

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 246

An Act to amend and reenact §§ 2.2-2001.1, 2.2-2002.2, and 2.2-2004 of the Code of Virginia, relating to the Department of Veterans Services; mental health and rehabilitative services; Military Spouse Liaison.

[H 1624]

Approved March 22, 2023

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2001.1, 2.2-2002.2, and 2.2-2004 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2001.1. Program for mental health and rehabilitative services.

A. The Department, in cooperation with the Department of Behavioral Health and Developmental Services and the Department for Aging and Rehabilitative Services, shall establish a program to monitor and coordinate mental health and rehabilitative services support for *Virginia military service members transitioning from military to civilian life*, veterans ~~and~~, members of the Virginia National Guard ~~and~~, Virginia residents in the Armed Forces Reserves ~~not in active federal service~~. The program shall also support, ~~and their family members affected by covered military members' service and deployments~~. The purpose of the program is to, in a cost-effective manner, refer *such transitioning service members, veterans, members of the Virginia National Guard, Virginia residents in the Armed Forces Reserves, and their family members* to mental health, physical rehabilitation, and other services as needed to help them achieve individually identified goals and to periodically monitor their progress toward achieving those goals.

B. The program shall, subject to the availability of public and private funds appropriated for such purposes, (i) build awareness of veterans' service needs and the availability of the program through marketing, outreach, training for first responders, service providers, and others; (ii) collaborate with relevant agencies of the Commonwealth, localities, and service providers; (iii) develop and implement a consistent method of determining how many veterans in the Commonwealth are in need of mental health, physical rehabilitation, or other services currently or may be in need of such services in the future; (iv) work with veterans to develop a coordinated resources plan that identifies appropriate service providers to meet the veteran's service needs; (v) refer veterans to appropriate and available providers on the basis of needs identified in the coordinated resources plan; and (vi) monitor progress toward individually identified goals in accordance with the coordinated resource plan.

Coordinated resources plans shall be developed and veterans shall be referred to necessary services in a timely manner. The program shall prioritize veterans served on the basis of the immediacy and severity of service needs and the likelihood that those needs are attributable to the veteran's military service or combat experience.

C. The program shall cooperate with localities that may establish special treatment procedures for veterans and active military service members such as authorized by §§ 9.1-173 and 9.1-174. To facilitate local involvement and flexibility in responding to the problem of crime in local communities and to effectively treat, counsel, rehabilitate, and supervise veterans and active military service members who are offenders or defendants in the criminal justice system and who need access to proper treatment for mental illness including major depression, alcohol or drug abuse, post traumatic stress disorder, traumatic brain injury or a combination of these, any city, county, or combination thereof, may develop, establish, and maintain policies, procedures, and treatment services for all such offenders who are convicted and sentenced for misdemeanors or felonies that are not felony acts of violence, as defined in § 19.2-297.1. Such policies, procedures, and treatment services shall be designed to provide:

1. Coordination of treatment and counseling services available to the criminal justice system case processing;
2. Enhanced public safety through offender supervision, counseling, and treatment;
3. Prompt identification and placement of eligible participants;
4. Access to a continuum of treatment, rehabilitation, and counseling services in collaboration with such care providers as are willing and able to provide the services needed;
5. Where appropriate, verified participant abstinence through frequent alcohol and other drug testing;
6. Prompt response to participants' noncompliance with program requirements;
7. Ongoing monitoring and evaluation of program effectiveness and efficiency;
8. Ongoing education and training in support of program effectiveness and efficiency;
9. Ongoing collaboration among public agencies, community-based organizations and the U.S. Department of Veterans Affairs health care networks, the Veterans Benefits Administration, volunteer veteran mentors, and veterans and military family support organizations; and

10. The creation of a veterans and military service members' advisory council to provide input on the operations of such programs. The council shall include individuals responsible for the criminal justice procedures program along with veterans and, if available, active military service members.

D. The ~~Department Commissioner~~ shall ~~report annually program results include the results of the program in the annual report submitted to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly pursuant to § 2.2-2004.~~ The report shall include the number of *transitioning service members*, veterans, members of the Virginia National Guard ~~and~~, Virginia residents in the Armed Forces Reserves ~~not in active federal service~~, and *their* family members affected by covered military members' service and deployments for whom coordinated resources plans are developed and who are referred for services; information about services provided to *transitioning service members*, veterans, members of the Virginia National Guard, ~~members of Virginia residents in the Armed Forces Reserves not in active federal service~~, and *their* family members, including information about the types of services provided and the quality of those services; and the number of *transitioning service members*, veterans, members of the Virginia National Guard, ~~members of Virginia residents in the Armed Forces Reserves not in active federal service~~, and *their* family members identified by the program as in need of services but not referred for services.

