

Assembly Bill No. 2784

Passed the Assembly August 24, 2010

Chief Clerk of the Assembly

Passed the Senate August 23, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 65, 66, 66.5, and 84 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2784, Committee on Veterans Affairs. California Veterans Board.

Existing law provides that the California Veterans Board consists of 7 members appointed by the Governor subject to Senate confirmation. All members of the board are required to be veterans.

This bill would increase the size of the board to 9 members, and would require at least 2 of the members to be women.

Existing law requires at least one member of the California Veterans Board to have substantial training or professional expertise in geriatrics, gerontology, or long-term care.

This bill would also require that one member have substantial training or professional expertise in mental health counseling and one member have a degree in health care administration or experience in the financial management of health care facilities. This bill would also state the intent of the Legislature to encourage the Governor, when making the appointments to the board, to consider a veteran with specific expertise in women veterans' mental and physical health issues, and would make legislative findings and declarations related to women veterans.

Existing law prohibits the Secretary of Veterans Affairs from effectuating any policy change that would modify any veterans' program without first fully briefing the board regarding the effects upon veterans of the proposed policy change.

This bill would additionally prohibit the Secretary of Veterans Affairs from recommending any policy change that would modify any veterans' program without first fully briefing the board.

Existing law, for purposes of the above provisions and provisions relating to veterans' welfare, defines "program" to mean the Veterans' Home of California, the veterans' farm and home purchase program, including any associated insurance programs, and the veterans' education assistance program.

This bill would provide that “program” also refers to any other program or service offered or delivered to veterans by another state agency or department.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that a 2009 audit of the Department of Veterans Affairs conducted by the Bureau of State Audits determined all of the following:

(1) The department needs to improve its strategic planning process to better track its progress toward meeting its goals.

(2) The department did not adequately assess veterans’ needs in preparing its strategic plan.

(3) The department’s strategic plan does not specify how goals will be met, lacks adequate measures for assessing progress, and does not always specify how the key needs and concerns of the veteran community will be addressed.

(4) The department’s Veterans Services Division’s action plan designed to meet the strategic plan’s goals lacks specifics and is not effective in measuring progress. Moreover, the action plan does not align with the department’s strategic plan.

(5) The department has not followed key monitoring procedures suggested by its strategic plan to assess its progress.

(b) The Legislature also finds and declares the following:

(1) Women veterans are at higher risk than male veterans for developing mental health conditions, especially younger women.

(2) Military sexual trauma (MST) is widespread. While serving in the Armed Forces, an estimated 20 to 48 percent of women veterans were sexually assaulted and up to 80 percent experienced sexual harassment.

(3) Women veterans with MST are more likely to experience other mental health conditions. Studies indicate that women are twice as likely as men to develop post-traumatic stress disorder (PTSD), and women typically experience more, longer lasting symptoms than their male counterparts. These symptoms are often accompanied by physical problems.

(4) Women serving in the Armed Forces are also experiencing an increasing number of traumatic brain injuries as a result of exposure to combat conditions.

(5) Depression is a major problem for women veterans, and substance abuse is common among women veterans being treated for depression or PTSD.

SEC. 2. Section 65 of the Military and Veterans Code is amended to read:

65. The board shall consist of nine members who shall be appointed by the Governor subject to the confirmation of the Senate.

SEC. 3. Section 66 of the Military and Veterans Code is amended to read:

66. All members of the board shall be veterans as “veteran” is defined in Section 18540.4 of the Government Code. One of these members shall also be retired from the active or reserve forces of the United States military service. One of these members shall also be a resident of a California veterans home. At least two of the members shall be women. This section shall not be construed to prohibit a member of the board who does not meet these requirements from serving the remainder of his or her term.

SEC. 4. Section 66.5 of the Military and Veterans Code is amended to read:

66.5. (a) One member of the board shall have substantial training or professional expertise in mortgage lending and real estate finance.

(b) One other member of the board shall have substantial training or professional expertise in geriatrics, gerontology, or long-term care.

(c) One member of the board shall have an accounting or auditing background, and preferably shall be a certified public accountant.

(d) One member of the board shall have substantial training or professional expertise in mental health counseling, preferably in the areas of posttraumatic stress disorder, military sexual trauma, or both.

(e) One member of the board shall have a degree in health care administration or shall have experience in the financial management of health care facilities.

(f) Nothing in this section shall be construed to prohibit any member of the board from serving the remainder of his or her term.

(g) The first vacancy in the membership of the board, that occurs after September 27, 2002, and does not require the training or

expertise required by subdivision (a) or (b), shall be filled by the appointment of a member who meets the criteria required by subdivision (c).

(h) It is the intent of the Legislature to encourage the Governor, when making the appointments to the board, to consider a veteran with specific expertise in women veterans' mental and physical health issues.

SEC. 5. Section 84 of the Military and Veterans Code is amended to read:

84. (a) The secretary may, whenever he or she deems it advisable, and shall when required so to do by the board, present reports and recommendations to the board concerning any matter relating to veterans' welfare whether or not provided by existing law.

(b) Notwithstanding any other provision of law, the secretary shall not recommend or effectuate any policy change that would modify any veterans' program without first fully briefing the board regarding the effects upon veterans of the proposed policy change.

(c) For the purposes of this section and Section 700, "program" means the Veterans' Home of California, the veterans' farm and home purchase program, including any associated insurance programs, any veterans' education assistance program, and any other program or service offered or delivered to veterans by another state agency or department.

(d) "Policy change" for the purposes of this section means any proposed changes to the programs set forth in subdivision (c) that would directly or indirectly affect the eligibility of veterans to participate in, the affordability for veterans of, or the financial stability of, those programs.

Approved _____, 2010

Governor