

WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
WDVA Briefing of December 11, 2008
Union Grove, Wisconsin

Board Members Present

Marv Freedman
Rod Moen
Jackie Guthrie
Dan Naylor
Pete Moran
Marcia Anderson

Legislative & Program Review Present

Marcia Anderson
Scott Berger
Loren Christensen
Steve Lawrence
Roger Mathison
Jim Young
Mike Furgal
Ken Rock
Charles Vandenplas

Long Term Care Committee Members Present

Rod Moen
Jackie Guthrie
Rick Scollon (via videoconference)
Mary Meyer
Lewis Harned (via videoconference)
Lee Guerrero
Christine Jordan
Michael Jackson
Mike Demske
Ellen Blissenbach (via videoconference)

Financial Committee Members Present

Pete Moran
Dan Naylor
Al Richards
Clarence Stoel
Robert Stone
Bill Hustad
Tim Thiers
Alan Walker
Jerry Polus

Others Present

Ken Kuehnl, DAV Adjutant
Tony Tyczynski, Sauk CVSO
Ken Wendt, past Board member
Tom Ludka, Am. Legion Service Officer

CVSO Advisory Council Present

Mark Grams, Dodge CVSO
John Solis, Rock CVSO
Ted Mynyk, Iowa CVSO
Fred Kaiser, Waushara CVSO (via videoconference)
Mike Haley, Chippewa CVSO
Donna Chrzas, Columbia CVSO
Robert Stone, Winnebago CVSO
Nick Benzinger, Shawano CVSO

Council on Veterans Programs Present

Connie Allord, UWV
Russ Alsteen, NCUSA
Cleon Brown, USSVWWII
Ken Brown, CVSOA
Rick Cherone, MOPH
Roger Fetterly, MOAA
Paul Fine, ANU
Mark Foreman, VVAW
Mark Grams, MCL
Bill Hustad, WVV
Rick Langan, TREA
Steve Lawrence, VFW
John Margowski, VVA
Max Oleson, ARC
Charles Roloff, Am. Legion
William Sims, NABV
Clif Sorenson, WACVO
Clarence Stoel, DAV
Tim Thiers, AMVETS
Paul Weprinsky, JWV

WDVA Staff Members Present

Ken Black, Acting Secretary
Anthony Hardie, Executive Assistant
Jimmy Stewart, Chief Legal Counsel
Tom Rhatican, Division of Veterans Homes
Colleen Holtan, Budget Office
Seth Perelman, Division of Veterans Benefits
Bill Crowley, Commandant-King
Pat Shaughnessy, Acting Commandant-Union Grove
Gary Wistrom, Adjutant
Nate Nez, Regional Coordinator
Kathleen Scholl, Public Affairs Office
Julie Van Metre, Exec Staff Asst
Bill Kloster, Policy Advisor (via videoconference)
Tony Cappozzo, Administration (via videoconference)
Andy Schuster, Public Affairs Director (via video)

The briefing session by WDVA staff to Board, Council and Committee members was called to order at 12:48 p.m. The Pledge of Allegiance was recited and a moment of silence was held in memory of Richard Zeitlin and those who have fallen in action in our Nation's wars.

1. Roll Call

It was certified that the meeting was properly noticed.

Roll call of Board members: 6 members present for a quorum.

Roll call of CVSIO Advisory Council members: 8 members present for a quorum.

Roll call of Legislative and Program Review Committee members: 9 members present for a quorum.

Roll call of Long-Term Care Committee members: 10 members present for a quorum.

Roll call of Financial Committee members: 9 members present for a quorum.

Roll call of Council on Veterans Programs members: 19 members present for a quorum.

Chair Freedman said that Board Member Bill Andersen resigned from his position on the Board. That resignation was accepted by the Governor and became effective immediately. At its November 26th teleconference the Board elected Jackie Guthrie as the new Secretary of the Board; Pete Moran was appointed Chair of the Financial Committee and Marcia Anderson was appointed Chair of the Legislative and Program Review Committee.

2. Approval of Briefing Minutes

It was moved by Mr. Moran, seconded by Mr. Moen and carried on a voice vote to approve the minutes of the October 16, 2008 briefing.

3. Legislative Report

Mr. Hardie said that the State Legislature remains out of session until January and Congress is in a lame duck session. The November election resulted in a shift in power in the State Assembly to Democratic controlled (52-47). The Senate is controlled by the Democrats (18-15). The Senate Veterans Affairs Committee will continue to be chaired by Senator Jim Sullivan and in the Assembly the Veterans Committee will be chaired by State Representative Steve Hilgenberg.

On the federal side, the Post 9/11 G.I. Bill continues. The VA appears to be on track for an August 1, 2009 implementation. They have an interim information technology solution; however the permanent solution isn't going to take place until about 18 months later. The Department has been participating in teleconferences with the VA to make sure all key stakeholder entities are involved.

There are significant improvements to service members' Group Life Insurance Traumatic Injury Protection (TSGLI) Program. Information on this is covered in the Hot Topics section of WDVA's website.

Mr. Hardie next reported on outreach activities in the Department:

- October 18th was a stand down in Racine hosted by the Center for Veterans Issues
- October 21st was a veterans benefits open house at the U.W. Milwaukee
- October 22nd a veterans benefits open house at the Chippewa Valley Tech College and UW Eau Claire
- October 24-25 was a Supermarket of Veterans Benefits in New Richmond
- Veterans Recognition Week was held November 5-11
- November 8th was the Milwaukee Veterans Day Parade in which Acting Secretary Black represented the Department

- November 11th the Department hosted Veterans Day events at Madison, King and Spooner
- November 11th a veterans benefits open house was held at UW River Falls
- November 9-15 was Hire a Veteran Week
- November 12th was a veterans benefits open house at UW Superior
- November 13th was a veterans benefits open house at UW Stout
- December 5th Pearl Harbor Day was observed at Union Grove and on December 7th there were observances at the Veterans Home at King and the co-hosted event with AMVETS, the Marine Corps League and the Department in Milwaukee
- January 16th is the Gulf War Illnesses Recognition Day Conference in Madison from Noon until 3 p.m. in the Department's Education Center
- December 13th, Region 4, United Auto Workers will host a 20th annual Christmas with Veterans at the VAMC in Milwaukee

4. Programs Report

Seth Perelman reported that the following CVSO Bulletins were issued:

Bulletin #870—announced the creation of the Wisconsin Woman Veteran of the Year Award

Bulletin #869—recent VSO meeting at the VARO

Bulletin #868—update to WDVA Form 2098, Certification for Wisconsin Veterans and Surviving Spouses Property Tax Credit

Loan Programs:

- As of December \$12,700,000 remains in the Primary Mortgage Loan Program with a projected March outage of funds
- The Personal Loan Program has \$8,999,000 remaining funds with no outage projected
- Approximately \$482,000 remains in the Home Improvement Loan Program
- Lending normally slows down from November through February before picking up again in the spring
- The overall Veterans Trust Fund delinquency rate in October and November was 2.46% and 2.84% respectively
- The Primary Mortgage Loan delinquency was .91% for September and .95% for October
- The Home Improvement Loan delinquency was 1.5% and 1.6% for October and November

Aid to Needy Veterans (ANV):

- At this point a shortfall in the ANVH is projected for fiscal year 09 of about \$25,900. The Department expects to cover that with the projected remainder in ANV subsistence of \$60,000.

State Veterans Cemeteries:

- Currently there are 26 families waiting for columbarium interments. The columbarium construction is scheduled for completion by Memorial Day.
- NWVMC: since the last expansion we now have had 2 burials in the scattering garden and are now using the new in-ground cremation garden
- Each of our cemeteries participating in Wreaths Across America
- In July the National Guard crushed approximately 700 damaged markers from our cemeteries and this week they are delivering the crushed stone to the Northern Cemetery which uses it for maintenance purposes
- In order to save propane costs for heating graves, we now use mainly wood which is cut by the Northern Cemetery staff and delivered by truck to the Southern Cemetery

Veterans Assistance Program:

- Chippewa Falls: Of the 30 beds for veterans, 21 are currently filled by vets and 7 of the 10 beds are filled in the SROs. The Minnesota VA has dedicated an employee from Chippewa Falls to our VAP. A variety of food and monetary donations continue to be received.
- Ft. McCoy VAP currently has 9 of 13 beds filled. A full-time employee who handles case management was hired.
- The 26-bed VAP at King continues near capacity with veterans. A bass boat was recently donated to the program by Tim Thiers and AMVETS recently gave the program furniture from the Lincoln Lodge cottage they vacated.
- The 30-bed VAP Union Grove is near capacity to include 8 SROs being filled. A process has begun to mothball Cottage 1 which will save about \$25,000 in heating costs per year.

VetEd:

- Usage for FY09 is running at about 50% that of FY08 based on grants for summer school classes. As of 11/30, 81% or \$1.4 million remains in the budget. A year ago 65% or \$1.2 million remained.

Troops to Teachers:

- National leadership has developed draft legislation for the 111th Congress that would significantly enhance the financial support provided to TTT participants (by possibly \$5,000 to \$10,000 per annum). It is hoped that added funding will come with the Federal FY 2010 budget.
- DoD discontinued the Spouses to Teachers Program effective September 30th. DoD has introduced the Military Spouse Career Advancement Account Program for spouses education and training programs.

Campus Open Houses:

- Starting in September and ending last month WDVA visited 13 technical college and UW campuses and contacted over 500 veterans and family members. These events addressed education benefits, employment rights and services, health care and post-deployment adjustment issues.

Reintegration:

- In early September WDVA staff joined with numerous other veteran support agencies to provide demobilization services to about 300 members of F and G Company Marine Reservists from Madison and Milwaukee

5. Veterans Homes Report

Bill Crowley, Commandant of the Wisconsin Veterans Home at King reported:

- The census at the Wisconsin Veterans Home, King remains fairly constant at just over 700, or nearly 97%
- King admitted 36 new members in the past two months but also experienced 32 deaths
- Cash donations received in October: \$9,189 and in November: \$12,737; a total of \$21,926 for the two-month period
- Expenditures during this period totaled \$33,052
- Staffing levels remain stable. Laura Mays, Public Information Officer, began employment on November 17
- The King Koach is expected to be delivered in January

Pat Shaughnessy, Acting Commandant of the Union Grove Veterans Home reported:

- Campus census increased to 208—95% occupancy (218 available beds)
- Skilled nursing census grew to 117—98% (120 available beds)

- Assisted living census is 91 out of 98 available beds—93%
- Case mix index decreased from 1.07 to 1.05, indicating the acuity and complexity of the SNF member population (Level 1.0 is typically skilled nursing care)
- Of the 154 campus-wide direct care permanent positions, 139 of them are filled
- Nursing vacancies—two nurse clinicians, 3 LPN and 10 CNAs
- Construction update: the conversion of ten double rooms into fifteen singles continues at Fairchild and Shemanske Halls. The first and second wings in Fairchild and Shemanske are complete and passed inspections.
- Since the last report, \$10,619 in donations was received. Approximately \$12,570 has been spent. The balance in the gifts and bequests account is approximately \$33,261.
- Annual state survey of Boland Hall was held November 18-24
- In May 2008 the federal Department of Veterans Affairs came into the Assisting Living facilities and identified several issues: Physical plant—hole in ceiling (repaired 5-22-08); fire door that did not open with 15 lbs of force (repaired 5-22-08); replace light in closet (completed 6-1-08); automatic door closer (installed 5-22-08). Medical care—care planning; one care plan was outside the six month window (corrected). Dietetics—inadequate participation in care plans (a dietary supervisor was assigned to attend weekly care plans); inadequate education of patients (provided a dietician with training to increase efficiency and stopped referring members to CBOC for dietary evaluations); inadequate nutritional status monitoring (requested and received training from federal VA dietician). Medical records—one patient CPR status was unclear. Each chart is designated with DNR (do not resuscitate) status and members are encouraged to wear DNR bracelets.
- In July 2008 the Department of Health Services visited Gates Hall and issued no citations. On May 28th the Department of Health Services visited Shemanske Hall and found several issues. Services—no physician coverage for members who use the CBOC after the CBOC closes at 4:30 p.m. Our solution was to write a policy statement that anybody needing physician services after the CBOC closes is referred to the local emergency room. They were concerned with the cleanliness of the smoking room in Shemanske and as a result that room was painted. In Fairchild Hall they came in on August 31st on a complaint visit and found no violations. On May 9th the Department of Health Services did its annual recertification at Fairchild Hall and found issues there. One was a resident accident resulting in hospitalization which was not reported in the appropriate amount of time to the Department of Health Services.
- On November 25th the Department of Health Services came into Boland Hall for the annual recertification. They identified six low-level cites for which we await a report.

Mr. Moen asked for the total number of cites and what level they were. Mr. Shaughnessy said there were four separate cites under the federal VA on May 25th; no cites on July 1st; Shemanske Hall on May 28th received two cites; Fairchild Hall on August 31st received four cites. Assisted living doesn't get cites at scope and severity levels.

