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HOUSE BILL NO. 1624

Offered January 11, 2023

Prefiled January 7, 2023

A BILL 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.

Patron—Ballard

Referred to Committee on Health, Welfare and Institutions

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;

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59 8. Ongoing education and training in support of program effectiveness and efficiency;
60 9. Ongoing collaboration among public agencies, community-based organizations and the U.S.
61 Department of Veterans Affairs health care networks, the Veterans Benefits Administration, volunteer
62 veteran mentors, and veterans and military family support organizations; and

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

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

79 **§ 2.2-2002.2. Military Spouse Liaison; position created; duties; report.**

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

82 B. The Military Spouse Liaison shall:

83 1. Provide assistance and information to military spouses seeking professional licenses and credentials
84 or other employment in the Commonwealth;

85 2. Coordinate research on issues facing military spouses and create informational materials to assist
86 military spouses and their families;

87 3. Examine barriers and provide recommendations to assist military spouses in accessing high-quality
88 child care and developing resources in coordination with military installations and the Department of
89 Education to increase access to high-quality child care for military families;

90 4. Develop, in coordination with the Virginia Employment Commission and employers, a common
91 form for military spouses to complete, highlighting specific skills, education, and training to help
92 military spouses quickly find meaningful employment in relevant economic sectors; and

93 5. Perform any other duties or responsibilities assigned by the Commissioner.

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

98 **§ 2.2-2004. Additional powers and duties of Commissioner.**

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

100 1. Perform an annual cost-benefit and value analysis of (i) existing programs and services and (ii)
101 new programs and services before establishing and implementing them and report the results of such
102 analysis to the Secretary of Veterans and Defense Affairs;

103 2. Seek alternative funding sources for the Department's veterans service programs;

104 3. Cooperate with all relevant entities of the federal government, including, but not limited to, the
105 U.S. Department of Veterans Affairs, the U.S. Department of Housing and Urban Development, and the
106 U.S. Department of Labor in matters concerning veterans benefits and services;

107 4. Appoint a full-time coordinator to collaborate with the Joint Leadership Council of Veterans
108 Service Organizations created in § 2.2-2681 on ways to provide both direct and indirect support of
109 ongoing veterans programs, and to determine and address future veterans needs and concerns;

110 5. Initiate, conduct, and issue special studies on matters pertaining to veterans needs and priorities, as
111 determined necessary by the Commissioner;

112 6. Evaluate veterans service efforts, practices, and programs of the agencies, political subdivisions or
113 other entities and organizations of the government of the Commonwealth and make recommendations to
114 the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on ways to
115 increase awareness of the services available to veterans or improve veterans services;

116 7. Assist entities of state government and political subdivisions of the Commonwealth in enhancing
117 their efforts to provide services to veterans, those members of the Virginia National Guard, Virginia
118 residents in the Armed Forces Reserves who qualify for veteran status, and their immediate family
119 members, including the dissemination of relevant materials and the rendering of technical or other
120 advice;

121 8. Assist counties, cities, and towns of the Commonwealth in the development, implementation, and
122 review of local veterans services programs as part of the state program and establish as necessary, in
123 consultation with the Board of Veterans Services and the Joint Leadership Council of Veterans Service
124 Organizations, volunteer local and regional advisory committees to assist and support veterans service
125 efforts;

126 9. Review the activities, roles, and contributions of various entities and organizations to the
127 Commonwealth's veterans services programs and report on or before December 1 of each year in writing
128 to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on the status,
129 progress, and prospects of veterans services in the Commonwealth, including performance measures and
130 outcomes of veterans services programs;

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

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

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

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

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

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

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

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

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