



**MARYLAND DEPARTMENT OF VETERANS AFFAIRS
RESPONSE TO DEPARTMENT OF LEGISLATIVE SERVICES
ANALYSIS AND RECOMMENDATIONS**

FY 2019 Operating Budget

**SENATE BUDGET AND TAXATION COMMITTEE
February 8, 2018**

**SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES
3 West, Miller**

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**HOUSE APPROPRIATIONS COMMITTEE
March 1, 2018**

**SUBCOMMITTEE ON PUBLIC SAFETY AND ADMINISTRATION
Room 145, HOB**

Introduction

The Maryland Department of Veterans Affairs (Veterans Affairs) appreciates this opportunity to update the Committee on the activities of the Department over the past year as we fulfill our mission: to deliver services and programs to assist veterans, their families and survivors in obtaining Federal, State, and local benefits provided by law in recognition of their service to state and country. We also welcome this chance to respond to questions raised in the Department of Legislative Services' analysis of the FY 2019 Governor's Allowance.

This document contains the following information:

- A profile of the Maryland Department of Veterans Affairs.
- A brief history of the Department.
- A summary of services provided by the Department.
- Demographic trends among Maryland's veterans.

This document also contains the Department's response to recommendations and questions raised in the Department of Legislative Services' analysis. **The recommendations and questions from the analysis are identified as such and shown in bold type; the Secretary's responses are provided in bold underlined italics.**

The Maryland Department of Veterans Affairs concurs with the Governor's Allowance for FY 2019.

The Maryland Department of Veterans Affairs strongly opposes the recommendation of the Department of Legislative Services to delete six (6) new Veterans Cemetery Caretaker positions approved by the Governor.

Agency Profile

Purpose

The mission and purpose of the Maryland Department of Veterans Affairs (Veterans Affairs) is to deliver services and programs to assist veterans, their families and survivors in obtaining Federal, State, and local benefits provided by law in recognition of their service to state and country. The agency fulfills this mission by providing leadership and direction to the veteran community, while exercising responsible management of available resources.

Core Functions

- Provide the most effective possible **statewide benefits counseling** to veterans, their dependents and survivors; assist in the preparation, development, and submission of claims for adjudication to the U.S. Department of Veterans Affairs.
- Honor the memory of Maryland veterans in **State veterans cemeteries** that will come to be considered as national shrines.
- Provide the finest assisted living and skilled nursing residential care to qualified Maryland veterans and eligible spouses at the **Charlotte Hall Veterans Home**.
- Maintain and protect the **State's veterans memorials**.
- Ensure through effective **outreach and advocacy** that veterans and their dependents are increasingly informed and educated about the various benefits and services to which they are entitled as a result of their service.

At A Glance

Maryland Veteran Population (2018 projection): 380,000*

- In FY 2017, Veterans Affairs' Service Program processed 3,995 claims.
- In FY 2017, Marylanders were awarded in excess of \$27 million in Federal veterans' benefits as a direct result of the efforts of the Department's veterans service offices.
- In FY 2017, Veterans Affairs provided 3,465 State Veterans Cemetery interments: 2,249 veterans and 1,216 dependents.
- In FY 2017, average Veterans Home occupancy rate was 89%; average census 402 of 454 available beds.

*Source: United States Department of Veterans Affairs

A successful veterans' **Service Program** requires knowledge of relevant US Department of Veterans Affairs (USDVA) rules and operating policies and procedures. Employees must have the skills to apply the required knowledge within USDVA systems to successfully provide veterans and their families with all of the services needed to obtain their benefits and entitlements. Each veterans benefits specialist must be certified as a veterans' services counselor by the United States Department of Veterans Affairs.

A successful veterans' **Cemetery Program** requires knowledge of relevant U.S. Department of Veterans Affairs National Cemetery Administration policies and procedures regarding capital construction, land management, and building and equipment maintenance and procurement. These increasingly demanding standards provide direction to the Department's goal of maintaining Maryland's veterans' cemeteries as national shrines.

A successful **Veterans Home Program** providing assisted living and skilled nursing residential care program for veterans requires knowledge of relevant U.S. Department of Veterans Affairs and State of Maryland laws, operating policies and procedures, and facility management standards to ensure safe and proper health care to an aging, predominantly male, veteran resident population.

A successful **Memorials Program** requires the skills necessary to maintain such landmarks as reverent symbols of the sacrifices made by veterans.

A successful veterans' **Outreach and Advocacy Program** requires an understanding of the needs of veterans and communication skills to reach veterans and advocate for them.

