that it currently has 9 VSO positions.

The bureau describes 8 of these positions as "claims VSOs":

- 6 claims VSOs are located in the bureau's field offices in: Caribou, Bangor, at Togus in Augusta, Lewiston, Portland and Springvale
- The bureau also has 2 traveling claims VSOs: one in northern Maine and one in Southern Maine

The bureau's website explains that claims VSOs assist Maine veterans in enrolling in the federal VA system to access VA benefits and health care services, filing claims with the VA, and accessing state benefits. See <https://www.maine.gov/veterans/veterans-services-offices/index.html>.

The ninth VSO serves as the bureau's Homeless Veterans Coordinator.

**B. Governing Law**

Pursuant to [37-B M.R.S. §503\(1\)](#), VSOs "must be veterans as defined by [38 U.S.C. §101(2)] who were separated with an honorable discharge." See [38 U.S.C. §101\(2\)](#) ("The term "veteran" means a person who served in the active military, naval, or air service . . .").

In addition, [37-B M.R.S. §508](#) governs the work of the 8 claims VSOs.

**37-B M.R.S. §508. Veteran service officers**

Veteran service officers shall serve, assist and advocate for all veterans. A veteran service officer must be trained and conversant on the issues, benefits and definitions affecting all veterans, including

atomic, Vietnam, Desert Storm and female veterans. The bureau shall have at least one veteran service officer who specializes in female veterans' issues.

A veteran service officer may not knowingly present or prosecute a fraudulent claim against the United States or knowingly provide false information to the United States; demand or accept unlawful compensation for preparing, presenting or prosecuting a claim or advising or consulting concerning a claim; or knowingly present to the United States Department of Veterans Affairs a frivolous claim, issue or argument. A claim, issue or argument is frivolous if the veteran service officer is unable to make a good faith argument on the merits of the position taken or to support the position taken by a good faith argument for an extension, modification or reversal of existing law.

The Homeless Veterans Coordinator VSO position was established by §B-7 of [P.L. 2015, Ch. 465](#):

**Sec. B-7. Director of the Bureau of Maine Veterans' Services to establish Veteran Service Officer position.** No later than February 1, 2017, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish one additional Veteran Service Officer position within the bureau. Duties must include coordination of efforts to address homelessness among veterans in the State.

That legislation also enacted [30-A M.R.S. §5048\(9\)](#), which directs the Statewide Homeless Council to develop and periodically update a strategic plan regarding homelessness among veterans. This statute further requires the the Director of the Maine Bureau of Veterans' Services to provide periodic reports to the council and to VLA Committee regarding implementation of this strategic plan.

**9. Develop strategic plan regarding homelessness among veterans.** Develop strategies to enhance coordination and communication among agencies and organizations that provide services that seek to place veterans in permanent housing and that seek to improve access to services known to support housing stability for veterans who are experiencing homelessness or veterans who are at risk of homelessness. The council shall develop and periodically review a strategic plan that:

- A. Establishes a baseline for homelessness in the State from which improvements can be measured. In determining the baseline, the council is not required to use the federal definition of homelessness and may include levels of housing instability or ranges of homelessness;
- B. Develops a method of measuring homelessness among veterans in the State to demonstrate whether efforts to reduce the number of homeless veterans in the State have been successful;
- C. Identifies specific processes for improving communication among agencies that provide services to veterans, including services unrelated to homelessness, that will facilitate identification of veterans in need of housing assistance or veterans who may be at risk of homelessness and maximize resources available to address homelessness among veterans; and
- D. Develops a framework and timeline for determining progress of communication and coordination efforts targeting homelessness among veterans and the effectiveness of those efforts in reducing homelessness among veterans.

The Director of the Bureau of Maine Veterans' Services shall periodically report to the council regarding the progress of implementing the strategies described in this subsection. Beginning February 1, 2018, the director shall report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs on the implementation of the strategic plan. The report must include, but is not limited to, the effect of the strategic plan on homelessness among veterans based on the measurements required to be established by this subsection.

**C. Related program: Veterans' homelessness prevention**

The 129th Legislature established the veterans' homelessness prevention partnership through [P.L. 2019, 504](#), which currently provides \$50/night per diem payments to human services-based volunteer organizations that provide transitional housing to homeless veterans in the State. This program—which is funded by an annual appropriation of \$100,000 and for which a part-time Office Associate II position was created—has been the focus of the VLA Committee's budget discussions this session.

**ISSUES RAISED AT PUBLIC HEARING**

**MBVS capacity to provide case management services.** At the public hearing, the bureau noted that its existing VSOs do not provide case management services, which are clinical in nature. In the past, when funding has been provided by the Legislature to provide case management services to veterans, the bureau has entered contracts with vendors with expertise in this service-delivery model. See [Resolve 2017, c. 24](#), *Resolve, To Assess the Need for Mental Health Care Services for Veterans in Maine and To Establish a Pilot Program To Provide Case Management Services to Veterans for Mental Health Care*.

**TECHNICAL ISSUES**

None identified.

**FISCAL IMPACT**

Not yet determined.

While section 2 of the bill includes General Fund appropriations of \$180,759 in FY 2021-22 and of \$241,012 in FY 2022-23 to fund 3 new VSO positions, an evaluation of the cost to the bureau of implementing section 1 of the bill has not yet been performed.