Mr. Naylor asked how the citations or lack of citations compares with nursing homes locally, regionally, or in the state. Mr. Shaughnessy said that across the nation nursing homes receive 8 to 10 citations from their local, state inspectors. We believe that we are doing better than average in Boland Hall. It is harder to get that information for assisted living facilities.

6. Financial Report

Ms. Holtan presented summarized financial statements for the month ended November 30, 2008.

Wisconsin Veterans Home-King:

Operating revenues increased \$1.1 million to \$23.9 million while operating expenses increased \$2.3 million to \$26.2 million over the same period last fiscal year. The resulting 2009 fiscal year-to-date operating loss of \$2.3 million is \$1.2 million greater than the FY 2008 loss as of the same date. Cash and cash equivalents decreased \$3.8 million to \$17,150,000 on November 30, 2008.

Wisconsin Veterans Home-Union Grove:

Operating revenues were \$6.6 million through Nov. 30, an increase of \$1.8 million over the same time period in FY 2008. Operating expenses were \$8.2 million or \$2.2 million greater than the same period last fiscal year. The operating loss of \$1.7 million, together with non-operating expenses of \$217,000 caused fund equity to decrease nearly \$1.9 million through November 30 2009. The November 30, 2008 cash balance was a negative \$3,729,726 which is a decrease of \$2.2 million fiscal year to date.

Veterans Trust Fund:

Assets have decreased \$9.8 million since November 30, 2007, including decreases of \$2.8 million to cash and cash equivalents, \$5.6 million to veterans loans, and \$1.1 million to mortgage loans. Operating revenues declined \$150,558 over the same period last year due to a \$168,542 decrease in interest earned on the loan portfolio that was tempered by a \$17,983 increase in charges for goods and services. Operating expenses increased \$470,000 over last fiscal year as a result of increases in personal services and supplies and services expenditures. The \$2.9 million operating loss, when combined with a non-operating loss of \$427,000 caused Fund Equity to decrease to \$58.3 million as of November 30th. The cash balance in the Trust Fund as of November 30th was \$22,870,259.

Mortgage Loan Repayment Fund:

The year-to-date operating loss for the Mortgage Loan Repayment Fund was \$5.2 million which is \$2,021,908 less than the loss as of November 30, 2007. The improvement is the result of decreased administrative expenditures and decreased interest and arbitrage rebate expenses as contrasted with FY 08. Non-operating investment and interest income decreased \$1.4 million to \$712,166 as a result of reduced earnings rates for funds on deposit in the State Investment Fund and a significantly lower cash balance. The November 30, 2008 cash balance was \$81,278,989, a decrease of \$26.9 million since fiscal year end.

Statistical Reports:

The delinquency rate for the Personal Loan Program for November 2008 was 2.86%. The delinquency rate in the Primary Mortgage Loan portfolio for the month of October 2008 was 0.83%. Twenty-three Primary Mortgage Loan applications were received in November 2008.

Mr. Freedman asked what the major underlying reason is for the declines in PLP applications. Mr. Perelman said the program is not being advertised. There is a cash flow problem in the Trust Fund and the more money we put out the door in PLP loans, the worse our cash flow problem becomes. Mr. Freedman asked how many funding sources are there for the Primary Mortgage Loan that still has funding in them. Ms. Holtan said we are currently expending the funds that we put together with recycled prepayments of \$25 million in September and that is the only active loan pool that we have at this time. There is approximately \$12.7 million of that recycled prepayment pool currently available. That money is expected to last through the end of March. Mr. Freedman asked if WDVA will encounter the same problems that WHEDA is encountering as far as selling QVMB bonds. Ms. Holtan said that it would likely be a problem to sell a bond now that we could then lend those proceeds for veterans mortgage loans at competitive rates. Mr. Freedman asked how WDVA fared industry-wide with its delinquency rates. Mr. Perelman said he would follow up with that information.

7. Public Input

Ken Brown gave an update on the Stars and Stripes Honor Flight Program. The first honor flight went out on November 19th with 79 veterans on the flight. There is enough money from donations for one flight next year; however, there are 600 veterans on a waiting list.

8. Recess/Adjournment

It was moved by Mr. Moran, seconded by Mr. Moen and carried on a voice vote that the Board of Veterans Affairs adjourn.

It was moved by Mr. Sorenson, seconded and carried on a voice vote that the Council on Veterans Programs adjourn.

It was moved by Mr. Grams, seconded by Ms. Chrzas and carried on a voice vote that the CVSO Advisory Council stand in recess.

It was moved by Mr. Berger, seconded by Mr. Rock, and carried on a voice vote that the Legislative and Program Review Committee stand in recess.

It was moved by Mr. Jackson, seconded by Ms. Meyer and carried on a voice vote that the Long Term Care Committee stand in recess.

It was moved by Mr. Walker, Seconded by Mr. Thiers and carried on a voice vote that the Financial Committee stand in recess.

The time was 1:55 p.m.

MINUTES
CVSO ADVISORY COUNCIL

December 11, 2008
Union Grove, Wisconsin

Members Present

Nick Benzinger, Shawano
Mike Haley, Chippewa
Mark Grams, Dodge
Fred Kaiser, Waushara (via videoconference)
Donna Chrzas, Columbia
Ted Mynyk, Iowa
John Solis, Rock
Robert Stone, Winnebago

Members Excused

Andrew Clark, Outagamie

WDVA Present

Ken Black, Acting Secretary
Anthony Hardie, Executive Assistant
Colleen Holtan, Budget Office
Jimmy Stewart, Chief Legal Counsel
Seth Perelman, Division of Veterans Benefits
Bill Crowley, Commandant, WVH-King
Nate Nez, Regional Coordinator
Kathleen Scholl, Public Affairs
Julie Van Metre, Executive Staff Assistant
James McGarvey, BOIS Union Grove
Joshua Gilmour, BOIS King
Bill Kloster, Policy Advisor (via video)
Tony Cappozzo, Administration (via video)
Andy Schuster, Public Affairs (via video)

Others Present

Charles Allen
Connie Allord, UWV
Russ Alsteen, NCUSA
Marcia Anderson, Board Member
Scott Berger, Marathon CVSO
Cleon Brown, USSVWWII
Ken Brown, Ozaukee CVSO
Rick Cherone, MOPH
Loren Christensen
Mike Demske
Paul Fine, ANU
Roger Fetterly, MOAA
Mark Foreman, VVAW
Marv Freedman, Board Chair
Lee Guerrero
Jackie Guthrie, Board Member
Bill Hustad, WVV
Michael Jackson, Dane CVSO
Chris Jordan, Walworth CVSO
Ken Kuehnl, DAV Adjutant
Steve Lawrence, VFW Adjutant
Tom Ludka, AL Service Officer
John Margowski, Waukesha CVSO/VVA
Mary Meyer
Rod Moen, Board Member
Dan Naylor, Board Member
Max Oleson, ARC
Jerry Polus, Brown CVSO
Al Richards
Ken Rock
Charles Roloff, American Legion
Clif Sorenson, Eau Claire CVSO
Clarence Stoel, DAV
Tim Thiers, AMVETS
Tony Tyczynski, Sauk CVSO
Charles Vandenplas
Alan Walker
Ken Wendt
Paul Weprinsky, JWV
Jim Young, Vernon CVSO

1. Call to Order and Roll Call

The meeting of the CVSO Advisory Council was called to order by Chairman Stone at 2:10 p.m. A quorum was present.

2. Certification of Notice of Meeting

Certification was so noted

3. Approval of Minutes of October 16, 2008

It was moved by Mr. Solis, seconded by Mr. Benzinger and carried on a voice vote to approve the minutes of the October 16th meeting

4. Announcements and Introductions

None

5. Secretary's Matters

Ken Black said that as of October 1, 2008, certain disabled veterans and former Prisoners of War (POWs) are eligible to receive waivers of vehicle admission and trail pass fees.

To apply for this fee waiver download and complete the [Disabled Veteran Free State Park/Forest/Trail Pass Application \[DNR Form 2500-103\]](#) and take it to your County Veterans Service Officer to certify. The application must be signed and stamped by the CVSO. The DNR reports about 180 applications have been processed since the end of November.

6. Public Input

Clif Sorenson said the actions of CVSOs have brought an increase in the number of Priority 6 applicants. Priority 6 applicants are those who have served in Vietnam or during the Vietnam period and have been exposed or presumptively exposed to Agent Orange. Even though these veterans may not show effects of Agent Orange they were eligible for Priority Category 6 in the VA Medical System but now that is being phased out. Make sure that your Congressional representatives are made aware of your opposition to Priority Category 6 being phased out for Vietnam veterans who were presumptively exposed to Agent Orange.

Rich Cherone, MOPH, asked what is happening with the 2009 property tax certification. Jimmy Stewart said that the Department of Revenue is actively engaged with the Governor in coming up with ways to address that issue in light of the state's budget deficit. While individuals may be able to apply for it in the upcoming 12 months starting January 2, 2009, it will not be engaged until the following year. That is a topic that Mr. Hardie and Mr. Stewart are working on with the Department of Revenue in order to establish basic ground rules for accepting applications from January 2nd forward. Absent those guidelines, the Department is accepting applications and holding them until DOR tells us what to do with them.

7. Guidelines for the CVSO Advisory Council

Robert Stone reviewed the rules pertaining to the Advisory Council. This Council shall advise the Board and the Department on matters related to veterans or their dependents which the Council considers significant or which the Board has requested the Council to consider and may make suggestions to the Department concerning the administration of state veterans benefit programs. The members of the Council consist of eight with a maximum of nine. The Chairperson shall preside, and shall vote on all matters at all meetings of the

Council. The Chairperson may present to the Council such matters as, in the Chairperson's judgment, require attention and shall perform such other duties as are entrusted to the Chairperson by this addendum to the Rules of Procedure of the Board of Veterans Affairs. The members shall be appointed to serve for staggered four-year terms.

Mr. Grams asked why it is necessary for the CVSO Advisory Council to meet at both the Spring and Fall Conferences as opposed to regularly meeting when the Board meets. Michael Jackson recalled that the Council wanted those meetings because that was the only time when the majority of the 72 CVSOs would be able to attend. CVSOs normally will have the funds to attend the Spring and Fall Conferences, whereas they do not have funds to attend Board meetings.

8. Disaster Grant – Information Requested from the Board of Veterans Affairs

Michael Jackson said that the ANV Disaster Grant is defined as fires, tornadoes, hurricanes and disasters such as that. The Association of CVSOs believe it is a very important benefit for veterans, but the requirement to provide proof of loss of income to be eligible takes away the use of the grant.

Robert Stone said that prior to July 2005, the Disaster Aid Grant actually stood on its own. After that it was rolled into the Veterans Emergency Subsistence Aid Grant Program which then required the loss of income as a criteria for qualification. Process Action Teams met and recommended that the loss of income not be a qualifying factor for the disaster aid grant and a later Process Action Team came out with a recommendation that the qualifying factor not be modified.

9. Disaster Aid Grant – CVSO Resolution F001-08

Donna Chrzas read Resolution F001-08—Continued Support to Eliminate Loss of Income as a Requirement for the Disaster Aid Grant.

It was moved by Ms. Chrzas and seconded by Mr. Grams to adopt the Resolution which requests the WDVA and the Board to continue to take action immediately to eliminate the loss of income provision to qualify for a disaster grant.

Ted Mynyk asked that if the loss of income provision was removed and an applicant had a loss because of a disaster but still had an income of \$50,000, would they be able to get the ANV grant. Jimmy Stewart said no, you couldn't get it under the current law because there is a means test. Part of the means test includes making up the difference between what your loss of income was before and after the disaster and that's what the department is authorized to disburse.

Seth Perelman said that anecdotal information shows that there were on average between three and five disaster grants per year prior to 2005. The average amount is not known, however, there was no limit on the grant at that point. Right now there is no disaster aid grant—there is only ANV. And regardless of the reason for the application of the grant, it requires a loss of income and a means test of 130% of poverty level. A disaster grant program cannot be created out of the current ANV program as statutory and code changes would be needed to change the ANV program and create a disaster grant. If this type of grant is created, what is going to be the criteria to qualify for the grant, where is the money coming from, how much is each grant going to entail and how will that be determined.

Nick Benzinger said that based on Mr. Perelman's statement, our Resolution is a moot point or are we creating the disaster aid grant. Jimmy Stewart said that the Department had nothing to do with the recodification of this Statute and was opposed to the way it came out of the Legislature in the summer of 2005. The three members of the CVSO community who served on the Process Action Teams indicated that they had gone back to the CVSO community and that they were okay with waiting until the next budget cycle. Robert Stone explained that the Chair of the Board requested that the Council consider the issue of the loss of income provision. Marv Freedman said he was looking for the Council's perspective on the content and the bottom line of the Resolution that has been submitted to the Board for purposes of having the Board consider action on it. It is a question of whether or not a resolution eliminating the loss of income requirement would be an appropriate and necessary step to be taken at this time. Mr. Freedman did not contemplate revisiting the whole issue of disaster grants at this time. That goes way beyond the scope of the resolution.