The Maryland Department of Veterans Affairs strives daily to fulfill its mission to a constituency comprising over 6% of the total population of our State. We are proud to honor Maryland's veterans by bringing our best to their service every day.

History

The Maryland Veterans Commission was created by the General Assembly in 1924. Initially it was charged with the responsibility of providing financial relief to indigent veterans and widows. The Commission's objective remained essentially the same until the beginning of World War II. At that time the Veterans Administration began to recognize the need for providing adequate counsel for veterans in claims before the Veterans Administration. To assist in providing this service, the Veterans Administration provided the Maryland Veterans Commission with free office space in their principal offices.

In 1946, the Veterans Administration eliminated all of their offices serving Maryland except for the regional offices located in Washington D.C. (which housed the claims files for Prince George' and Montgomery Counties) and the Baltimore Regional Office, which serviced the veterans' claims for all other counties in Maryland. To fill the void created by the consolidation, increased service had to be provided by the Commission. Today, the Maryland Department of Veterans Affairs maintains 11 service offices across the State.

In 1973, the Legislature authorized the beginning of the State Veterans Cemetery Program.

In 1999, the Legislature created the Maryland Department of Veterans Affairs as an executive agency with the mission of assisting veterans, active duty service members, their families and dependents, in securing benefits earned through military service.

In 2006, the Legislature authorized the beginning of the State Veterans Outreach and Advocacy program.

How We Serve Veterans

Service Program

The Veterans Affairs Service Program assists veterans and their eligible dependents in acquiring benefits rightfully earned through military service to their country. The Service Program provides general information to veterans seeking assistance, regardless of representation, in all matters pertaining to veterans' disability benefits and rights. Veterans Affairs is the designated agency of the State of Maryland to represent the State and its veterans before the U.S. Department of Veterans Affairs (USDVA). The agency represents veterans in filing USDVA disability claims and during USDVA appeals processes, and assists dependents with survivor benefits.

The Maryland Department of Veterans Affairs is tasked with helping veterans obtain the most benefits they are entitled to. The agency employs Veterans Benefits Specialists accredited by the USDVA to represent veterans with disability claims and appeals. Veterans Affairs enjoys established relationships with other accredited individuals outside the agency, who submit claims to the USDVA through Veterans Affairs. The agency's Veterans Benefits Specialists also help veterans and their families with questions regarding benefits, survivor and dependent needs, USDVA paperwork, and medical issues.

The Service Program currently has Veterans Benefits Specialists located in veterans' service centers throughout Maryland to aid and serve veterans and their eligible dependents. In addition, Veterans Affairs has itinerant offices throughout our State to bring services closer to veterans and their dependents.

Cemetery Program

The State of Maryland, through the Cemetery Program of the Maryland Department of Veterans Affairs, offers Maryland veterans and their eligible dependents a final resting place at one of five state veterans cemeteries located throughout Maryland. The program is the largest of its kind in the nation. It bases its standard of excellence on striving to ensure that our state cemeteries are maintained as national shrines to those who have gone before.

A Pre-Interment Program is available, through which veterans may indicate their desire to be buried in one of the state's cemeteries and verify their eligibility for such burial on a pre-need basis. Veterans Affairs' cemeteries provide interment services Monday through Friday year round and are open to the public 365 days each year.

There are five State Veterans Cemeteries located across our State:

Cheltenham State Veterans Cemetery is located on U.S. Route 301, approximately 8 miles south of Upper Marlboro, Maryland. The site consists of 112 acres and was formerly used for agricultural purposes. In FY 2017, the Cheltenham Veterans Cemetery laid 966 veterans and eligible dependents to rest, bringing its total to over 26,000 since opening in July 1978. The Chapel at the cemetery was dedicated to the memory of Senator Edward T. Conroy, who was instrumental in the passage of legislation enabling the development of Maryland's State Veterans Cemeteries.

Crownsville State Veterans Cemetery at Crownsville is located off State Route 178 on Sunrise Beach Road. The 103-acre site, originally used for farming, is surrounded by a peaceful Severn River residential community. Near the center of the state cemetery is a one-acre old family cemetery dating back to 1875, retained by the heirs and assigns of the Carter family in perpetuity. The Crownsville Veterans Cemetery, which opened in 1980, provides a final resting place for over 23,200 Maryland veterans and eligible dependents. In FY 2017, the Crownsville Veterans Cemetery laid 870 veterans and eligible dependents to rest.

