

MINUTES

**Quarterly Meeting of the
Missouri Veterans Commission
Held, pursuant to notice
November 8, 2012 — 10:00 AM
Jefferson State Office Building,
205 Jefferson Street, 1st Floor State Board of Education Room,
Jefferson City, MO**

I. CALL TO ORDER

- A. Invocation & Pledge of Allegiance
- B. Roll Call

In attendance: Vice Chairman Emmett Fairfax; Member Paul Connors; Member Scott Englund; Member Nancy Nelson; Member Chuck Wooten; Member Victor Callahan; Member Barney Fisher;
Via telephone: Member Jason Kander; Member David Pearce; Ex-Officio Member Jeff Bloemker

Guests and staff present:

- 1. Guests: James Whitfield; Jack Matthews; Sallie Houser-Hanfelder; Duane Gill; David VanMeter; Richard Heigert; Lynn Dorrell; Claudia Goodin; Charles Goodin; Dewey Riehn; Jon Sabala; Nancy Cowan; Olin Parks; Lee Smith; Sherry Anderson; Mark Enderle; Frank Prosser; Ernie Lee; Joe Phillips; Angie Giddings
- 2. Staff: Larry Kay, Executive Director; Bryan Hunt, Deputy Director; Jill Talken, Executive Secretary; Kevin Hall, General Counsel; Daniel Bell, Public Information; Kim Cleeton, Director Homes Program; Stan Baughn, Director Cemetery Program; Doug Meyer, Director Veteran Services Program; Tim Norton, Director Facilities Operations; Julie Miller, Fiscal and Administrative Manager; Becky Wolken, Administrative Assistant; Kim Harris, Director Human Resources; Melissa Skinner, Research Analyst; Melissa Wilding, Ombudsman; Kevin Onstott, Capital Improvement Specialist

II. APPROVAL OF MINUTES

- A. Commission Meeting CLOSED Minutes May 7, 2012
 - B. Commission Meeting Minutes August 2, 2012
 - C. Commission Meeting CLOSED Minutes August 2, 2012
- Commissioner Callahan made a motion to approve the meeting minutes and Commissioner Wooten seconded the motion. The minutes were unanimously approved as written.

Recognition of Departing Commissioners

III. EXECUTIVE DIRECTOR'S REPORT

The Executive Director's Report was delivered by Larry Kay, Executive Director.

- A. Introduction of Commissioner Item of Input:
 - 1. CI Budget Request
 - 2. Priority/Replacement of Homes
 - 3. Resident Rate
 - 4. Priority Waiting List
 - 5. Rule Changes

- B. Drivers License Update - SB 470 VETERAN DESIGNATION ON DRIVER LICENSE - Allows a person to apply to the Department of Revenue to obtain a veteran designation on a driver's license or identification card upon providing a United States Department of Defense discharge document, known as a DD Form 214, showing a discharge status of "honorable" or "general under honorable conditions". The Commission is working with the Department of Revenue on a letter of agreement for recognizing those Veterans with a DD214 equivalency.

IV. PROGRAM REPORTS

Program reports were delivered by Bryan Hunt, Deputy Director

V. STAFF REPORTS

Tim Norton, Director Facilities Operations reported on Priority for Replacement of Homes, FY 12/13 VA Grant Approvals, FY 14/15 Appropriation Requests and construction projects.

Priority for Replacement of Homes (is presented in the reverse order in which they were constructed)

- 1985, Mexico Veterans Home
- 1989, Cape Girardeau Veterans Home
- 1993, St Louis Veterans Home, 100 bed dementia wing was added in 2004
- 1997, St James Veterans Home
- 1999, Cameron Veterans Home
- 2000, Warrensburg Veterans Home
- 2004, Mt Vernon Veterans Home

*** In the near term (FY 14/15) the Missouri Veterans Commission is not pursuing either the construction of a new home or the replacement of a current home.

