SAN DIEGO COUNTY VETERAN ADVISORY COUNCIL
COUNCIL MINUTES
Office of Military & Veterans Affairs
5560 Overland Avenue, Suite 310, San Diego, CA 92123

June 9, 2018

Meeting held at Veterans Museum and Memorial Center in Balboa Park (VMMC) 9:30 AM

MEMBERS PRESENT:
Helen Horvath, Chair, Member at Large; Anthony "Tony" Stewart, District 1; Ted Kagan (Vice-chair), District 2; Tony Teravainen, District 3; John Weaver, District 4; Oscar Gomez, District 5; Jesse W. Robinson Jr., Member at Large

OTHERS PRESENT:
Wil Quintong, OMVA Director

EXCUSED MEMBERS:
Karolyn Smith, Member at Large
Nancy Owen, Member at Large

1. Call to Order
The Veterans Advisory Council (VAC) meeting was called to Order by Dr. Helen Horvath, Chair at 9:35 am.

2. Pledge of Allegiance
Led by Oscar Gomez

3. Introductions

4. Approval of Previous Meeting Minutes
There was a motion by Ted Kagan to approve May meeting minutes. Motion seconded by John Weaver and passed by all.

5. Chair's Report/Remarks
Helen attended the Alzheimer's Care Group under the County's Alzheimer Care Project meeting in June. Several County Supervisors are involved in the Alzheimer care project. The Chair and Secretary have been attending the OneVA Community Action Board meetings. The issues associated with Veteran Alzheimer Care has been discussed at the OneVA CAB. The question remains regarding increased availability for Veterans to receive memory care services within a secure facility such as the Chula Vista Veterans' Home where memory care is limited for inpatient care. The VA does have neurological services available for routine neurology matters. This is an important issue to the Veteran population due to the estimate that by 2030, 36% of the county population, 55 years and older, are anticipated to have some form of dementia or Alzheimer's. By 2030 $58 billion dollars will be the cost annually for care for Alzheimer's Disease and dementia. The Care Group and County are actively working to determine the root

cause of the diseases by examining genetic and biological factors and potential markers. There are gaps in service for in-home and assisted living facility care for lower income families. There has been approximately $1.2 million dollars that is anticipated to provide respite care including a 50/50 voucher program. Alzheimer's care issues are concurrent with TBI, dementia, and long term care for the veterans.

6 – Reports

Legislative
Tony Stewart will the next major report next month.

One VA
Helen attended the One VA meeting. Major topic was DoD and VA Transition Assistance Program under the VOWS Act. DoD has primary oversight of the program. Within the program are duplications of responsibilities. This includes the contract award to Booz, Allen, Hamilton (BAH) for an approximate annual cost of $46M to the Veteran's Administration. VA's program is a 4 to 8 hour program relating to benefits. DOL awarded Inverness Technologies, Inc. a $14.7M annual contract in March 2018. The DOL course replicates the course content facilitated through the various services. It is estimated that the VOWS Act programs cost the government over $200M annually. Under the National Agreement with the VA, organizations who provide service officers are not paid by the VA to work with disabled veterans. This creates issues when a service agency is not able to meet payroll or other obligations.

Healthcare Discussion. At the OneVA CAB, the VA staff discussed the statistical data relating to medical care and also claims processing. The healthcare report was very confusing and geared towards VA staff's understanding. The Interim Director of the VAHS stated they would create a better presentation tool for the dissemination of information to the public. The question turned into a discussion of how to improve quality of care for the veterans. This led to a discussion during the Council meeting regarding the VA's requirements for reviewing or not reviewing patient's non-VA medical records during the VAC meeting that was also brought up to the VA through CAB.

Veteran's Health Records and Care. The discussion began by asking 'Why are all veteran records not requested from the veteran in order to establish a historical record of care?'

- When submitting a claim, a veteran must become their own advocate. This begins by presenting both military and civilian records for medical review. All records count towards the claim process.
- Some VA doctors will not read outside records. They focus on Choice, VA, and DoD records. VA should ask for ALL medical records in order to provide the VA with background and ensure that all illnesses are treated.
- Veteran's military and family member health and personnel records are stored in National Archives. The VA has access to these records; yet, it is in the best interest of the veteran to request the records and maintain those records in a safe location for reference. The National Archives will provide assistance to ensure that the records are found and copies are sent.