Eastern Shore Veterans Cemetery in Hurlock, Maryland, is located two miles south of Preston and about five miles northwest of Hurlock on State Route 331. Eastern Shore Veterans Cemetery, which opened for operation in December 1976, is the final resting place for over 7,000 veterans and eligible dependents. In FY 2017, the Eastern Shore Veterans Cemetery laid 253 veterans and eligible dependents to rest. Donated by the citizens of Dorchester County, the site was formerly a 35-acre wheat field. The design of this cemetery is unique. The layout of the burial sites is based on a system of radials and concentric circles centered on the American flag in the plaza area at the Chapel.

Garrison Forest Veterans Cemetery was again the most active of Maryland's five Veterans Cemeteries (and among the busiest nationwide) in FY 2017, laying 1,195 veterans and eligible dependents to rest, bringing its total to approximately 40,500 since its opening in December 1983. The Garrison Forest Veterans Cemetery is located on Garrison Forest Road, near the former Rosewood State Hospital, in Owings Mills, Maryland. Formerly used for agricultural purposes, the site consists of 110 acres bounded by woodlands.

Rocky Gap Veterans Cemetery is a 27-acre site located within the Rocky Gap State Park, just off State Route 68 in Allegany County. The Rocky Gap Veterans Cemetery, which opened in 1981, is approximately 10 miles east of Cumberland and is arguably the most beautiful of the five State Veterans' Cemeteries. Approaching the cemetery, visitors are treated to views of the park's lake and mountainous backdrop. In FY 2017, the Rocky Gap Veterans Cemetery laid 181 veterans and eligible dependents to rest. Approximately 4,700 veterans and their dependents have been laid to rest at the cemetery.

The historical backlog of plot allowance payments due from the U.S. Department of Veterans Affairs continues its dramatic reduction, as MDVA received payment for over 20 months' worth of claims totaling some \$2.7 million between January 1 and December 31, 2017. MDVA has also reduced the time required to produce a monthly plot allowance claim to under 24 days, an improvement of almost 40% in just the past year.

The National Cemetery Administration (NCA) of the U.S. Department of Veterans Affairs has required that State veterans cemeteries start using pre-placed crypts in lieu of a traditional, dig-as-you-go process. A burial in a pre-placed crypt requires a team of five workers for precise manual lowering into the crypt; any error in the lowering process can result in disaster. In recognition of the new NCA standards and the resulting workload, the Governor approved the creation of six (6) new veterans cemetery caretaker positions as part of the Governor's Allowance. In its analysis, **the Department of Legislative Services recommends the deletion of the 6 new positions**, citing increased cost-effectiveness and a reduction in digging with the use of pre-placed crypts, and claiming "there is no indication" that the manual nature of the burial process has changed significantly as a result of their use.

In response, the Secretary strongly opposes this recommendation.

It is true that the recovery of soil is easier and faster with preplaced crypts than with traditional burials. However, this process involves a single motor equipment operator in either case.

When it comes to the actual placing and lowering of the casket, traditional burials involve placement of casket by hand into a concrete liner above ground, which takes 4 employees about 5 minutes. Then the liner (with casket) is lowered into the grave by way of power equipment, requiring 2 employees about 5 minutes. The total estimated time required for these two processes is 30 employee-minutes.

By contrast, burial in a pre-placed crypt involves a manual lowering of the casket into a concrete liner which is already buried. This takes 5 employees an estimated 20 minutes, or 100 employee-minutes.

In addition to the 100 employee-minutes, prior to lowering the casket into the preplaced crypt, the crypt must be uncovered, the lid lifted, the shelf separating the bottom of the crypt from the top of the crypt removed for completion of the first burial in the crypt (each crypt holds two caskets, one above the other), and the rim of the crypt must be manually cleaned to ensure a tight fit for the lid when the crypt is reburied. The cleaning of the crypt has to be done from within it, meaning that often someone has to get down in the crypt with a ladder, significantly increasing the opportunity for injury.

It may also be helpful to step back and look at the bigger picture of which this discussion is a part: The National Cemetery Administration (NCA), that division of the U.S. Department of Veterans Affairs that both funds and sets the standards for Maryland's State Veterans Cemeteries, publishes minimum recommended staffing allowances based on number of burials, number of maintained gravesites, and number of acres. In 2013, the NCA-recommended minimum staffing level of grounds maintenance positions for a program the size of MDVA's was 61.4 FTE. MDVA, with 27 grounds maintenance positions, was staffed at 44% of the recommended minimum. In 2017, as both the number of maintained gravesites and number of acres have increased, the NCA-recommended staffing level of grounds maintenance positions for a program of MDVA's size is 64.3 FTE. With the same 27 positions as in 2013, the agency is now operating at 42% of the NCA-recommended minimum staffing level.

