

BILL ANALYSIS

C.S.H.B. 2154
By: Guillen
Defense & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Reports suggest that many states allow outside groups to produce the training materials for officers acting as veterans liaisons who provide information about benefits to veterans to help veterans adjust to civilian life. It has been noted that the Texas Veterans Commission is currently responsible for providing the training for Texas veterans county service officers who act as veterans liaisons in Texas and that commission representatives are open to certain third parties providing that training. C.S.H.B. 2154 seeks to provide the commission the flexibility to approve an outside entity to provide such services.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2154 amends the Government Code to replace the requirement for the Texas Veterans Commission to provide, at commission expense, the initial and continuing training for veterans county service officers at least once each year with the authorization to do so and to require the commission to approve training provided by public or private entities to fulfill the initial and continuing training requirements for such officers. The bill gives an officer the option to complete training that is provided by a public or private entity and approved by the commission as an alternative to completing training provided by the commission. The bill removes the requirement for the commissioners court of an officer's county to reimburse the officer's travel and lodging expenses incurred in attending commission training unless state funds are appropriated for that purpose but retains the requirement for the commission to reimburse an officer's travel and lodging expenses incurred in attending training provided by the commission in the manner prescribed for the reimbursement of such expenses to state employees if state funds are appropriated for that purpose. The bill requires the commissioners court of an officer's county to reimburse an officer's travel and lodging expenses incurred in attending required training that is provided by a public or private entity and approved by the commission.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2154 may differ from the original in minor or nonsubstantive ways, the

following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 434.007, Government Code, is amended to read as follows:

Sec. 434.007. DUTIES. The commission shall:

- (1) compile federal, state, and local laws enacted to benefit members of the armed forces, veterans, and their families and dependents;
- (2) collect information relating to services and facilities available to veterans;
- (3) cooperate with veterans service agencies in the state;
- (4) inform members and veterans of the armed forces, their families and dependents, and military and civilian authorities about the existence or availability of:
 - (A) educational training and retraining facilities;
 - (B) health, medical, rehabilitation, and housing services and facilities;
 - (C) employment and reemployment services;
 - (D) provisions of federal, state, and local law affording rights, privileges, and benefits to members and veterans of the armed forces and their families and dependents; and
 - (E) other similar, related, or appropriate matters;
- (5) assist veterans and their families and dependents in presenting, proving, and establishing claims, privileges, rights, and benefits they may have under federal, state, or local law;
- (6) cooperate with all government and private agencies securing services or benefits to veterans and their families and dependents;
- (7) investigate, and if possible correct, abuses or exploitation of veterans or their families or dependents, and recommend necessary legislation for full correction;
- (8) coordinate the services and activities of state departments and divisions having services and resources affecting veterans or their families or dependents;
- (9) approve a provider of [~~provide~~] training for and certify [~~certification of~~] veterans county service officers and assistant veterans county service officers in accordance with Section 434.038;
- (10) through surveys or other reasonable and accurate methods of estimation, collect and maintain for each county in the state the

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

number of servicemembers and veterans residing in the county and annually update and publish the information on the commission's website; and

(11) with the assistance and cooperation of the comptroller, inform and assist veterans and their families and dependents with respect to discovering and initiating claims for unclaimed property held by the United States Department of Veterans Affairs.

SECTION 2. Section 434.038, Government Code, is amended to read as follows:

Sec. 434.038. TRAINING AND CERTIFICATION. (a) An officer shall, within the time after the date of the officer's appointment that the commission prescribes, complete a course of initial training ~~[provided by the Texas Veterans Commission]~~. The commission shall issue the officer a certificate of training after completion of the initial training course.

To maintain certification, the officer shall complete continuing training to the extent required by the commission.

An officer must maintain certification to remain in office.

~~(a-1) Initial and continuing training required under this section shall be provided by a public or private entity approved by the commission under Subsection (d) [The commission shall develop and implement methods for providing training to officers. The methods may include Internet-based seminars, participation through videoconference, cooperation with training provided by the United States Department of Veterans Affairs, and other methods as appropriate].~~

~~(b) [The commission shall provide, at commission expense, the initial and continuing training required by this section at least once each year.]~~

SECTION 1. Sections 434.038(a), (b), (c), and (e), Government Code, are amended to read as follows:

(a) An officer shall, within the time after the date of the officer's appointment that the commission prescribes, complete a course of initial training provided by the Texas Veterans Commission or approved under Subsection (e)(5). The commission shall issue the officer a certificate of training after completion of all ~~[the]~~ initial training requirements established by the commission under this section ~~[course]~~.

To maintain certification, the officer shall complete continuing training ~~[to the extent]~~ required by the commission that is approved under Subsection (e)(5) or provided by the commission. An officer must maintain certification to remain in office.