- Currently the VA has no policy to require review of non-DoD, Choice, or VA medical records. This can become a financial risk for the VA and also an optics issue if a specific care issue in the provided records are not addressed during the history and physician intake by a new physician or into the VA. If a patient dies or becomes ill with a specific related disease and the doctor does not know of the disease or civilian medical history, it can become a liability to the VA Healthcare System.
- During the discussion, it was suggested that Veteran Representatives work with the clients to incorporate all military and civilian medical records into the claims process. This includes a review of the clients' historical medical records from all sources if authorization is provided to the representative or agency through a power of attorney or similar document.
- John Weaver states VA will not make additional review of records. The medical care with Veterans Health Administration, practice medicine. The Veterans Health Administration does not speak to the Regional office. The Veteran Benefits Administration practice law and they are the ones processing claims. The Veteran Benefits selectively read documents depending on who is assigned to the case, although they do not read all veterans management records system.
- It is imperative when a veteran is filing a claim, for the veteran to go through the hard copy of medical records and highlight conditions and make copies of the condition and fax information to Janesville, Wisconsin either through their representative or through the Member Services Office at the VA. The records are then scanned in VA's claim system with the hope that the VA entire claims and medical records are reviewed by the claims staff assigned to process the claim.
- Community input and Information is a focus on the culture of the VA. The claim reviewers are not doing a thoroughly job because they have a specific quota for the number of cases worked on per day. The record monitoring system requires the employee to take shortcuts taking the employees into providing just enough to complete their work.
- Duty to Assist. The VA has a legal responsibility to provide assistance in the completion of a claim. This includes providing information in order to complete "discovery" of facts and situations that led to the potential VA disability under Title 38. Examples include informing veterans to review their medical records or provide information from the National Personnel Records Center that verifies that a person mentioned in the claim was in the military unit. Examples of this type of documentation include orders with the individual's name and unit (e.g. promotion orders with the claimant and person who was in the military unit); records that demonstrate behavioral or medical markers; or names of individuals who can provide a nexus between the incidents into the veteran's current health or mental health state being claimed.
- It is important to educate the community on what the veteran needs to submit and where to obtain records for claim. Issues are not discussed.
- People/Veterans are sometimes clueless about what it actually takes to file and obtain a benefits award and the documentation required to be granted the award.
- The Chair would like to work with OMVA to create an article to educate the community to inform on the steps to gather the required claims support information and how a veteran can connect existing conditions.

- There are plenty of POA that are not as efficient or as effective nor as meticulous. The VFW, DAV, Purple Hearts, are not accredited by National, by the CA Department of Veterans Affairs. County VSR's are accredited through National by the CA Department of Veterans Affairs.
- As part of the claims process, the Council discussed factors associated with Equitable Relief. This is a process that is an administrative procedure that can be attempted in order to overturn a denial of a claim. The process is generally accomplished if a claim is not approved by the Board of Veteran Appeals (BVA) and the veteran has a standing based upon equitable tolling. Under the Equitable Relief regulations, the VA has the same duty to assist as in the standard claims process to inform the claimant on what is needed and how to find the information. The Equitable Relief is researched by the regional office and approved by the Central Office at the VA by the Secretary of the Veteran Administration. As this is not a typical protocol, many VA call center operators do not know of the administrative procedure.
- Camp Pendleton does a good job in helping with filing claims.
- How can we advise our Board of Supervisors and what can we do to boost the Veterans Office Affairs into having more staff to share the information regarding advocating for own self?
- Veterans are being entered to the VA system with healthcare records and the civilian medical records are not reviewed. The lack of not reviewing the civilian medical records gives the VA the excuse that they didn't know a veteran had an existing condition.
- What information can the board take to District Supervisors?
- The Board recognizes issues. How can we help? The rules will be defined by the By-laws
- The Board will create a unified statement and put as agenda item for July.
- Wil added for veteran's claims and records outside the military, it is incumbent that the veteran goes to their private doctor and obtain the information/records to support their claim.
- OMVA staff attended a training conference in Reno on June 2018, 3 of them received accreditations through National and CDVA.
- There are plans to open a 3rd MVRC office in Oceanside near VA Clinic and plans in 2019 to open MVRC in South East near Jacob Center.
- LA County has 27 VSR's with a population of 280, 000 veterans.
- SD County has 12 VSR's with a population of 237, 000 veterans.
- Wil Quintong, Director, attended a Leadership Summit and the topic was about "One Stop Shop Offices" that are projected to begin in Los Angeles County. Many counties have begun to replicate this model of the One Stop Shop.

Veterans Home

- Golf Tournament fundraises for quality of life a record setting golf tournament of $27K profit.
- Founders Day was a success, residents, families, and kids enjoyed the event. There were 35 volunteers that assisted with this event. A photographer started going to the Veterans Home 3 months prior to the event to take pictures of WW2 Veterans. Tony Stewart recommends all to go to the Veterans Home and see the photos by the pillars in the entrance.

- Currently there is 302 beds occupied out of 305 beds.
- Next CVVH quarterly meeting scheduled for Monday June 1, 2018.
- Tony Stewart with US Warriors has a major project every year. This year US Warriors will be redoing the golf putting green. They plan to go through each putting green in the golf area to refurbish them with a planned completion period of September 2018.
- All the residents have the opportunity to share their story. A lot of the veterans choose not to share. Tony Stewart encourages and invites all organizations to have a meal with residents and to have some interaction. Every couple of months different organizations come and enjoy lunch with the remaining 301 living WW2 veterans; they have audio, video, written recordings. Creation of living history is important.