Mr. Stone asked if the Resolution in its current form is appropriate and germane. Mr. Stewart said yes, if they want to bring the matter before the Board. He added that there is a disaster portion to the ANV grant. It does not stand by itself and attempting to remove the loss of income provision to the ANV grant would have a ripple effect on the two other conditions that are outlined in that statute.

In response to Mr. Grams' comment, Mr. Stewart said the Assistance to Needy Veterans Grant has two segments—(1) Subsistence Aid Grant which has three separate qualifiers—illness, injury, natural disaster; and (2) the Health Care Aid Grant segment.

Donna Chrzas called the question, Mr. Stone asked for a roll call vote on the call of the question. Chrzas, aye; Solis, no; Stone, no; Grams, no; Mynyk, no; Kaiser, no; Benzinger, no; Haley, no. Motion failed.

Mr. Stone asked for other comments of the Council. There being no other comments by the members of the Council Mr. Stone asked for all in favor of endorsing Resolution F001-08 to signify so by saying aye. Roll call vote: Chrzas, aye; Solis, no; Stone, aye; Grams, abstained; Mynyk, no; Kaiser, no; Benzinger, no; Haley, no. 5 noes; 2 ayes, 1 abstention—motion failed.

10. Update on Wisconsin G.I. Bill – Post 9/11 Education

Michael Jackson said there have been two meetings among WDVA staff Hardie, Kloster, Rueth, representatives from the student veterans as well as the CVSO community Dueterhoeft, Grams and Jackson. At one of those meetings a very detailed and thorough PowerPoint presentation was provided by Mr. Hardie and shared with every CVSO. At least two other groups—the University System group along with the Vocational Technical College Group, the DOA and the Governor's office and the Department of Military Affairs are looking at the options for the possible alterations to the Wisconsin G.I. Bill as it may be affected by Chapter 33 or the Post 9/11 G.I. Bill. The issue is for minimum negative impact on the Wisconsin G.I. Bill but at the same time maximum receipt of federal dollars coming into the state given the \$5.9 billion state deficit.

11. Council Members' Matters (Not Subject to Adoption)

Ted Mynyk asked about the Personal Loan Program being eliminated. Ms. Holtan clarified that in the budget submitted by the Department and approved by the Board, there is

included \$5 million for the Personal Loan Program for fiscal years 2010 and 2011. That Program is scheduled to continue in the 2009-11 biennium.

Property tax exemption for disabled veterans—Mr. Mynyk has had one inquiry and one person move to Wisconsin from Kentucky just so that they can get that property tax exemption. Wisconsin is attracting people looking for a tax friendly retirement place.

Nick Benzinger asked about VetEd and reduction of payments—is that still the plan. Seth Perelman said it is beginning to look like VetEd will be adequately funded. In any case, if there is a shortfall in VetEd then WDVA would do a 13.10 action to obtain the additional funds necessary to cover it. WDVA is not looking at curtailing VetEd at this time.

Donna Chrzas conveyed how saddened the CVSO community was to hear about the death of Richard Zeitlin. He did an exceptional job with the Museum and was a friend to CVSOs. Ms. Chrzas requested that the Department notify the CVSOs when there is a date for a memorial service for Dr. Zeitlin.

12. Next Meeting Schedule

February 19, 2009 in Madison

13. Adjournment

It was moved by Mr. Solis, seconded by Mr. Mynyk and carried on a voice vote to adjourn the CVSO Advisory Council meeting, the time was 3:05 p.m.

Robert Stone
Chairman

M I N U T E S
LEGISLATIVE AND PROGRAM REVIEW COMMITTEE
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
Meeting of December 11, 2008

Committee Members Present

Marcia Anderson
Marv Freedman
Scott Berger
Steve Lawrence
Roger Mathison
Loren Christensen
Jim Young
Mike Furgal
Charles Vandenplas
Ken Rock
Jamie Aulik

Committee Members Excused

Don Heiliger

WDVA Present

Ken Black, Acting Secretary
Anthony Hardie, Executive Assistant
Jimmy Stewart, Chief Legal Counsel
Micabil Diaz, Legal Counsel (via video)
Colleen Holtan, Budget Office
Seth Perelman, Division of Veterans Benefits
Bill Crowley, Commandant, WVH-King
Kathleen Scholl, Public Affairs
Nate Nez, Regional Coordinator
Julie Van Metre, Executive Staff Assistant

Others Present

Charles Allen
Connie Allord, UWV
Russ Alsteen, NCUSA
Nick Benzinger, Shawano CVSO
Cleon Brown, USSVWWII
Ken Brown, Ozaukee CVSO
Rick Cherone, MOPH
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Roger Fetterly, MOAA
Paul Fine, ANU
Mark Foreman, VVAW
Mark Grams, Dodge CVSO & MCL
Lee Guerrero
Jackie Guthrie, Board Member
Mike Haley, Chippewa CVSO
Bill Hustad, WVV
Michael Jackson, Dane CVSO
Chris Jordan, Walworth CVSO
Fred Kaiser, Waushara CVSO (via video)
Thomas Ludka, Am. Leg. Service Officer
John Margowski, Waukesha CVSO
Mary Meyer
Rod Moen, Board Member
Pete Moran, Board Member
Ted Mynyk, Iowa CVSO
Dan Naylor, Board Member
Max Oleson, ARC
Jerry Polus, Brown CVSO
Al Richards
Charles Roloff, American Legion
John Solis, Rock CVSO
Clif Sorenson, Eau Claire CVSO & WACVO
Clarence Stoel, DAV
Robert Stone, Winnebago CVSO
Tim Thiers, AMVETS
Alan Walker
Ken Wendt
Paul Weprinsky, JWV

1. **Call to Order and Roll Call**

The meeting of the Legislative and Program Review Committee was called to order at 3:12 p.m.; a quorum was present.

2. **Certification of Notice of Meeting**

It was noted that proper notice of the meeting occurred.

3. Approval of Minutes

It was moved by Ken Rock, seconded by Steve Lawrence and carried on a voice vote to approve the minutes of the October 16th meeting.

4. Discussion and Action on Draft Administrative Rule Regarding Eye, Dental and Hearing Care under the ANVG Program

Mr. Stewart said the amendment of VA 2.01(1)(f) and VA 2.01(1)(n) and the creation of VA 2.01(1)(u) will refine the definition of health care assistance available under the Assistance to Needy Veterans Grant Program. The modification of the definitions of “dental care” and “hearing care”, as well as the creation of a definition for “vision care” will allow veterans to receive a reasonable quantity of the benefits available to those veterans eligible for federal assistance.

Ken Rock addressed the dental care portion and asked about the preapproved procedure requirement and the broad statement of a licensed health care professional. Mr. Stewart said the issues brought forth were considered and are of concern to the Department and the language can be redrafted to the satisfaction of our constituency and the Board. Scott Berger asked if the proposed wording would eliminate coverage for routine dental visits; as well it appears the program would be harder to administer. Seth Perelman said this program is not a dental insurance program or health maintenance program so that veterans can get their teeth cleaned; the purpose of this is to provide them with a serviceable mouth so that some of the worst issues they might face can be taken care of on a stop-gap basis.

Regarding hearing care, WDVA attempted to replicate the kind of aid that an individual who is eligible under the US Department of Veterans Affairs emergency health care receives.

Regarding the creation of vision care, the WDVA attempted to replicate what the USDVA is doing and to fulfill the intent of the Legislature in its passage of this legislation. Jim Young asked where the dollar amounts for the single vision bifocal/trifocals came from. Mr. Perelman said those amounts came from WDVA’s contract with the VA. Ken Rock asked for clarification of what a box of contact lenses per eye means. Jerry Polus said it might be more appropriate, rather than denote “a box” to say a 12-month supply. He also asked if discussion was held regarding emergency dental care as it once was. Michael Jackson suggested that lost or destroyed glasses be considered in the vision care portion.

Mr. Freedman encouraged the Committee to keep in mind who is served through this program. These are veterans who have no other alternative. It is fair to have reasonable limits on what services are provided. Mr. Freedman asked if some of the concerns brought up today should be addressed before there is a public hearing. Mr. Stewart felt that in light of the suggestions and concerns raised, more time needs to be spent on the rule language and he suggested that the Committee table this rule. Mr. Stewart added that the Administrative Code promulgation process is a lengthy one—six to nine months. Because of no constraints on the program the Department experienced a fund outage. If we are going to provide services to the greatest group of veterans in need, then the veterans, the CVSOs, the Department, the Board, everyone has to accept that there has to be some limitations on that service.

It was moved by Mr. Young, seconded by Mr. Lawrence and carried on a voice vote that in light of the comments heard today, the Committee will withhold action on the Administrative Rule change until further work is done by staff.

5. Discussion on and Action on CVSO Association Resolution Entitled, Continued Support to Eliminate Loss of Income as a Requirement for the Disaster Aid Grant; and
6. Discussion and Action on Whether or Not to Modify State Statutes with Regard to Disaster Aid Grant

Committee Chair Anderson took both agenda items up at the same time in light of discussions on the disaster aid grant at the CVSO Advisory Council and asked for a motion to receive and file. It was moved by Mr. Lawrence, seconded by Mr. Vandenplas and carried on a voice vote to receive and file the resolution.

7. Discussion and Action on Statement of Scope to Cover the Necessary Modifications to Chapter VA 2.01(2)(a), Chapter VA 2.01(2)(b), Chapter VA 2.01(3)(b) and to Chapter VA 2.01(3)(c) of the Administrative Code

Mr. Stewart said this Statement of Scope comes out of a Board directive to enact the findings of the Process Action Team that was headed by Mr. Black while he was the Division Administrator for Veterans Benefits and Services. The Department, in conjunction with the CVSOs, determined that the current application rules for the Subsistence Aid Grant were not serving the intended applicants; that applicants for the Health Care Aid Grant were not able to apply for concurrent types of care; and that the program restrictions within the Administrative Rules did not accurately reflect the revised statutory limitations for grants. The Department is advocating amending the rules which establish the period and content for an application for Subsistence Aid Grants, the availability of concurrent applications in the Health Care Assistance Program and the limitations applicable to the Subsistence Aid and Health Care Aid Programs.

It was moved by Mr. Rock, seconded by Mr. Vandenplas and carried on a voice vote to favorably pass this Statement of Scope on to the Board and recommend that the Board authorize the Department to proceed to develop an amended rule based upon the above-described Statement of Scope.

8. Secretary's Matters

None.

9. Public Input

Thomas Ludka, American Legion Service Officer said that dental and vision problems are not the same as hearing problems, do not treat all three disabilities as equal. Hearing aids are of no help to his son and all hearing aids are not the same. However, thanks to the Department of Workforce Development, his daughter-in-law did obtain digital hearing aids. Mr. Ludka said that if DWD can afford to give out the latest technology to non-veterans at about \$3,000 a hearing aid, then the State Legislature needs to be convinced that if DWD can do this, the best technology should also be given to our veterans.

10. Committee Members' Matters (Not Subject to Adoption)

Jim Young pointed out that the Department of Workforce Development probably can offer the latest technology since it is federally funded. WDVA is funded by Veterans Trust Fund dollars.

11. Next Meeting Date

February 19, 2009 in Madison.

12. Adjournment

It was moved by Mr. Lawrence, seconded by Mr. Vandenplas and carried on a voice vote to adjourn the meeting; the time was 4:20 p.m.

Marcia Anderson
Chair

M I N U T E S
LONG TERM CARE COMMITTEE
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
Meeting of December 11, 2008

Committee Present

Rod Moen
Jackie Guthrie
Charles Allen
Ellen Blissenbach (via videoconference)
Mike Demske
Lee Guerrero
Lewis Harned (via videoconference)
Christine Jordan
Michael Jackson
Mary Meyer
Rick Scollon (via videoconference)

Committee Members Excused

John Hofer

WDVA Present

Ken Black, Acting Secretary
Anthony Hardie, Executive Assistant
Jimmy Stewart, Chief Legal Counsel
Bill Kloster, Policy Advisor (via video)
Colleen Holtan, Budget Office
Seth Perelman, Division of Veterans Benefits
Tom Rhatican, Division of Veterans Homes
Bill Crowley, Commandant-King
Pat Shaughnessy, Acting Commandant-UG
Gary Wistrom, Assistant Administrator-UG
Kathy Scholl, Public Relations
Nate Nez, Regional Coordinator
Julie Van Metre, Exec Staff Assistant

Others Present

Connie Allord, UWV
Russ Alsteen, NCUSA
Nick Benzinger, Shawano CVSO
Cleon Brown, USSVWWII
Ken Brown, Ozaukee CVSO
Rick Cherone, MOPH
Loren Christensen
Donna Chrzas, Columbia CVSO
Paul Fine, ANU
Mark Foreman, VVAW
Mark Grams, Dodge CVSO & MCL
Lewis Harned (via videoconference)
Bill Hustad, WVV
Fred Kaiser, Waushara CVSO (via video)
Steve Lawrence, VFW Adjutant
Pete Moran, Board Member
Dan Naylor, Board Member
Max Oleson, ARC
Al Richards
Charles Roloff, Am. Legion
Ken Rock
Clif Sorenson, Eau Claire CVSO
Robert Stone, Winnebago CVSO
Tim Thiers, AMVETS
Charles Vandenplas
Alan Walker
Ken Wendt

1. **Call to Order and Roll Call**

The meeting of the Long Term Care Committee was called to order at 4:35 p.m., a quorum was present.