~~(b) The commission may [shall] provide, at commission expense, the initial and continuing training required by this section at least once each year. If state funds are appropriated for that purpose, the commission shall reimburse an officer's travel and lodging expenses incurred in attending training provided by the commission. The commission shall make the reimbursement in the manner prescribed for the reimbursement of these expenses to state employees.~~

~~(e)~~ The commissioners court of an officer's county shall reimburse an officer's travel and lodging expenses incurred in attending ~~[commission]~~ training required under this section unless state funds are appropriated for that purpose. If state funds are appropriated, the commission shall make the reimbursement in the manner prescribed for the reimbursement of these expenses to state employees.

~~(c)~~ ~~(d)~~ The commission shall develop ~~[standard course materials,]~~ training curriculum~~;~~ and examinations to be used for county service officer certification and United States Department of Veterans Affairs accreditation.

~~(d)~~ ~~(e)~~ The commission shall:

(1) maintain ~~[course materials and]~~ examinations in a central location ~~[and provide county service offices and commission field staff with access to the course materials on the commission's Internet website];~~

(2) regularly update ~~[course materials,]~~ training curriculum~~;~~ and examinations after consulting with:

(A) the United States Department of Veterans Affairs to ensure the ~~[course materials,]~~ training curriculum~~;~~ and examinations are accurate and meet applicable United States Department of Veterans Affairs requirements; and

(B) accredited county service officers to ensure the ~~[materials,]~~ training curriculum~~;~~ and examinations include issues developing at the county level;

(3) develop a training handbook containing instruction and case studies addressing:

(A) general assistance techniques, including how to provide general information regarding state and federal benefits and referrals for other services and to other agencies, and general information regarding state and federal benefits;

(B) basic counseling approaches for assisting veterans, their family members, and other eligible dependents filing benefit claims;

(C) basic information on United States Department of Veterans Affairs processes and procedures, including how to accurately complete claims and appeals forms and how to support claims;

(D) methods of collecting required

(c) The commissioners court of an officer's county shall reimburse an officer's travel and lodging expenses incurred in attending ~~[commission]~~ training required under this section that is approved under Subsection (e)(5) ~~[unless state funds are appropriated for that purpose. If state funds are appropriated, the commission shall make the reimbursement in the manner prescribed for the reimbursement of these expenses to state employees].~~

(e) The commission shall:

(1) maintain course materials and examinations in a central location and provide county service offices and commission field staff with access to the course materials on the commission's Internet website;

(2) regularly update course materials, training curriculum, and examinations after consulting with:

(A) the United States Department of Veterans Affairs to ensure the course materials, training curriculum, and examinations are accurate and meet applicable United States Department of Veterans Affairs requirements; and

(B) accredited county service officers to ensure the materials, training curriculum, and examinations include issues developing at the county level;

(3) develop a training handbook containing instruction and case studies addressing:

(A) general assistance techniques, including how to provide general information regarding state and federal benefits and referrals for other services and to other agencies, and general information regarding state and federal benefits;

(B) basic counseling approaches for assisting veterans, their family members, and other eligible dependents filing benefit claims;

(C) basic information on United States Department of Veterans Affairs processes and procedures, including how to accurately complete claims and appeals forms and how to support claims;

(D) methods of collecting required

documentation and developing claims and appeals;

(E) methods of documenting progress and updating a veteran's, a veteran's family member's, or another eligible dependent's case information;

(F) methods of assisting veterans, their family members, or other eligible dependents in pursuing appeals, including offering case knowledge in appeals hearings; and

(G) methods of representing veterans, their family members, or other eligible dependents during appeals hearings; ~~and~~

(4) coordinate with the Department of State Health Services to incorporate a suicide prevention component as part of the accreditation training curriculum and examination; and

(5) approve a public or private entity that is accredited by the United States Department of Veterans Affairs to provide initial and continuing training required under this section.

(e) [(f)] The commission may establish rules to carry out the purposes of this section, including rules regarding carryover of credit for extra course attendance from one year into subsequent years and the anniversary date by which the continuing certification requirement must be met.

SECTION 3. This Act takes effect September 1, 2017.

documentation and developing claims and appeals;

(E) methods of documenting progress and updating a veteran's, a veteran's family member's, or another eligible dependent's case information;

(F) methods of assisting veterans, their family members, or other eligible dependents in pursuing appeals, including offering case knowledge in appeals hearings; and

(G) methods of representing veterans, their family members, or other eligible dependents during appeals hearings; ~~and~~

(4) coordinate with the Department of State Health Services to incorporate a suicide prevention component as part of the accreditation training and examination; and

(5) approve training provided by public or private entities to fulfill initial and continuing training requirements established by the commission under this section.

SECTION 2. Same as introduced version.