MDVA is very grateful for the recognition by DBM and the Governor of the need for more caretakers, as evidenced by the Governor's Allowance, and respectfully requests the support of the Legislature for the same.

Memorials Program

The MDVA Memorials Program has responsibility for the following memorials:

- World War II Memorial in Annapolis (dedicated July 23, 1998)
- Korean War Memorial in Baltimore (dedicated May 27, 1990)
- Vietnam Veterans Memorial in Baltimore (dedicated May 28, 1989)
- Gold Star Families Memorial Monument in Annapolis (dedicated November 11, 2016)
- War Memorial Building in Baltimore - Joint responsibility with the City of Baltimore

In recognition of those who served and those who made the ultimate sacrifice to secure our freedom and democracy, the memorials are open 365 days a year.

2017 Memorial Highlights

- Dedicated a 100-year time capsule at the Maryland Korean War Memorial; First Lady Yumi Hogan attended and spoke at the event
- Installed solar flag pole at the new Gold Star Families Memorial Monument
- Managed volunteers to place white marble chip stone in the lettering for World War II Memorial (15 USAF and 12 US Reserves)

Veterans Home Program

The Charlotte Hall Veterans Home (CHVH) provides assisted living and skilled nursing residential care for honorably discharged veterans and eligible spouses of veterans.

The Home is situated on 126 beautiful acres in St. Mary's County, and offers a continuum of care from the 168-bed assisted living program to the 286-bed skilled nursing program. Charlotte Hall Veterans Home also offers memory care in secure units. The Home is Medicare/Medicaid certified, and all veterans receive a per diem subsidy from the U.S. Department of Veterans Affairs that reduces their cost of care. The Home is inspected annually, as required by the Office of Health Care Quality of the Maryland Department of Health, and by the U.S. Department of Veterans Affairs.

The State of Maryland, through Veterans Affairs, contracts with a private healthcare management contractor to operate the Home. Veterans Affairs works closely with the management contractor's staff to ensure our veterans receive the best possible care in a clean, caring environment. The staff understands and respects the sacrifices veterans have made and the privilege of living out the Home's motto: "Serving Those Who Served".

In its analysis of the FY 2019 Governor's Allowance, the Department of Legislative Services has stated that "[t]he department should explain how it plans to hold the contractor accountable for vacancies in the current contract and how it will ensure that other performance-related provisions of the contract will be met." In response, the Secretary states the following: ***The department will monitor contractor staffing at Charlotte Hall Veterans Home through reviewing a contractually-mandated monthly staffing report to be provided to the department by the contractor. In its response to the department's request for proposal, the contractor has specifically acknowledged the State's right to deduct from its payment the cost of vacant positions (as provided in the contract). In addition, the Veterans Home Program Director has allocated identified portions of the extensive contract monitoring requirements to specific members of the department's oversight staff in an effort to improve compliance monitoring. The new management contract at Charlotte Hall Veterans Home contains an increased number of penalty provisions for failure of the contractor to perform satisfactorily in various areas, and the department has already implemented a process to monitor each of these performance areas.***

Demographic Trends

A projected 380,000 veterans live in Maryland as of 2018, according to the U.S. Department of Veterans Affairs. Two segments of the veteran population have grown at high rates:

1. Veterans over age 75 (accounting for the aging Korea and Vietnam Era Veterans, as well as those of the World War II Era); and
2. Returning veterans

Veterans over age 75

Several unique characteristics affect service needs for these veterans:

- Increase in number of veterans needing long-term assisted living care;
- Presence of wartime disabilities, both physical and mental; and
- Increase in veterans considered medically indigent.

Returning Veterans

Veterans returning from the recent conflicts in Iraq and Afghanistan have unique needs and characteristics. Maryland has experienced one of the largest mobilizations of "citizen soldiers", those individuals serving in our State National Guard or Armed Forces Reserve Units, in our nation's history. Along with some of Maryland's returning citizen soldiers, a number of veterans of the active duty component will face challenges, including the following:

- Combat wounds;
- Head injuries / Traumatic Brain Injury;
- Post Traumatic Stress Disorder (PTSD);
- Reintegration and transition;
- Employment or re-employment challenges;
- Risk of becoming homeless;
- Significant family readjustment issues following active duty; or
- Long-term care needs.

As service members transition following overseas deployments, many will need assistance with ongoing medical, mental health or reintegration issues. Some may require assistance with re-employment, education or emergency help to overcome a financial crisis. Along with other State agencies committed to veterans' assistance programs, Veterans Affairs is helping veterans to meet these challenges.