2. **Certification of Notice of Meeting**

It was certified that proper notice of the meeting occurred.

3. **Approval of Minutes**

It was moved by Ms. Guthrie, seconded and carried unanimously on a voice vote to approve the minutes of the October 16, 2008 Committee meeting.

4. Statistical Breakdown of Ethnic Origin of Members and Employees of the Veterans Homes

Report attached to these minutes. Michael Jackson thanked the Department for providing the information. He asked if there was anything that can be done to increase the numbers overall for every category where veterans members and employees are under-represented. Mr. Moen asked what type of affirmative action the Department has at the two Homes.

Jackie Guthrie said these are state employees and the state law covers employment practices. Comparing the applicant pool to the hiring pool would show if affirmative action was being followed. Mr. Perelman said WDVA does have an affirmative action plan under the state rules and we do compare applicants with applicant pools to determine compliance. There is an individual within the Department whose job it is to pursue equal opportunity and affirmative action.

Dr. Allen asked that in terms of the applicant pools, is there any way in which we can get the number of minorities that are applying for positions at the Homes. Secondly, looking at the demographics of the local area, how closely do these numbers reflect the local population. Mr. Jackson asked that both King and Union Grove be considered in the above request for information. Mr. Jackson said he is asking for the breakdown of employees and members in terms of both homes but more so relative to King because what he has observed in 20 years is that there haven't been a lot of employees or members who are minorities. Mary Meyer said there are very dire diversity issues in the health care industry for nursing staff and CNA employees throughout the state.

5. Secretary's Matters

None.

6. Public Input

None.

7. Committee Members' Matters (Not Subject to Adoption)

Christine Jordan said there is a box of applications and marketing material in the back of the room that Union Grove has available for CVSOs to pick up. She also noted that unfortunately, we still do not have published regulations for 70% or more service disabled veterans at our veterans Homes. Bill Crowley said that the proposed rules have been published for comment about 15 days ago. It is a 60 day comment period and each comment has to be responded to. The National Association of State Veterans Homes did have input in the changes to the regulations and for the most part are in agreement.

For planning purposes Mr. Crowley asked if each of the catchment area counties could give him a list of the number of veterans that you are aware of in your counties who would be eligible for benefit under this new law. Ms. Jordan said to please let CVSOs know what counties you are interested in getting this information from and we'll be happy to comply. Mr. Crowley suggested that the President of the CVSO Association ask for that information to be provided.

Michael Jackson said that in October the wandering resident monitoring system was addressed. He wanted to know if that was just for the Alzheimer's unit or is it campus

wide. Mr. Crowley said initially it would be for all of Ainsworth Hall with the potential to expand campus-wide.

Jackie Guthrie said Board members ate the lunch meal with the residents today. A resident told her that the same food is served to all of the residents, regardless of any special diet and their diet restrictions are not being met. Mr. Crowley said there should be no reason for that to ever occur. We have plenty of menu options, including special diets. There are as many as 14 alternate meals available.

8. Next Meeting Schedule

February 19, 2009 in Madison.

9. Adjournment

It was moved by Mr. Jackson, seconded by Ms. Guthrie and carried unanimously on a voice vote to adjourn the meeting; the time was 5:00 p.m.

Rod Moen
Chair

12/08/2008

Wisconsin Department of Veterans Affairs

Members by Ethnic Code Description (Grouped by: Site, Ethnic Code Description)

King

Ethnic Code Description: African American	Total: 2	0.28%
Ethnic Code Description: American Indian/Alaskan Native	Total: 4	0.57%
Ethnic Code Description: Asian/Pacific Island	Total: 1	0.14%
Ethnic Code Description: Caucasian	Total: 696	98.86%
Ethnic Code Description: Not Indicated	<u>Total: 1</u>	0.14%
Site Total: 704		

Union Grove

Ethnic Code Description:	Total: 35	32.41%
Ethnic Code Description: African American	Total: 2	1.85%
Ethnic Code Description: Caucasian	<u>Total: 71</u>	65.74%
Site Total: 108		

EEO Percent of Workforce by Ethnicity

Site: 200 - King Total Records: 898

Code 1 - African American	
Total Records: 2	% of Total: 0.22%
Code 2 - Asian/Pacific Island	
Total Records: 9	% of Total: 1.00%
Code 3 - American Indian/Alaskan Native	
Total Records: 5	% of Total: 0.56%
Code 4 - Hispanic	
Total Records: 14	% of Total: 1.56%
Code 5 - Caucasian	
Total Records: 866	% of Total: 96.44%
Code N - Not Indicated	
Total Records: 2	% of Total: 0.22%
Grand Total: 898	

Site: 300 - Union Grove Total Records: 242

Code 1 - African American	
Total Records: 55	% of Total: 22.73%
Code 2 - Asian/Pacific Island	
Total Records: 1	% of Total: 0.41%
Code 4 - Hispanic	
Total Records: 10	% of Total: 4.13%
Code 5 - Caucasian	
Total Records: 176	% of Total: 72.73%
Grand Total: 242	

Members by Ethnic Code Description --Union Grove – SNF

Ethnicity	Ethnicity Total	Percent of Total
American Indian/Alaskan Native	0	0
Asian/Pacific Islander	1	.82
Black, not Hispanic Origin	3	2.49
Hispanic	3	2.49
White, not Hispanic Origin	114	94.2
Ethnicity Total:	121	100.0

M I N U T E S
FINANCIAL COMMITTEE
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
Meeting of December 11, 2008

Committee Present

Pete Moran
Dan Naylor
Bill Hustad
Jerry Polus
Al Richards
Clarence Stoel
Robert Stone
Tim Thiers
Alan Walker

Committee Excused

Ellory Medor

WDVA Present

Ken Black, Acting Secretary
Anthony Hardie, Executive Assistant
Jimmy Stewart, Chief Legal Counsel
Seth Perelman, Administration
Colleen Holtan, Budget Office
Tom Rhatican, Division of Veterans Homes
Bill Crowley, Commandant, WVH-King
Pat Shaughnessy, Acting Commandant-UG
Gary Wistrom, Assistant Administrator-UG
Kathy Scholl, Public Affairs
Nate Nez, Regional Coordinator
Julie Van Metre, Exec. Staff Asst

Others Present

Charles Allen
Connie Allord, UWV
Russ Alsteen, NCUSA
Nick Benzinger, Shawano CVSO
Cleon Brown, USSVWWII
Ken Brown, Ozaukee CVSO
Rick Cherone, MOPH
Loren Christensen
Roger Fetterly, MOAA
Paul Fine, ANU
Mark Foreman, VVAW
Jackie Guthrie, Board Member
Michael Jackson, Dane CVSO
Chris Jordan, Walworth CVSO
Fred Kaiser, Waushara CVSO (via video)
Steve Lawrence, VFW Adjutant
Tom Ludka, Am. Legion Service Officer
John Margowski, Waukesha CVSO
Roger Mathison
Mary Meyer
Rod Moen, Board Member
Ted Mynyk, Iowa CVSO
Max Oleson, ARC
Charles Roloff, Am. Legion
Clif Sorenson, Eau Claire CVSO
Ken Wendt
Jim Young, Vernon CVSO

1. **Call to Order and Roll Call**

The meeting of the Financial Committee was called to order at 4:22 p.m.; a quorum was present.

2. **Certification of Notice of Meeting**

It was certified that proper notice of the meeting occurred.

3. **Approval of Minutes**

It was moved by Mr. Hustad, seconded and carried unanimously on a voice vote to approve the minutes of the October 16th Financial Committee meeting.

4. Secretary's Matters

Acting Secretary Black had nothing to bring before the Financial Committee. Jerry Polus said that Chair Freedman had asked about the usage of the PLP loan and there were several valid reasons given, but one of the biggest reasons CVSOs have seen from the field is that it appears underwriting guidelines for approval have changed and have become more strict. His county submitted nine loans last month but only one was approved. His sense is that there are fewer leniencies in approving PLP loans during these tough times. Seth Perelman said he does not know of any change in WDVA's underwriting standards. He offered to research those denials and determine whether or not Mr. Polus's perception is correct. Mr. Stewart said denials can be appealed.

5. Public Input

Clarence Stoel said he has learned of a lady who wants to donate a hospital bed. Please contact Mr. Stoel if you know of anyone who needs one.

Al Richards said a fund was set up between the Wisconsin American Legion and the Hartford Rotary Club to help families who have family members called up for deployment. Mr. Richards said there are monies left in that fund for Wisconsin families. Jackie Guthrie said that Wisconsin is at a real low for deployment which is probably why not a lot of family members need help, however, next year there will be over 4,000 deployed. Mr. Richards said they are seeing a need for returning wounded soldiers who tend to fall into a grey area between the time that they get discharged from the service and apply for either state or federal benefits. Mr. Walker said the fund was started in 2005 and to date, about \$100,000 has been spent.

6. Committee Members' Matters (Not Subject to Adoption)

None

7. Next Meeting Date

February 19, 2009 in Madison

8. Adjournment

It was moved by Mr. Stone, seconded by Mr. Walker and carried unanimously on a voice vote to adjourn the meeting; the time was 4:33 p.m.

Pete Moran
Chair

M I N U T E S
COUNCIL ON VETERANS PROGRAMS
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
Meeting of December 12, 2008

Members Present

Connie Allord, UWV
Russ Alsteen, NCUSA
Cleon "Pat" Brown, USSVWWII
Ken Brown, CVSOA
Rick Cherone, MOPH
Roger Fetterly, MOAA
Paul Fine, ANU
Mark Foreman, VVAW
Mark Grams, MCL
Bill Hustad, WVV
Steve Lawrence, VFW
John Margowski, VVA
Max Oleson, ARC
Charles Roloff, AL
William Sims, NABV
Clif Sorenson, WACVO
Clarence Stoel, DAV
Tim Thiers, AMVETS
Paul Weprinsky, JWV

Members Excused

Jesse Haro, CWV
Jack Stone, PVA
Walter Peterson, American Ex-POWs
Jerry Rabetski, PLAV
Rick Langan, TREA

WDVA Present

Kenneth B. Black, Acting Secretary
Jimmy Stewart, Chief Legal Counsel
Bill Crowley, King Commandant
Colleen Holtan, Budget Office
Tom Rhatican, Division of Veterans Homes
Dennis Bohlen, Milwaukee Claims Office
Seth Perelman, Division of Veterans Benefits
Kathy Scholl, Public Affairs
Nate Nez, Regional Coordinator
Julie Van Metre, Executive Staff Assistant
Bill Kloster, Policy Advisor (via video)
Micabil Diaz, Legal Counsel (via video)

Others Present

Marcia Anderson, Board Member
Denny Behr, Madison Navy League
Nick Benzinger, Shawano CVSO
Scott Berger, Marathon CVSO
Paul Bialk, Marine Corps League
Ellen Blissenbach (via videoconference)
Donna Chrzas, Columbia CVSO
Mike Demske
Michael Jackson, Dane CVSO
Tom Ludka, Am. Legion Service Officer
Ted Mynyk, Iowa CVSO
Dan Naylor, Board Member
Ken Rock
Rick Scollon (via videoconference)
Robert Stone, Winnebago CVSO
Tony Tyczynski, Sauk CVSO
Jim Young, Vernon CVSO

1. **Call to Order and Roll Call of Members**

The meeting of the Council on Veterans Programs was called to order by Chairman Margowski at 8:00 a.m. The Pledge of Allegiance was recited. A quorum was present.

2. **Certification of Notice of Meeting**

It was certified that proper notice of the meeting occurred.

3. **Introduction of Guests and Announcements**

Chairman Margowski presented a plaque to Paul Bialk for his many years of service as a member of the Council on Veterans Programs. Mr. Bialk said he began his service to

veterans in 1959, first with AMVETS and then with the Marine Corps League. The USO Milwaukee has been revived and Mr. Bialk will now be doing work for them.