FY 12/13 VA Grant Approvals

- Mexico, HVAC & Electrical Upgrades
- Mt. Vernon, Nurse Call System & Door Locks
- Mt. Vernon, Solarium & Rehab Additions
- St. Louis, Nurse Call, Fire Alarm Systems & Solarium Addition, etc
- Cameron, Nurse Call & Fire Alarm Systems
- Cape Girardeau, Chapel Addition

FY 14/15 Appropriation Requests

- Statewide, Critical Maintenance & Repair Funding
- Warrensburg, Nurse Call & Fire Alarm Systems
- Cape Girardeau, Renovate Restrooms, Nurses Stations, etc.
- St. James, Facility Renovations
- Cameron, Parking Lot, Sidewalks, Retaining Walls, etc.
- St. Louis, Storage Building & Pavilion
- Mexico, Fire Lane, Parking Lot, & Lighting
- Statewide, Electronic Medical Records & Anti-Wander Systems
- Jacksonville, Storage Building

Julie Miller, Fiscal and Administrative Manager reported on MVC Operating Appropriations by Fund.

Daniel Bell, Public Information Office reported on publications.

VI. LEGISLATIVE UPDATE

None

VII. OLD BUSINESS

None

VIII. NEW BUSINESS

- A. Resident Rate Review: Larry Kay recommended a resident rate increase of \$150.00 effective January 1, 2013. The increase will move from the current rate of \$1,800 to \$1,950 per month (8% increase). The last resident rate increase was in 2006. Member Englund noted that the proposed rate increase appears to be very reasonable when compared to what the rate would have been had it been adjusted for consumer price index (CPI) adjustments or the Social Security Administrations Cost of Living Adjustments (COLA). Director Kay stated approximately 88% of residents are currently paying the maximum rate (\$1,200). Member Nelson asked MAVO's position on resident rate increase.

Chairman Lynn Dorrell advised MAVO is favorable of increase. After much discussion Member Englund made a motion to accept the recommended resident rate increase of \$150 per month. Member Pearce seconded the motion. By a voice vote the motion passed unanimously.

- B. Priority Waiting List: At the August Quarterly Commission meeting Director Kay addressed the Commissioners regarding prioritizing the Homes waiting list. A three tiered priority system was proposed in order to most effectively address those Missouri Veterans with the greatest documented need for care.

The Priority Level Groups and offers of admission would be extended to those at Priority Level I first; followed by Priority Level II and then Priority Level III. Priority Levels are defined as:

Priority Level I

- The applicant has a singular or combined rating of 70% or more based on one or more service connected disabilities and is need of nursing home care.
- The applicant has been determined to be in need of skilled care for a VA adjudicated service connected disability.
- The applicant has a rating of total disability based on individual un-employability and is in need of nursing home care.

Priority Level II

- Applicants who have wartime service as defined by the Department of Veterans Affairs. Wartime Veterans are those individuals who have a least one day wartime service PLUS a minimum number of days active duty which is 90 days prior to September 7, 1980 or 24 months of continuous service after September 7, 1980. Exclusions to the Minimum Active Duty Requirement are:
 - To a person who is released under U.S.C. 1171 or 1173 – convenience of the government or hardship discharge.
 - To a person who is released from active duty because of a service connected disability
 - To a member of the Guard or Reserve activated under the provisions of U.S.C. 10.

Priority Level III

- All other Veterans

Dewey Riehn, MAVO Legislative Liaison stated that he is comfortable with the tiered system and serving those Veterans who have sacrificed with service connection disabilities first.

After much discussion the Commissioners then addressed proposed Rule Changes.

C. Rule Changes:

11 CSR 85-1.010 Description of Organization. This amendment reflects the current size of the commission consisting of nine members (the existing rule still only indicates five members), specifically identifies the central office in administrating commission matters, specifies five members as constituting a quorum, and indicates that when the executive director is authorized to act in emergency matters, such action is to be ratified by the commission at the next scheduled meeting.

11 CSR 85-1.015 Procedures for Receiving Information. This amendment merely changes a few instances of language for grammatical purposes.

