

BOARD MINUTES  
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS  
Telephone Conference of August 14, 2009

**Board Members Present**

Marvin Freedman, Chair  
Pete Moran  
Dan Naylor  
Rod Moen  
Jackie Guthrie

**Board Members Excused**

Marcia Anderson  
vacancy

**WDVA Present**

Kenneth B. Black, Acting Secretary  
Jimmy Stewart, Chief Legal Counsel  
Michael Trepanier, Executive Assistant  
Seth Perelman, Division Administrator  
Andy Schuster, Public Relations  
Mike Diaz, Assistant Legal Counsel  
Tony Cappozzo, Division Administrator  
Julie Van Metre, Exec. Staff Assistant

**Others Present**

Donna Chrzas, Columbia CVSO and President of the CVSO Association  
Michael Jackson, Dane CVSO  
Max Oleson, American Red Cross  
Cleon Brown, US Submarine Veterans  
Scott Berger, Marathon CVSO  
John Skilton, Chairman, Lincoln Bicentennial Commission  
Pete Skelly, Lincoln Bicentennial Commission  
Jim Hoyt, Lincoln Bicentennial Commission

1. Call to Order and Roll Call.

The teleconference of the special Board meeting of the Board of Veterans Affairs was called to order by Chair Freedman at 10:00 a.m. on Friday, August 14, 2009. A quorum was present.

2. Certification of Notice of Meeting.

Advance notice of the meeting occurred.

3. Public Hearing to Consider the Creation of VA 2.01(1)(u), VA 2.01(3)(d), VA 2.01(2)(e), and CH VA 2.01(3)(f) as Emergency Rules Relating to the Assistance to Needy Veterans Grant Program.

Mr. Freedman began the hearing with the following statement: This is a public hearing to hear testimony regarding the emergency rules promulgated by the Wisconsin Department of Veterans Affairs relating to the operation of the Assistance to Needy Veterans Grant, specifically the Health Care Aid portion of that Program. The emergency rules which were published on July 1, 2009 and will remain in effect until 150 calendar days have passed, or the end of any extension authorized by the Legislature has occurred, or the Legislature votes to suspend the emergency rules.

The Department has promulgated emergency rules which define the term "vision care", and establish specific criteria for eligible dental care, hearing care and vision care relating to the purpose of administering the Assistance to Needy Veterans Grant Program. These rules were provided with the notice of this public hearing and copies are also available for review at this hearing. This hearing is intended to allow the public to provide comment and input regarding the emergency rules, the Assistance to Needy Veterans Grant Program and prospective adjustments to that program based on the content of these emergency rules.

The factual basis for which the Department determined there was an emergency to be addressed includes the following facts: the economic recession in effect for the last

fiscal year has adversely affected the veteran population. Many veterans have lost their employment or had their scope of employment reduced. In addition to losing employment, many veterans have seen their health care reduced or eliminated. In order to serve the largest population of veterans and ensure basic health care for that population, the Department promulgated emergency rules to define "vision care", and to limit the eligibility, by available funding, for "dental care", "hearing care", and "vision care". These eligibility limitations, which address the cost, type and frequency of care available under the program, allow more veterans in need to access the limited resources of this program.

The factual information on which the content of the emergency rules were based consists of surveys of multiple private vendors of dental care services, hearing care services, and vision care services regarding the cost, scope and accessibility of each service. The United States Department of Veterans Affairs was also contacted to determine what services were offered through that agency and to review costing mechanisms used in the provision of each of the elaborated health care services. Lastly, the Department conducted an informational hearing on May 1, 2009 regarding proposed rules covering similar topics in this program. Information provided in that hearing has also been reviewed as a part of the promulgation process for these emergency rules.

Testimony will be taken orally, by the Board today, from any interested party who has completed the appropriate request to speak. Written testimony will also be accepted if received prior to August 28, 2009 by the Department. Any written testimony should be sent to the attention of the Office of Legal Counsel, 30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843.

Donna Chrzas, Columbia County CVSO and the President of the CVSO Association of Wisconsin spoke in favor of the emergency rules relating to the Assistance to Needy Veterans Grant Program. Ms. Chrzas said that the CVSO Association agreed to the recommendations for the emergency rules for the eye, hearing and dental portions of the ANV Grant and supports the Board in these efforts. However, that does not mean that the CVSO Association accepts those rules as the permanent rule and they hope to work with the Board and the Department to establish more reasonable guidelines for the implementation of the permanent rule.

Michael Jackson, representing himself (and all needy veterans) spoke against the emergency rules. He asked that rules be adopted to replace lost, destroyed or damaged glasses, hearing aids or dentures. Such a provision would not be expected to be unlimited. The VA replaces these items for veterans when they have been lost, destroyed or damaged.

Mr. Freedman said he will get all written statements regarding this matter to each Board member. Statements received thus far are from Dr. John Hofer and Bill Thoma, Trempealeau CVSO.

There being no further testimony, the Board Chair adjourned the hearing at 10:15 a.m.

4. Presentation by the Wisconsin Lincoln Bicentennial Commission in Support of its Request for Board Approval for the Permanent Placement of a Marker at Camp Randall (the Board will discuss and take action on the Commission's request at its regular Board meeting on Friday, August 21, 2009).

Mr. John Skilton, Chairman of the Wisconsin Lincoln Bicentennial Commission introduced two other members of the Commission appointed by Governor Doyle, Pete Skelly and Jim Hoyt. They spoke about the placement of an appropriate sign in the Camp Randall area so as to commemorate Abraham Lincoln's role with respect to the Civil War. The Commission feels the public should be educated as to the significance of Camp Randall beyond a football stadium and commemorate the sacrifice of 70,000 men who

trained at Camp Randall. About three weeks ago the Governor and the Acting Secretary participated in an event on behalf of the Bicentennial Commission, celebrating Abraham Lincoln's link to those grounds. The Commission is asking for Veterans Board approval of a sign to be placed on the Camp Randall grounds about 50 feet beyond the Arch and off to the left in front of the flag pole and the Civil War cannon. Mr. Hoyt said the proposed site has been well received by Jeff Kollath of the Wisconsin Veterans Museum and Daniel Einstein who oversees the Camp Randall campus on behalf of the University.

Chair Freedman said Board action on this matter will occur at its regular meeting on August 21<sup>st</sup>.

5. Public Input  
None.

6. Adjournment

It was moved by Mr. Moran, seconded by Mr. Moen and carried on a voice vote to adjourn the Special Board Teleconference meeting; the time was 10:25 a.m.

Marvin Freedman  
Chair