Clif Sorenson thanked the Council for the opportunity to be its chairman for the past two years and he officially welcomed Mr. Margowski as the new chairman.

4. Approval of Minutes of October 17, 2008

It was moved by Mr. Alsteen, seconded by Mr. Hustad, and carried on a voice vote to accept the minutes of the October 17, 2008 meeting.

5. Council Communications

The Chair received and distributed to Council members a letter from Rock Larson, Wood County Veterans Service Officer, regarding VA healthcare Priority Group 6 and veterans exposed to herbicide Agent Orange. The intent of the letter was to make sure Council members take this information back to their organizations and encourage Vietnam veterans to enroll in the VA healthcare system now.

6. Museum Foundation Report

Bill Hustad said a Toast to Veterans will be held on June 13 at the Madison Truax VFW Post 8483. On July 13th the Museum will hold its annual golf outing. The Museum Gala will be held in the spring. Mr. Hustad announced the recent death of Rich Zeitlin, the Museum's Executive Director.

7. Discussion and Action on CVSO Resolution F001-08

John Margowski said the Legislative and Program Review Committee received and filed the resolution. It was moved by Clif Sorenson and seconded by Paul Fine that CVSO Resolution F001-08 be supported by the Council and recommended to the Board for its favorable action. Ken Brown said the intent of the resolution is to remove the loss of income requirement from only the disaster aid portion of the current ANV Grant. This will require more extensive action than just a code change. Consequently, if necessary, the CVSO Association is willing to write it up as a bill and have it introduced into the Legislature. The motion carried on a voice vote with two abstentions noted.

8. Action on Amended Council Protocol—Tabled at June 2008 Meeting

It was moved by Mr. Fine, seconded by Mr. Stoel and carried on a voice vote to take the Amended Council Protocol off the table.

It was moved by Clarence Stoel and seconded by Paul Fine that items 1-10 not be included in the protocol and that the protocol remain unchanged. Roll call vote: Thiers, no; Roloff, aye; Fine, no; Ken Brown, aye; Stoel, aye; Weprinsky, aye; Grams, aye; Fetterly, no; Cherone, no; Sims, aye; Alsteen, no; Cleon Brown, aye; Allord, aye; Lawrence, aye; Margowski, aye; Foreman, no; Sorenson, no; Hustad, aye—11 ayes and 7 noes, the motion carried.

9. Amended Council Protocol Issue—Ken Brown

Ken Brown asked that the paragraph in the Protocol that addresses the issue of an alternate or substitute representative on the Council be rewritten. The proposed change will be distributed to all Council members for action at its February meeting and reads as follows: "In the event that a representative of a member organization cannot attend a scheduled meeting of the Council, the appointing authority of that organization may designate a

substitute representative to the Council. It is the responsibility of the appointing authority to notify the Council Chair and/or the Department of Veterans Affairs either in writing, by telephone or by email as to this temporary appointment. The designated representative shall have all of the voting privileges of the normal representative but cannot be reimbursed for expenses by the Wisconsin Department of Veterans Affairs. Any reimbursement for travel, lodging and meals will be the responsibility of the parent organization.” Discussion on this issue will take place at the February meeting of the Council on Veterans Programs.

10. Appoint an Ad Hoc Committee to Create Legislative Referral Form

John Margowski asked for volunteers to help design the legislative referral form. Paul Fine, Tim Thiers, Rick Cherone, Russ Alsteen, Mark Foreman volunteered to be members and John Margowski will be the chair of the Ad Hoc Committee.

11. Madison Navy League—Operation Military Kids

Denny Behr, President of the Madison Navy League, talked about the statewide program called Operation Military Kids. Military kids need to connect with other youth in similar situations. They seek friends and adults who can empathize and can help them cope with their new world. Operation Military Kids reaches out to support military youth...before, during and after their parents are deployed. The organization is in need of hero packs—back packs to be filled with items suitable for children and distributed to children of deployed service personnel to provide comfort as well as recognition for their sacrifices of having a parent serve the country. For more information or to volunteer contact Sue Curtis sue.curtis@ces.uwex.edu or Laura Petterson laura.petterson@ces.uwex.edu The website is www.madisonnavyleague.org.

12. Secretary’s Matters

None

13. Unfinished Business

Russ Alsteen asked about the Category 6 veteran exposed to Agent Orange. He asked if the Council should draft a letter to send to the appropriate people to let them know that we are opposed to eliminating Category 6 for these veterans. Ken Brown said he would draft said letter for distribution via email from Chairman Margowski to each Council member. Mr. Grams said it is important for every organization on the Council to get Vietnam veterans signed up now, which would make the Legislation moot. It must be made clear to the veteran that just signing up for the Agent Orange registry does not get him or her enrolled into the VA health care system.

14. New Business

Tim Thiers has had meetings with Dave Zien regarding infusion of funds into the Trust Fund through mining and timber resources. Contact either Tim or Dave for more information. With the proposal to raise the alcohol tax, Mr. Thiers felt that an attempt should be made to try to get some of that money diverted into the Veterans Trust Fund.

15. Activities within the Veterans Community

- American Red Cross—A busy year across the nation with all the natural disasters. The Red Cross gets queries from victims about what their resources are and Wisconsin does very well with assistance.
- CVSOA—Stars and Stripes Honor Flight questions—call Ken Brown
- VFW—The Midwinter conference is February 20th in Milwaukee

- AMVETS—State dance tonight at King and the state executive committee meeting is tomorrow. Coming up in February, Sweetheart Dance on February 14th in Sturgeon Bay.
- WVV—Winter meeting on January 31st as well as a meeting of the committee for the Vietnam Veterans Welcome Home in Green Bay 2010
- WACVO—Thank you for your support of the reinstatement of Category Priority 6. Homeless veterans throughout Wisconsin need your support now and especially during the holiday season.
- UWV—Remember Toys for Tots
- MCL—Mr. Grams personally thanked Mr. Bialk for his decades of service as a member of the Marine Corps League and to veterans throughout the state. He publicly thanked Mr. Bialk for supporting his appointment to the Council to represent the Marine Corps League. Mr. Grams presented checks for the Honor Flight—\$500 from the Dodge County Tavern League and \$500 from the Beaver Dam Senior Center.
- MOPH—March on the Hill in February. They still have grant money to give out to needy veterans.
- VVA—Thanks to Dan Naylor for attending the VVA State Convention in November and being the keynote speaker. May 20-22, 2010 in Green Bay is the place to be if you are a Vietnam Veteran. The September 2009 VVA State Convention in Wausau will be a joint convention with the Veterans of Modern Warfare.
- Navy Club—The USS Green Bay Gala Committee has partnered with Sunshine Travel out of Green Bay to bring as many people as possible from the State of Wisconsin to the commissioning of the USS Green Bay in Long Beach on January 24th
- USSVWWII—The Submarine Veterans organization is gradually dwindling—down to seven members now
- ANU—Army Navy Union is trying to regroup, having a problem with national headquarters. Mr. Fine asked about the Salute to the Legislature. Mr. Grams said that there is no Salute to the Legislature this year and there will no longer be a Salute in the manner we have become accustomed to. A meeting in January will determine an alternative format.
- MOAA—The community of Sun Prairie, through an organization called Homes for Veterans, is building a house for a wheelchair veteran
- VVAW and Vets for Peace have partnered to address homeless veterans problems in the City of Milwaukee. They meet at a day shelter, once a week for two hours, and interview homeless veterans who come there. They find that money needs to be raised for bus transportation for these veterans as well as cell phones for them.
- NABV—Mr. Sims has been working with homeless veterans since 1986. He feels very proud to be sitting on this Council on behalf of veterans and extends his thanks to those who work with homeless veterans.

16. Public Input

Donna Chrzas, President of the Wisconsin Association of County Veterans Service Officers, thanked the Council for the action taken on Resolution F001-08 regarding the loss of income provision for the disaster portion of the ANV Grant and for passing it along to the Board. The CVSO Association of Wisconsin appreciates your efforts. Regarding the Honor Flights—CVSOs individually within the Association donated \$315.00 to that effort.

Michael Jackson, Dane County Veterans Service Officer, publicly commended Clif Sorenson for his efforts as Chair of the Council on Veterans Programs and congratulated John Margowski on his recent election as Chair.

Max Oleson, American Red Cross, is very proud of the Wisconsin Veterans Museum and encouraged everyone to visit the museum while in Madison for the February Board and Committee meetings.

17. Next Meeting Date

February 20, 2009 in Madison

18. Adjournment

It was moved by Mr. Fine, seconded by Mr. Cherone and carried on a voice vote to adjourn; the time was 9:18 a.m.

John Margowski
Chair

B O A R D M I N U T E S
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
Meeting of December 12, 2008
Union Grove, Wisconsin

Board Members Present

Marv Freedman, Chair
Rod Moen, Vice Chair
Jackie Guthrie, Secretary
Dan Naylor
Pete Moran
Marcia Anderson

Board Members Excused

vacancy

WDVA Present

Kenneth B. Black, Acting Secretary
Anthony Hardie, Executive Assistant
Colleen Holtan, Budget Office
Jimmy Stewart, Chief Legal Counsel
Tom Rhatican, Veterans Homes
Bill Crowley, Commandant-King
Pat Shaughnessy, Acting Commandant
Gary Wistrom, Asst Administrator-UG
Seth Perelman, Veterans Benefits
Dennis Bohlen, Claims Office
Kathy Scholl, Public Affairs
Nate Nez, Regional Coordinator
Julie Van Metre, Exec. Staff Asst
Bill Kloster, Policy Advisor (via video)
Micabil Diaz, Legal Counsel (via video)
Tony Cappozzo, Administration (via video)
Cindy Sobczak, IT
Jim McGarvey, IT

Others Present

Connie Allord, UWV
Russ Alsteen, NCUSA
Robert Beller, Director, VAMC
Scott Berger, Marathon CVSO
Nick Benzinger, Shawano CVSO
Ellen Blissenbach (via videoconference)
Cleon Brown, USSVWWII
Ken Brown, Ozaukee CVSO
Rick Cherone, MOPH Commander
Loren Christensen
Donna Chrzas, Columbia CVSO
Mike Demske
Roger Fetterly, MOAA
Paul Fine, ANU
Mark Foreman, VVAW
Mike Furgal (via videoconference)
William Gamble
Mark Grams, Dodge CVSO and MCL
Mike Greenwacs, Task Force Omega
Lee Guerrero
Naomi Horwitz
Bill Hustad, WVV
Michael Jackson, Dane CVSO
Ken Kuehnl, DAV Adjutant
Ronald Laux, JWV Commander
Steve Lawrence, VFW Adjutant
Tom Ludka, Am. Legion Service Officer
John Margowski, Waukesha CVSO
Ted Mynyk, Iowa CVSO
Melissa Nelson, The Management Group (via videoconference)
Max Oleson, ARC
Renee Oshinski, VISN 12
Ken and Margaret Rock
Charles Roloff, Am. Legion
Rick Scollon (via videoconference)
William Sims, NABV
Clif Sorenson, Eau Claire CVSO
Dr. Monica Steiner, Hines VA
Clarence Stoel, DAV
Robert Stone, Winnebago CVSO
Jennifer Stone-Barash, VARO
Tim Thiers, AMVETS
Tony Tyczynski, Sauk CVSO
Charles Vandenplas
Alan Walker
Ken Wendt
Paul Weprinsky, JWV
Dave Zien

1. Roll Call and Introductions

The meeting of the Board of Veterans Affairs was called to order at 9:35 a.m. The Pledge of Allegiance was recited.

2. Certification of Notice of Meeting

It was certified that proper notification of the meeting occurred.

3. Approval of Minutes

a. Board Meeting of October 17, 2008

MOTION #1: It was moved by Mr. Moran, seconded by Mr. Moen and carried on a voice vote to approve the minutes of the Board meeting of October 17th.

b. Board Closed Session of October 17, 2008

Mr. Freedman said those minutes had not yet been completed.

c. Board Teleconference of November 26, 2008:

MOTION #2: It was moved by Mr. Moran, seconded by Ms. Anderson and carried on a voice vote to approve the minutes of the November 26th Board Teleconference.

4. Board Members' Matters

Marvin Freedman

- Last month Bill Andersen, Board Secretary, tendered his resignation to the Governor and to the Board Chair
- Jackie Guthrie was elected Secretary of the Board at its 26 November meeting. At that same time Chair Freedman announced the appointment of two Committee Chairs: Pete Moran for the Financial Committee and Marcia Anderson for the Legislative and Program Review Committee.
- Provided the keynote address at King on Veterans Day
- Presented the Board's Veterans Lifetime Achievement Plaque to Gary Mader at King
- Participated in the presentation of the VVA Wisconsin State Council Commendation Medal to Terry Musser

Rod Moen

- Invited to speak at a Veterans Day Program in western Wisconsin, however, stepped aside to allow an individual who had just come from a Freedom Flight to talk about his experience. Mr. Moen participated in the ceremonial firing squad for the program.