§ 2.2-2002.2. Military Spouse Liaison; position created; duties; report.

A. There is created in the Department of Veterans Services the position of Military Spouse Liaison to conduct outreach and advocate on behalf of military spouses in the Commonwealth.

B. The Military Spouse Liaison shall:

1. Provide assistance and information to military spouses seeking professional licenses and credentials or other employment in the Commonwealth;
2. Coordinate research on issues facing military spouses and create informational materials to assist military spouses and their families;
3. Examine barriers and provide recommendations to assist military spouses in accessing high-quality child care and developing resources in coordination with military installations and the Department of Education to increase access to high-quality child care for military families;
4. Develop, in coordination with the Virginia Employment Commission and employers, a common form for military spouses to complete, highlighting specific skills, education, and training to help military spouses quickly find meaningful employment in relevant economic sectors; and
5. Perform any other duties or responsibilities assigned by the Commissioner.

~~C. The Military Spouse Liaison shall submit an annual report, including any legislative recommendations, through the Commissioner to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on or before December 1 of each year and other reports to the Commissioner as required by the Commissioner.~~

§ 2.2-2004. Additional powers and duties of Commissioner.

The Commissioner shall have the following powers and duties related to veterans services:

1. Perform an annual cost-benefit and value analysis of (i) existing programs and services and (ii) new programs and services before establishing and implementing them and report the results of such analysis to the Secretary of Veterans and Defense Affairs;
2. Seek alternative funding sources for the Department's veterans service programs;
3. Cooperate with all relevant entities of the federal government, including, but not limited to, the U.S. Department of Veterans Affairs, the U.S. Department of Housing and Urban Development, and the U.S. Department of Labor in matters concerning veterans benefits and services;
4. Appoint a full-time coordinator to collaborate with the Joint Leadership Council of Veterans Service Organizations created in § 2.2-2681 on ways to provide both direct and indirect support of ongoing veterans programs, and to determine and address future veterans needs and concerns;
5. Initiate, conduct, and issue special studies on matters pertaining to veterans needs and priorities, as determined necessary by the Commissioner;
6. Evaluate veterans service efforts, practices, and programs of the agencies, political subdivisions or other entities and organizations of the government of the Commonwealth and make recommendations to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on ways to increase awareness of the services available to veterans or improve veterans services;
7. Assist entities of state government and political subdivisions of the Commonwealth in enhancing their efforts to provide services to veterans, those members of the Virginia National Guard, Virginia residents in the Armed Forces Reserves who qualify for veteran status, and their immediate family members, including the dissemination of relevant materials and the rendering of technical or other advice;
8. Assist counties, cities, and towns of the Commonwealth in the development, implementation, and review of local veterans services programs as part of the state program and establish as necessary, in consultation with the Board of Veterans Services and the Joint Leadership Council of Veterans Service Organizations, volunteer local and regional advisory committees to assist and support veterans service efforts;
9. Review the activities, roles, and contributions of various entities and organizations to the

Commonwealth's veterans services programs and report on or before December 1 of each year in writing to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on the status, progress, and prospects of veterans services in the Commonwealth, including performance measures and outcomes of veterans services programs;

10. Recommend to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly any corrective measures, policies, procedures, plans, and programs to make service to Virginia-domiciled veterans and their eligible spouses, orphans, and dependents as efficient and effective as practicable;

11. Design, implement, administer, and review, in consultation with the Secretary of Veterans and Defense Affairs, special programs or projects needed to promote veterans services in the Commonwealth;

12. Integrate veterans services activities into the framework of economic development activities in general;

13. Manage operational funds using accepted accounting principles and practices in order to provide for a sum sufficient to ensure continued, uninterrupted operations;

14. Engage Department personnel in training and educational activities aimed at enhancing veterans services;

15. Develop a strategic plan to ensure efficient and effective utilization of resources, programs, and services;

16. Certify eligibility for the Virginia Military Survivors and Dependents Education Program and perform other duties related to such Program as outlined in § 23.1-608; ~~and~~

17. Establish and implement a compact with Virginia's veterans, which shall have a goal of making Virginia America's most veteran-friendly state. The compact shall be established in conjunction with the Board of Veterans Services and supported by the Joint Leadership Council of Veterans Service Organizations and shall (i) include specific provisions for technology advances, workforce development, outreach, quality of life enhancement, and other services for veterans and (ii) provide service standards and goals to be attained for each specific provision in clause (i). The provisions of the compact shall be reviewed and updated annually. The Commissioner shall include in the annual report required by this section the progress of veterans services established in the compact; *and*

18. *Provide the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly with an overview of the activities of the Military Spouse Liaison, as outlined in § 2.2-2002.2, including any legislative recommendations, on or before December 1 of each year.*