11 CSR 85-1.020 Veterans Services Program. This amendment identifies the director of the Veterans Services Program and his/her duties.

11 CSR 85-1.030 Missouri Veterans Homes Program. This amendment redefines residents of Veterans Homes as those receiving skilled nursing care, defines "per diem eligible", "skilled nursing care", and "waiting list" terms, establishes priority for applicants on a waiting list based on three kinds of priority, identifies the director of the Homes Program and his/her duties, indicates duties for administrators of each Veterans Home, and indicates procedure for licenses to operate each Veterans Home.

11 CSR 85-1.040 Veterans Trust Fund. This amendment merely changes a few instances of legal citations.

11 CSR 85-1.050 Veterans Cemeteries Program. This amendment indicates that the executive director shall appoint a Veterans Cemeteries Program director and identifies the director's duties.

Kevin Hall, General Counsel advised that the proposed rule changes if adopted would be implemented in the summer 2013.

Member Fisher expressed his concerns with the priority waiting list system and recommend consideration of only having a two tiered system:

Priority Level I

- The applicant has a singular or combined rating of 70% or more based on one or more service connected disabilities and is need of nursing home care.
- The applicant has been determined to be in need of skilled care for a VA adjudicated service connected disability.
- The applicant has a rating of total disability based on individual un-employability and is in need of nursing home care.

Priority Level II

- All other Veterans

Member Englund made a motion to eliminate the proposed Priority Level II previously submitted to the Commissioners and to adopt the recommended two tier system proposed by member Fisher.

Member Fisher seconded the motion. By a voice vote the motion passed unanimously.

Member Englund made a motion to adopt the proposed rule changes with appropriate amendment to 11 CSR 85-1.030 Missouri Veterans Homes Program. Member Wooten seconded the motion. By a voice vote the motion passed unanimously.

- D. U.S. Department of Veterans Affairs: Sallie Houser-Hanfelder, Director VAMC-Columbia reported announced the Jefferson City CBOC will have an Open House on November 14, 2012. Over 35,000 Veterans have been seen by the VAMC-Columbia this year and they have the highest customer satisfaction survey scores ever. Current construction projects.

Dr. Mark Enderle, MD, Director Fayetteville, VA Medical Center reported on the following: 55,000 Veterans have been seen at the VAMC-Fayetteville this year (40% are MO residents), new services added, and current construction projects, CBOC located at Mt. Vernon is moving in 2015 to Springfield and they are waiting for approval for a new CBOC in Joplin.

- E. Missouri Association of Veteran's Organizations (MAVO) – Lynn Dorrell thanked the Commission and the Legislators for their team work this past session and is looking forward to the upcoming session working together as a team. MAVO Legislative Committee met with Commission staff on September 19th to discuss MAVO Legislative Agenda 2013. "Veterans Appreciation Days" January 28 & 29, 2013.

- F. Election of Officers: Member Englund opened for nominations for Chairman of the Commission. Member Connors made a motion to elect Emmett Fairfax to serve as the Chairman for the Missouri Veterans Commission. Member Englund seconded the motion. By a voice vote the motion passed unanimously.

Member Englund then opened for nominations for Vice Chairman of the Commission. Member Connors made a motion to elect Scott England to serve as the Vice Chairman for the Missouri Veterans Commission. Member Nelson seconded the motion. By a voice vote the motion passed unanimously.

IX. NEXT MEETING

The next meeting will be held on Monday, January 28, 2013 at 10:00 AM at the Jefferson State Office Building, Jefferson City, Missouri.

X. VOTE TO GO INTO CLOSED SESSION

Member Englund made a motion to go into closed session for the purpose to discuss personnel issues. By a voice vote the motion passed unanimously.

XI. VOTE TO GO INTO OPEN SESSION

Member Englund made a motion to go into open session. The motion passed unanimously.

XII. ADJOURMENT

With no further business to come before the Commission, the meeting was adjourned.

A handwritten signature in black ink, appearing to read "L.D. Kay", written in a cursive style.

Larry D. Kay, Secretary