Jackie Guthrie

- In her role with the Department of Military Affairs, she noted that 3,500 service members are being sent to Iraq in February. The send-off ceremony will occur on February 17th at noon. Wisconsin Public Television will broadcast the ceremony live.
- Congress mandated that the Adjutant Generals bring together all of the services available for service members and deploying family member and have those organizations pledge their agreement to the program
- When you ask for military support for community events, please understand services are limited as in addition to supporting the warfront overseas, military members assist on the home front with natural disasters

Pete Moran

- He recently received a letter from Carolyn Klein, widow of Bill Klein namesake of Klein Hall Veterans Assistance Center. She advised of fundraising efforts for the Klein Hall storage shed project to be built on site for a projected cost of \$3,500—queries and donations can be sent to Carolyn Klein, 218 Cottage Street, Sparta, WI 54656.

Marcia Anderson

- Attended November 11th ceremony at the State Capitol
- Keynote speaker at a Federal Employees Commemoration event in Milwaukee on November 12th
- As a commander of a reserve unit in the Chicago area, Ms. Anderson was invited to the Pearl Harbor ceremony at Navy Pier last Friday

Dan Naylor

- Thanks to the staff and members of Union Grove for hosting this two-day Board meeting
- Attended the Vietnam Veterans of America Conference in Waupaca
- Spoke at the District 8 American Legion meeting in Wausau on 1 November
- Attended the Rosholt School District on Veterans Day for a tremendous program
- Attended the Veterans Day dinner sponsored by the American Legion at King
- Wednesday's Appleton Post Crescent article highlighted that the Oneida Nation veterans marching unit has been selected to march in the inaugural parade in January. There will be 5 veterans marching in Washington, carrying the US Flag, the Oneida Tribal Flag, the Wisconsin State Flag and the POW Flag.

5. Board's Veteran Lifetime Achievement Award

The Lifetime Achievement Award was presented to Naomi Horwitz (proclamation attached to these minutes). Ms. Horwitz expressed her thanks and said it was the highest honor of her life.

Chair Freedman said the Veteran Lifetime Achievement Award is awarded up to six times a year in conjunction with each Board meeting. The 2009 schedule is as follows: the February meeting will honor someone from Southwest Wisconsin; the April meeting is a statewide award; the June meeting will honor a Northeast Wisconsin veteran; the August meeting will award a Northwest Wisconsin veteran; the October meeting is a statewide award; and December will honor a Southeast Wisconsin veteran.

At this point, Chair Freedman announced that the Board will be making appointments in April 2009 to the Board Committees—Financial, Long Term Care and Legislative and Program Review. The appointments are made at the April meeting and become effective upon adjournment; those appointed will serve until the 2010 April Board meeting. The Board will continue to use the application process to provide an opportunity for anyone interested in serving to have their names fully considered. There will be notification sent out as broadly as we can to people who sit on the various committees and councils, the State Commanders, to members of the Council on Veterans Programs, among others. The procedure and the application will be posted on the website by the first of the year. Applications will be received and accepted if postmarked by February 28th and anyone who

wants to be reappointed or become a new member on a committee must fill out and submit an application. Appointments to committees are for a one-year term.

6. Board Action from Committee and Council Meetings

CVSO Advisory Council: Robert Stone said the Council went over the guidelines and rules for the Advisory Council. There was considerable discussion on the disaster aid grant resolution. The general consensus was that it serves a viable purpose; however, the Council did not endorse the resolution which asked for the removal of the loss of income portion of that program due to the confusion of the intent of that issue.

Financial Committee: Pete Moran said the Committee addressed no actions that needed to be brought before the Board.

Long Term Care Committee: Rod Moen said the Committee took no action for Board consideration.

Legislative and Program Review Committee: Marcia Anderson said the Committee recommended that the Board approve the Statement of Scope regarding modifications to several sections of the Administrative Code.

Council on Veterans Programs: John Margowski said the Council had an intense discussion about the importance of contacting all in-country Vietnam veterans and encouraging them to enroll in the VA health care system. All members of the Council will be provided with a letter to send to Legislators to ensure that legislative action continues Category 6 enrollment. The Council went on record in support of the CVSO Resolution calling for the removal of the loss of income restriction on the disaster aid portion of the Aid to Needy Veterans Grant portion. Mr. Naylor asked for a copy of the letter that will be drafted by the Council regarding enrollment in the VA health care system.

7. U.S. Department of Veterans Affairs Reports

a. Renee Oshinski was representing both VISN 12 and 23. Mr. James Roseborough is retiring January 3rd. Ms. Oshinski will be the Acting Network Director. An appointment of a new Network Director is anticipated to be quick. The new Secretary-Designee for the US Department of Veterans Affairs is General Eric Shinseki. Ms. Oshinski said they still do not have implementing instruction on the decision to open up care for Priority 8 veterans that was included in legislation. It looks at increasing the amount of income allowed before being eligible for treatment. Those figures will still be tied to what the cost of living is in a particular area.

MOTION #3: It was moved by Mr. Moran, seconded by Mr. Moen and carried unanimously on a voice vote to suspend the rules and take up Agenda Item 9 at this point.

9. Briefing and Action on the Results of the Independent, Third Party Survey of Members of the Wisconsin Veterans Home at King and Union Grove with Regard to Meals Prepared by the Cook-Chill Process

Melissa Nelson of The Management Group in Madison reported via videoconference from Madison. Copies of her report were distributed at the last meeting of the Board's Committees. She gave the board an overview and responded to questions. The company

conducted an independent food satisfaction survey with residents at King and Union Grove, both the skilled nursing facility and the assisted living facilities in order to determine the level of satisfaction or dissatisfaction with the meals that they are served using the cook-chill method of food preparation. She gave an overview of the conclusions and talked briefly about how they conducted the study and she closed her report with some of the findings. The bottom line was that the overall food satisfaction survey results were satisfactory. Nearly twice as many members were satisfied than were dissatisfied with the meals that they received and on a scale of 1 to 5 with 3 being neutral or average, the overall results came in at higher than neutral or average.

Rod Moen asked what the surveyors were hearing from people who strongly disagreed with food satisfaction. Ms. Nelson said that at Boland Hall, some of those people are sicker or have more serious medical conditions and as such some of them said they didn't have much of an appetite anymore or that nothing really tasted good. This is typical of people as their medical conditions worsen. Some of the people that said they disliked the food weren't so sure that it was the food itself but they wondered if it was sitting in the reheating cart too long and some of it was getting dried out around the edges. Some people admitted that they have had a long history of having a lot of likes and dislikes. Another comment was that the food might taste bland or not seasoned enough but that may be the result of the restricted diet they may be on.

Rod Moen asked if they found similar comments with the satisfaction of food offered at private nursing homes versus the state veterans homes. Ms. Nelson said yes, she has found that issues with food are the most common complaints that you will hear at any nursing home.

Dan Naylor was looking for a clear statement that our intent is to reach for excellence at Union Grove or at King by constant review and asking for input from the members in terms of what can be done to make things better. Are there options for a member who is diagnosed as being terminally ill and knows if he eats a "forbidden" food there will be problems but he wants it anyway--is that flexibility given to the member? Ms. Nelson said that in her experience she has found that many physicians are getting more willing to suspend diet restrictions for that very reason. Commandant Crowley said they have that provision at King. Mr. Naylor asked if both Homes had a plan for continual quality improvement and interactions with the members to address food issues. Mr. Shaughnessy said there are routine member council meetings which give members the opportunity to voice concern over the food. Mr. Freedman asked that Commandant Crowley keep the Board apprised of the provision of toasters to resident halls. Dan Naylor referenced the food satisfaction score of 3.2 on a scale of 5 and hoped that there is always a drive to improve this score.

Mr. Freedman said the survey met his expectations and hopes of a survey being done based on accepted survey research, methods and practices. The score of 3.2 is encouraging at this point and even though we will never hit 5, we should aspire to a number greater than 3.2. Chairman Freedman said that this survey does demonstrate, objectively and statistically, that cook-chill is a qualified success, especially within the environment in which the food is being consumed. It also demonstrates that even when you factor in the special needs of the residents of Union Grove and King, we can do better.

7. U.S. Department of Veterans Affairs Reports—continued after suspension for taking up Agenda Item 9

Two PowerPoint presentations were briefed about Polytrauma Traumatic Blast Injury, Traumatic Brain Injury, a resource available, and who are the people accessing these resources:

- OEF and OIF veterans who left active duty and became eligible for VA health care since FY 2002 number 925,650 nationally—89% male and 11% female; 52% are active duty and 48% are Reserve and National Guard
- Combat vets enrolled in VISN 23—16,155 National Guard; 5,096 Reserve; 7,274 active duty; for a total of 28,525
- 421,161 (45%) of total separated OEF/OIF veterans have obtained VA health care since FY 2002
- Combat veterans care in VISN 23—17,913 outpatient care; 575 inpatient care and 10,037 enrolled only
- Of former active duty troops, 44.4% have sought VA health care since FY 2002 and of the Reserve and National Guard Members 46.7% have sought VA health care
- The cumulative total of 421,161 OEF/OIF veterans evaluated by the VA represents 8% of the 5.3 million individuals who receive VHA health care in any one year
- OEF and OIF veterans are presenting to VA with a wide range of medical and psychological conditions—pain and musculoskeletal disorders, mental health disorders, mild TBI and dental, eye, etc.
- High rates of VA healthcare utilization reflect the fact that combat veterans have ready access to VA health care, which is free of charge for 5 years following separation for any health problem possibly related to wartime service. If their financial circumstances place them in Priority Group 8, their enrollment in VA will be continued, regardless of the date of their original VA application.
- Patients receiving intensive care management: VISN 23—58
- Reasons for that care management: amputees, blindness, burns, mental health, spinal cord injury and severe TBI
- VISN 23 OEF/OIF Program Highlights: Coordinator is Curtis Carie; there are 8 program managers, 47 case managers, 7 transition patient advocates and 8 program support assistants
- VISN 23 has transition clinics—clinic hours are adjusted to meet service members needs
- Outreach activities include: active partnerships with National Guard and Reserve, embedded with units during drill weekends and during annual training, participation in reintegration and demobilization events, hosting community-wide Welcome Home activities and quarterly focus groups

Renee Oshinski introduced Dr. Monica Steiner, the head of rehabilitation medicine at the Hines VA Medical Center and the Polytrauma lead for VISN 12.

Dr. Steiner talked about blast injury. She covered—what is blast injury and why are we seeing it; how are we screening soldiers returning and veterans with blast injuries; and what is their system of care.

- OEF/OIF combat injuries—90% survival rate, over 50% return to duty within 72 hours
- The most common combat injury is blast injury—65% of injuries
- Four types of blast injury—pressure from the shock waves; fragments or shrapnel; force of the shock wave; other such as toxins, gasses, burns

- Polytrauma definition: two or more injuries to physical regions or organ systems, one of which may be life threatening, resulting in physical, cognitive, psychological, or psychosocial impairments and functional disability
- Each VA has an OEF/OIF care management team and each patient has a case manager
- All OEF/OIF soldiers are screened on initial presentation to VA
- Many services and programs available at the VA for injured soldiers
- Blind rehabilitation continuum of care
- Adult day health care program provide services to patients with TBI
- VA contracts with long-term care facilities for patients with TBI
- Residential care facilities provide services to TBI patients
- TBI resources in Wisconsin—Brain Injury Assn of WI; WI Coalition for Advocacy and Cooperative Educational Services Agency

Mr. Freedman asked what protocols are there to do evaluations for milder forms of traumatic blast injuries to organs other than the brain? Dr. Steiner said continuum of care that is set up with the case managers. Dan Naylor asked about resources for the family members of individuals coming back with TBI—what kinds of connections are we making with the families to get them the resources that are necessary? Dr. Steiner said it is something that is developing because the VA hasn't had funding for family treatment. Mr. Naylor suggested that the Division of Mental Health is a connection that needs to be tapped.

Renee Oshinski introduced Robert Beller, Director of the VAMC who addressed the Board about the problems at the Zablocki emergency department. He recognizes that this is a major area for lack of satisfaction for veterans coming to the hospital. Recent changes in the management structure allows for better accountability and oversight for the emergency department. In addition, they have identified that it is very disruptive to manage psychiatric patients or intoxicated patients in the emergency department and that leads to backlogs. Therefore, they are establishing a new program called an engagement center and it will enable the quick dispatch of those patients to a care site outside the emergency department. In addition, another area of congestion identified is the lack of availability of beds to get patients admitted. Nurses are being hired and trained to be able to add an additional 15 care beds. Additional physicians and staff have been hired to address the needs of the patients in the emergency area. Clinic space is being expanded to allow the separation of more acute injuries/needs from those who need less emergent care.

Pete Moran asked about the status of the contract renewal for the clinic in Superior. He thought an update on that could be made to the Board at its February meeting.

Ken Brown said that apparently there is an initiative underway to stop enrolling Category 6 Vietnam Veterans, those with in-country service and with potential exposure to Agent Orange. We know that the authorization expired in 2002, but most of the VISNs have continued to conduct the enrollments despite that. Are you aware of any actions being taken by VISN 12 or 23 to curtail that? Ms. Oshinski said that neither one of those VISNs are doing anything to curtail that enrollment. That is the approach in most places and until something is done nationally, she does not see any change in that.

Jennifer Stone-Barash, Assistant Director of the Milwaukee Regional Office reported to the Board on the following items:

- The Veterans Benefits Administration is in a growth year and the Milwaukee Regional Office is fortunate enough to continue to expand both in employees and in the work it receives. Hiring 15 more employees—10 for the service center.
- The Pension Management Center transitions 12 states and the regional office is becoming the survivor benefit center for those 12 states
- Veterans who develop ALS or Lou Gehrig's disease will automatically be granted a presumptive service-connection
- The VARO is continuing outreach for in-country Vietnam veterans who have developed diabetes as they are presumptive service-connection. Those veterans who have been treated for diabetes and also those who are not service-connected at this time will receive outreach letters to let them know that they are potentially entitled to service connection for that benefit. Michael Jackson suggested that flyers and notices about this be put up in diabetes clinics and other clinics that treat presumptive conditions.
- The call centers have become fully implemented and Milwaukee no longer takes phone calls on the 1-800 number effective December 2nd. The pension management center stopped taking calls in September and early October.
- Plans are underway to have a presence at the VA clinics and they also have more people processing claims
- Regarding the month of death check, when a veteran dies, a month of death check can be issued to the surviving spouse. Previously the VA waited to have a request from the surviving spouse to pay this benefit, recent interpretation of the regulation found that the benefit should be paid regardless of whether it is requested, if they are aware that there is a surviving spouse.
- Milwaukee has been asked to participate in a pilot project called the Fully Developed Claim Project. This is a mandate by Congress to expedite processing of both compensation and pension claims. Milwaukee VARO will accept claims from veterans as well as their representatives who have certified that the claim is fully developed and that means they will not be submitting additional evidence toward that claim. That claim will then be completed in 90 days and that includes if they have to get federal records or an examination. This pilot will be kicking off before the end of December 2008.

Michael Jackson asked if there is a circular or fast letter on the month-of-death change in policy. Ms. Stone-Barash said not yet but as soon as they get something in writing, they will share it.

In answer to a question Ms. Stone-Barash said the compensation inventory is about 5,900. Every day they get claims that become part of the inventory and anything filed within a day or two would not be considered a backlog. For the pension benefits for all 12 states they have about 3,500 pending. It takes about 52 days to process a pension claim and 150 days to process a compensation.

8. Discussion and Action on Proposed Modifications and/or Amendments to the Current Introduction, Current Articles IV and V of the Board of Veterans Affairs Rules of Procedure

Mr. Freedman said this is phase two of a three phase review and updating of the Board's Rules of Procedure by all members of the Board.

Section 4.01 General Powers. This clarifies the relationship with respect to certain duties and actions together with the Department and the Board and also strikes the provision relating to the Secretary being the custodian of the Board records. In Appleton the board adopted a new article that designates an official records custodian.

MOTION #4: Unanimous consent to adopt Section 4.01 as amended was moved by Mr. Moen and seconded by Mr. Moran, there was no objection, and the motion was adopted.

Section 4.03 Mailing of Agenda and Minutes. This sets forth revised periods within which agendas and draft minutes need to be provided and it also adds a requirement that within 14 days of each special Board meeting the Department Secretary shall mail to each member the draft unapproved minutes of the special Board meeting. In addition to consulting with Chief Legal Counsel Stewart, Mr. Freedman provided this language and these time frames to Executive Staff Assistant Van Metre for her thoughts as to the reasonableness of meeting these time frames.

MOTION #5: Unanimous consent to adopt Section 4.03 as amended was moved by Mr. Naylor and seconded by Mr. Moran, there was no objection, and the motion was adopted.

Section 4.06 Attendance at Board Meetings. This section relates to employees who may be present at a Board meeting at the discretion of the Secretary. It also strikes the provision that the Department Secretary may be an ex-officio and non-voting member of all councils, committees and subcommittees appointed by the Board.

MOTION #6: Unanimous consent to adopt Section 4.06 as amended was moved by Mr. Moen and seconded by Mr. Moran, there was no objection, and the motion was adopted.

Section 4.07 Authority and Responsibilities of the Department Secretary. There are a couple of non-substantive changes and the addition of language that requires that recordings of Board meetings that serve as a basis for transcripts and minutes of such meetings shall be retained by the Department for at least the period of time required by State Statute or Administrative Law from the date of the meetings.

MOTION #7: Unanimous consent to adopt Section 4.07 as amended was moved by Ms. Guthrie and seconded by Ms. Anderson, there was no objection, and the motion was adopted.

Section 4.09 Acting Department Secretary when Position of Department Secretary Vacant. This is a new section.

MOTION #8: Unanimous consent to adopt new Section 4.09 was moved by Mr. Moen and seconded by Mr. Moran, there was no objection, and the motion was adopted.

Section 4.10 Acting Department Secretary when Department Secretary Incapacitated or on Extended Leave. This is a new section.

MOTION # 9: It was moved by Ms. Guthrie and seconded by Ms. Anderson to adopt this new section. After discussion between the Board and Chief Legal Counsel about the Board being able to appoint a Deputy Secretary when one already exists, the Board Chair asked for a motion to table.

MOTION #10: It was moved by Mr. Moen and seconded by Mr. Moran to table the motion until the next meeting of the Board. The motion carried unanimously.

Section 4.11 Authority and Responsibilities of the Acting Department Secretary. This is a new section. Without objection Section 4.11 was withdrawn at this time because it refers to Section 4.10 which was tabled.

Section 5.02 Special Meetings. The number of Board members who can call on their own initiative a special Board meeting would be lowered from four to two members.

MOTION #11: After discussion, it was moved by Mr. Moran and seconded by Ms. Guthrie to adopt Section 5.02 as amended; there was no objection, the motion carried unanimously.

Section 5.03 Notice of Special Meetings. The modification is elimination of language that states a form of notice as being telephone, telegram or mailgram. It leaves in place mail, personal delivery and email. It strikes the references in particular about what procedures need to be followed if notice is given by telegram or mailgram. Finally, it strikes the option for members to consent to notice under certain circumstances as long as the consent is given in writing subsequent to the special meeting itself.

MOTION #12: It was moved by Mr. Naylor and seconded by Ms. Anderson to adopt Section 5.03 as amended; there was no objection, the motion carried unanimously.

Section 5.07 Conduct of Meetings. The amended version clarifies public input so that the Board shall allow for public input and public input may follow initial Board discussion on a particular agenda item.

MOTION #13: It was moved by Ms. Anderson and seconded by Mr. Moran to adopt Section 5.07 as amended; there was no objection, the motion carried unanimously.

Section 5.08 Board Action on Resolutions Pertaining to Legislative Issues. The title of this Section applied to positions on legislative matters, resolutions and positions on proposed administrative code. Rolling these three matters into one section became confusing. For the sake of clarity what is being proposed is to repeal the current Section 5.08 and then to create two new sections—a new 5.08 which would be Action on Motions Pertaining to Legislative Issues and Promulgation of Administrative Rules and Section 5.09 Board Action on Resolutions Submitted by Veterans Organizations.

MOTION #14: It was moved by Mr. Moran and seconded by Ms. Guthrie to repeal the current Section 5.08 and create and adopt two new Sections—5.08 and 5.09, there was no objection, the motion carried unanimously.

Mr. Freedman said it is his objective to bring to the Board the remaining portions of the Board Rules—Article 6 which deals with Committees, Councils and Subcommittees and also the remaining addenda relating to Councils, Committees and Subcommittees.

10. Briefing, Discussion and Action on Proposed Wisconsin Veterans Home at Union Grove 2009 Rate Increases and the Promulgation of Related Emergency Rules

Chairman Freedman said the Board met on this issue in a special Board meeting on November 26th. The situation came about in part because Acting Secretary Black brought to the Board's attention that there was a need to ensure compliance with Chapter VA 6.01(16) of the Administrative Code that requires that rates be set in an amount equivalent to actual costs of providing care to each resident. The Board is working closely with Mr. Black and Chief Legal Counsel to come up with how to best deal with the issue in general. One of the

things that the Board has kept in mind is that VA 6.01(16) was created by a prior Board which means if that there are appropriate modifications by either regular rule making or emergency rule making, it is within the prerogatives of the Board to amend VA 6.01(16). We do not have sufficient information as yet and the Department is in the process of getting the information so that we can begin to evaluate alternatives in general and with respect to rule making. A timeframe has been proposed by the Department and accepted by Chairman Freedman for the receipt of this information. Lines of communication will remain open and the effort to move this along will continue to be done on an expedited basis and it is the intent of the Board to convene the Board again in mid-January in a special meeting for the purposes of determining the next steps of action.

Mr. Freedman asked that a copy of the motion adopted unanimously by the Board on November 26th be attached to these minutes (copy attached).

Chief Legal Counsel Stewart said that the Board as the policy maker for the Department is the party that should be determining these directions. Mr. Stewart will present different policy directions that the Board needs to look at with respect to how the Department operates the Union Grove and King facilities. Those policies will drive the cost methodology particulars that the Department ultimately settles on. For the proposed January special Board meeting, Mr. Moen would like to know the number of members affected by the rate increase, what the Title 19 rate is, and have a comparison on the rate charges between Union Grove and King.

Chairman Freedman said rate increases for January 1, 2009 are in effect. The next issue is how the Board will set the policy and how the Department will administer the implementation of any additional increase that needs to be made as of July 1, 2009.

11. Briefing on how VA Claims are Handled by the WDVA Claims Office (who has access, how access is maintained, how information can be recovered)

Agenda item 11 held over to the February meeting.

12. Discussion and Action on Draft Administrative Rules Regarding Eye, Dental and Hearing Care under the ANVG Program

MOTION #15: It was moved by Mr. Moran, seconded by Mr. Moen and carried unanimously on a voice vote to table consideration of the matter until a later meeting.

13. Discussion and Action on Statement of Scope to Cover the Necessary Modifications to Chapter VA 2.01(2)(a), Chapter VA 2.01(2)(b), Chapter VA 2.01(3)(b) and to Chapter VA 2.01(3)(c) of the Administrative Code

Mr. Stewart said the Statement of Scope allows the Department to move forward and make rules in response to the ANV process action team report that was delivered in late spring, early summer to the Board. Description of policy issues: Amending the rules which establish the period and content for an application for subsistence aid grants, the availability of concurrent applications in the health care assistance program, and the limitations applicable to the subsistence aid and health care aid programs. The amended rules will affect veterans applying for benefits, the department, providers of dental care, hearing care, vision care, and county veterans service officers.

MOTION #16: It was moved by Mr. Moran and seconded by Mr. Moen that the Board approve the Statement of Scope covering modifications to the three sections of the Administrative Code cited above and authorize the Department to proceed in the development of the appropriate language. There were no objections, roll call vote: Freedman, aye; Moen, aye; Guthrie, aye; Moran, aye; Anderson, aye; Naylor, aye. Motion carried unanimously.

14. Update and Status Report on the Pathways and Douglas County Studies

Colleen Holtan said the Department has received the final draft of the operational and financial assessment of the Wisconsin Veterans Homes from Pathway Home Services. Pathway has previously agreed to include an addendum to its report the Department's response to their observations and recommendations. The Homes are preparing those responses. With the Board's permission, the Department would like to invite a representative from Pathway to the February Board meeting to provide an overview of their methodology, their findings and their recommendations.

Chairman Freedman would like to keep the option open to have that briefing done at a mid-January special meeting of the Board.

Acting Secretary Black said the Douglas County report will be completed around the January timeframe and it can be brought to the Board at its February meeting.

15. Discussion and Action on CVSO Association Resolution Entitled, Continued Support to Eliminate Loss of Income as a Requirement for the Disaster Aid Grant

MOTION #17: It was moved by Mr. Moran, seconded by Mr. Moen and carried unanimously on a voice vote to receive and file the Resolution.

16. Discuss and Action on Whether or Not to Modify State Statutes with Regard to Disaster Aid Grant

MOTION #18: It was moved by Mr. Moen, seconded by Mr. Moran and carried unanimously on a voice vote to indefinitely postpone discussion and action on agenda item number 16.

17. Secretary's Matters

Acting Secretary Black thanked the Board for affording him the opportunity to excel. He appreciates the communications from Board members and working together to move the organization forward and do the best we can to support our veterans.

18. Public Input

Tom Ludka, Department Service Officer for the American Legion. Regarding the draft Administrative Rules for eye, dental and hearing; out of 10,300 veterans in the Legion office data base, 2,023 are service-connected for hearing loss, 1,655 are non-service connected. About a third of claimants have some type of hearing issue. With the DAV, VFW and WDVA that's probably about 20,000 out of the Milwaukee regional office and that's not including veterans who do claims on their own or with MOPH and PVA. About nine out of ten of those veterans who get hearing aids are not getting compensation. His suggestion would be to approach our Congressional Delegation and ask them to get the National

Institution of Health to study the incidence of hearing loss between veteran and non-veteran groups, and if there is a positive relationship, pursue that as presumptive disease.

Ken Brown, CVSO Association of Wisconsin, understands there are numerous issues with the CVSO Resolution that was brought before the Board; however, it is the intent of the State CVSO Association to pursue through legislative means to get the language corrected such that we have a disaster aid grant.

Rick Cherone, MOPH, regarding PTSD issues for dependents and spouses, where do we stand, has there been any legislation? He asked if that treatment is out there for dependents and spouses, why isn't that information disseminated to the public? Mr. Freedman said we didn't know until last month what the composition of the Legislature would be and from the Board's perspective, it is looking at ideas to bring up to the appropriate people. Anthony Hardie said that the Department has been lobbying on a minimum number of issues at this point. The Department has just learned this week that Rep. Steve Hilgenberg is the Chair of the Assembly Veterans and Military Affairs Committee. Chairman Freedman asked Mr. Hardie to clarify the PTSD issue for Mr. Cherone and bring it up at the next meeting. Mr. Grams said that the Vet Centers are authorized to treat dependents and that has been advertised in their pamphlets. Mr. Cherone said he was referring to psychiatric treatment.

Board Member Guthrie requested permission to be excused at 1:55 p.m. to take an important phone call.

Dave Zien wondered why the Board has not acknowledged that we have a Secretary who is serving in Iraq, and wishing him good luck and asking other Board members to say prayers. Chairman Freedman said he extended his personal wishes on more than one occasion personally to Secretary Scocos before he left. He does not see it as his job or anyone on this Board to suggest that we should be praying, that is strongly personal and one that should be kept out of the administrative and political process. The Secretary's current status is publicized week after week since he has departed just as was done during his 2007 deployment.

Dave Zien asked Chairman Freedman about possible conversations the Board may have had about "getting rid of John Scocos" and Board Rules being enacted without due process. Mr. Freedman emphatically stated that everything that was enacted with respect to the Board Rules was determined by Chief Legal Counsel to fall within our authority and our prerogatives. The minutes of the last Board meeting lay out specifically, the actions taken for the updating of the Board's Rules.

Dave Zien said that at a previous Salute to the Legislature some key points were brought up about raising money for the Veterans Trust Fund and the Veterans Museum: mining, forestry, bequests, and now the liquor tax. He asked that the Department look at these and other resources.

Bill Gamble, Manitowoc, expressed his thanks and appreciation for veterans in this country. Manitowoc, Wisconsin has a great tradition of ship building, having built and put into service 28 of the finest submarines that were used in WWII. Recently christened in Milwaukee was one of the most technologically advanced vessels for the United States Coast Guard—the USS Manitowoc. Mr. Gamble is a 30-year veteran of the Manitowoc County

Sheriff's Department as a law enforcement officer and criminal investigator. He was at the meeting today to shake the hands and publicly thank our past and current veterans for their service to God and Country and the citizens of the United States of America.

Ken Kuehnl, State Adjutant of the Disabled American Veterans, said it is very important what the Board is doing now. He commended the Board for making sure that things are done right and properly with details and oversight. Secretary Black attended the DAV fall conference and explained the budget to them and he appreciated that.

19. Other Matters (Not Subject to Adoption)

Marcia Anderson said that her civilian job is Clerk of a Bankruptcy Court. She advised that the Defense Appropriation Legislation recently passed provides an exclusion to some of the provisions of the bankruptcy law that had a disparate impact on service members deployed overseas. She will provide the Department with information regarding that exclusion from some of the law.

Rod Moen advised Board members that he recently had a frank and delightful meeting with Acting Secretary Black, talking on a wide range of issues and Mr. Black's closing comment to Mr. Moen was "my door is open to any Board member at any time."

20. Next Meeting Date

February 20th in Madison.

21. Adjournment

MOTION #19: It was moved by Ms. Anderson and seconded by Mr. Moen to adjourn the regular meeting of the Board and to reconvene in closed session for the matter of discussing with Legal Counsel of the Department, the Department strategy for current and potential litigation and advice from legal counsel on issues related to the operation of the Board and the Department. Discussion of current and potential litigation may include cases pending before the Wisconsin Employment Relations Commission, Equal Rights Division, the United States Equal Employment Opportunity Commission and Federal and State courts. Legal Counsel may provide legal advice and opinions for issues affecting the operation of the Board and Department. The statutory exemption allowing the Board to convene in closed session is found in Sec. 19.85(1)(g) of the Wisconsin Statutes. The Board will further discuss compensation matters of the Department Secretary, a public employee over whom the Board of Veterans Affairs has jurisdiction or exercises responsibility. The statutory exemption allowing the Board to convene in closed session for this purpose is found in Sec. 19.85(1)(c) Wisconsin Statutes. The date, time, statutory citations and subject matter have been noticed to the general public more than 24-hours in advance of this meeting.

Roll call: Freedman, aye; Moen, aye; Guthrie, absent; Moran, aye; Anderson, aye; Naylor, aye. Motion carried, the time was 2:20 p.m.

Marvin J. Freedman
Chair

Wisconsin Board of Veterans Affairs
Veteran Lifetime Achievement Award
Proclamation

WHEREAS, Naomi Horwitz was born in 1916 in Milwaukee, Wisconsin, to a Russian-born naturalized citizen father and an American mother, and joined the U.S. Army Woman's Army Auxiliary Corps (WAAC) in December 1942; and due to the phase-out of the WAAC she was discharged and subsequently enlisted in the Women's Army Corps (WAC) on 8 August 1943; and

WHEREAS, after basic training and administrative school, she was assigned to Fort Riley, Kansas, initially in administrative support of the Post Stockade and subsequently as a property management specialist with the Cavalry Replacement Training Corps; and advancing in Rank to Technical 4 (T4), a grade equivalent to Sergeant, she continued to serve until her discharge in 1946; and

WHEREAS, she enlisted in the U.S. Army Reserve in 1951 and over the next twenty-five years she served with the Military Government Company, the 452nd General Hospital and the 961st Engineer Battalion, where she was also assigned as a Civilian Technician, eventually attaining the rank of Sergeant Major. She retired with twenty-nine years of service, on 18 February 1976; and during her military career was awarded decorations including the Army Commendation Medal, Army Good Conduct Medal with five Oak Leaf Clusters, WAAC Service Medal, American Campaign Medal, WWII Victory Medal, the Presidential Unit Award Meritorious Unit Award; and

WHEREAS, she has been a member of the WAC Veterans Association for twenty-three years, serving two years as President; she is a thirty-nine year member of the American Legion Milwaukee Woman's Post 448, a twenty-one year member of the Women in Military Service to America, an eleven year member of the United Women Veterans, and a thirteen year member of the Veterans Board of Directors of the Milwaukee County War Memorial Center. She is a member of the Jewish War Veterans, Disabled American Veterans, Milwaukee Non-Commissioned Officers Council, American Military Society, and the Association of the United States Army. She is a life member of AMVETS and the Army Navy Union, and is the recipient of the Secretary of the United States Department of Veterans Affairs' Pin for Volunteer Services; and

WHEREAS, she is a member of the Women's Court and Conference, Interfaith Alliance of Milwaukee County, Citizens Utility Board, Common Cause, Nature Conservancy, Milwaukee Blood Center, Friends of Havens Woods Environmental Center, Hadassah and AARP. She serves as a volunteer to the City of Milwaukee Mayoral Veterans Advisory Board, the Milwaukee County Veterans Service Office, the Stand Down for Homeless Veterans, the Milwaukee Veterans Day Parade Committee, and the Colonial Manner Nursing Home. She served as a member on Senator Herb Kohl's Veterans Policy Advisory Committee and Mayor Tom Barrett's Veterans Advisory Committee when he served in the U.S. House of Representatives; and she provides financial support to the USO, Wisconsin Humane Society of Milwaukee County, Animal Defense League and Best Friends; and

WHEREAS, she was selected as Milwaukee County's Veteran of the Year in November 2008. She recently visited the World War II Memorial in Washington, D.C. as a member of the first Stars and Stripes Honor Flight from Wisconsin, and she will soon be honored by having her name placed on the Wall of Honor at Ammunition Hill in Jerusalem, Israel, the site of one of the most decisive battles in the 1967 Six Day War; and

WHEREAS, she has, throughout her life, embraced and actualized the motto, "Service to Mankind", has always been involved, thrives on the challenge to "get the job done" and is loved and respected by everyone whose life she touches. Now, at age 92, after spending her adult life serving others, she is still an encouraging mentor to all veterans and others with whom she comes in contact.

NOW, THEREFORE, I, Marvin J. Freedman, Chair of the Wisconsin Board of Veterans Affairs, proclaim **Naomi Horwitz** as the recipient of the Wisconsin Board of Veterans Affairs Veteran Lifetime Achievement Award on this 12th day of December 2008.

MARVIN J. FREEDMAN
Board Chair



STATE OF WISCONSIN, BOARD OF VETERANS AFFAIRS

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Jim Doyle, Governor

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2007-2013 Marcia Anderson
Verona
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Waupaca

MOTION

2009 Union Grove Rate Increases and Emergency Rule Options Directive to Ensure Fairness and Equity in 2009 Rates

WHEREAS, the Board of Veterans Affairs has been advised of proposed rates for the Veterans Home in Union Grove which will substantially increase the financial burden on members in both the skilled nursing and assisted living facilities, and

WHEREAS, the methodology of calculating the costs under Chapter VA 6.01(16) for Union Grove has been revised for the proposed 2009 rates from the previous methodology utilized by the department for proposing rates, and

WHEREAS, the Board is greatly concerned about the magnitude of the proposed rates and has not had sufficient time to review and comment on the revised methodology or to determine whether cost allocation determinations made under Chapter VA 6.01(16) are appropriate, fair and equitable to the Union Grove residents, and

WHEREAS, the Board of Veterans Affairs believes the proposed rates could adversely affect the ability of members at Union Grove to remain members of that Home, as well as discouraging some potential new members from becoming members, if those rates are fully imposed as of January 2009, and

WHEREAS, the Board believes, based on a liberal application of the law as provided for in s.45.03(14), Wis. Stats. and VA 1.01, Wis. Admin. Code, that the department may implement a portion of the increase in rates now and implement the remainder of the calculated costs and any necessary adjustments in July 2009, and

WHEREAS, the Board believes that it should fully consider all its available options to potentially modify the provisions and requirements of Chapter VA 6.01(16) by exercising its emergency rulemaking and/or general rulemaking authority, now

THEREFORE, the Board of Veterans Affairs hereby urges the Acting Secretary to utilize his discretion, in accordance with a liberal interpretation of the appropriate laws as provided for in s.45.03(14), Wis. Stats. and VA 1.01, Wis. Admin. Code, to increase the rates for the Union Grove Home beginning January 2009. The Board requests that the Acting Secretary recalculate the costs associated with the operation of the Union Grove facility and provide the Board, prior to May 15, 2009, what the amount of the proposed increase will be for July 1, 2009. The Board directs the Acting Secretary to provide the Board with the historical data compiled to determine the cost at the Union Grove Home for rate setting prior to this proposed change in methodology, as well as the data used to compute the proposed rates for January 2009 no later than December 31, 2008, and

FURTHER, the Board of Veterans Affairs directs the Acting Secretary to have emergency rule options drafted for the Board's consideration at its next regular Board meeting on December 12, 2008 in Union Grove to enable the Board to address the issues of fairness and equity presented by the proposed Union Grove rate increases, and that those drafted options be submitted to the Board no later than Monday, December 8, 2008.

Adopted unanimously by the Board of Veterans Affairs
on November 26, 2008 in Madison, Wisconsin

BOARD OF VETERANS AFFAIRS MINUTES
WISCONSIN DEPARTMENT OF VETERANS AFFAIRS
Closed Session of December 12, 2008
Union Grove, Wisconsin

The closed session meeting of the Board of Veterans Affairs was called to order at 2:28 p.m. on Friday, December 12, 2008, in Union Grove, Wisconsin.

It was certified that proper notification of the meeting had occurred.

Members of the Board present: Freedman, Moen, Guthrie, Moran, Anderson and Naylor. A quorum of the Board was present.

The matters noticed as the subjects of the closed session meeting were discussed. No motions were made or acted upon as a result of the discussion.

The closed session adjourned at 2:55 p.m.

Marvin J. Freedman, Chair
Board of Veterans Affairs