San Diego Veterans Coalition (SDVC)

Wil shared that the new president for SDVC is Ron Stark. Ron was at the CalVet leadership event. SDVC members brief the State CalVet on projects and collaborations that are in existence and forth coming in San Diego. Tony Teravainen from STEP presented, Ron Stark for MHS presented and Ray Flores from OMVA presented. Randy from Courage to Call presented on the San Diego collaboration on how it is impacting the county. SD United was dominated by San Diego County. Secretary and the Deputy Secretary of CA Department of Veterans Affairs mentioned and acknowledge San Diego as the model for other counties. SDVC is supported and has continued to thrive in the community.

Office of Military & Veterans Affairs (OMVA)

- Live Well 5K will be on July 29, 2018 at the County Administration Center (CAC). The theme will be "Everyday Heroes." An entire segment of Military and Veteran participants will be available. All branches of service will have a recruiting representative. The medical center will have a large resource table. There will be a child friendly section and a child friendly run.
- The planning of November 9, 2018 Veterans Forum in the North Inland Live Well Center has begun. This will be Supervisor's Bill Horn's last forum. The theme is Vietnam Veterans. OMVA has a 5- year campaign commemorating Vietnam Veterans in partnership with the federal government. Also, the Marine Corps' birthday is celebrated the same day as the forum. District 5 is sponsoring the forum.
- New VSR hire, Ana Macre, will be coming onboard with OMVA. Ana has prior experience and used to file claims in the Chula Vista Veteran Home.
- The Grand Opening of the North Coastal Live Well Health Center in Oceanside. OMVA will be the only county entity in the building. The building is housing well known Non-Profits like National Alliance of Mental Illness (NAMI). The OMVA has partnered with 12 Non-Profits for the Oceanside center.
- The county is planning for an OMVA office in South East on the proposed Rosecrans property. The OMVA office will be part of the Live Well Campus within the planned 5-years period.
- Supervisor Greg Cox is diligently working to resolve the factors associated with the need for a memory care unit in San Diego. Possible solution proposed include the previously discussed increase of memory care services and an expanded unit by the VA. This alleviating funding the care by the county while the VA continues to care for the aging veterans with memory care issues.

- Wil instructs Tony Stewart to keep dialogue with Supervisor Greg Cox about the Veterans Home.

7. - Unfinished Business

By-Laws & Procedures Manual

- Tony Stewart discussed the need for a collaborative effort to complete the Council's Procedures Manual.

- Tony Stewart informed the Council that Nancy Owens and Tony Stewart are working together and will update the council regarding their progress and next steps.

- There was some confusion when County Counsel reviewed the by-laws in May 2018. The comments received from Council did not match the actual document. This is a result of the review of the track change document not the approved version of the new by-laws. Mr. Quintong recommended to County Counsel that the approved version be approved. There were some comments regarding the Brown Act and the fact that the Brown Act does not permit teleconferenced meetings. The language must fit the verbiage required within the Brown Act.

  The goal was to insert the use of the teleconferencing when a member was not physically able to attend. The approved by-laws on page 7 states "meeting participation can be done electronically and by teleconference", this was placed in the by-laws as a result of CalVet staff in 2017 announcing that they held telephonic meetings. The goal of the by-laws review is twofold –

  1. Modernization of the processes and procedures – current by-law procedures require that the Council send out hard copies of meeting announcements via US Postal Service not email and
  2. Ensure that the Council is able to meet quorum to conduct business.

  The by-law changes were a result of the historical factors of high turnover in the Council, lack of meeting quorum, and inability to attract high quality Council members who would stay the course for their term. There were no term limits or other key managerial factors within the Council. The updated by-laws improved upon the processes and systems within the Council.

  Current council members provided additional examples of the use of tele-conferencing for County business. It was pointed out by Oscar Gomez that as a member of the Child Abuse Prevention Coordinated Council, he participated in tele-conferences as part of Council business. Wil stated he does not think County Counsel is oppose to the use of teleconferencing; yet, the Language needs to fits with the Brown Act.

- The Chair and Mr. Quintong will speak to County Counsel in order to coordinate a solution based upon the February 24, 2018 approved by-law revisions once this is completed to get on the same page. Once the County Counsel provides legal input, the information will be presented to the SDVAC for any revisions and then a final vote.

- The Chair requested authorization from the Council to make minor changes to the by-laws. After discussion the issue was tabled until July 2018 after County Council completes the review of the master copy to ensure that the verbiage meets the Brown Act requirements.

- The Chair stated that according to the Clerk of the Board of Supervisors (BOS), when the Council summits the By-laws to the Board of Supervisors the issue is between the BOS and the SD VAC. The OMVA County Council will provide a courtesy review for any legal loopholes or issues. County Council is not changing the by-laws, rather, they are providing legal input relating to the Brown Act and other relevant regulations.

- The Board of Supervisors will also make recommendations for change to the by-laws as part of the approval process.

- The SDVAC will schedule a re-vote on the final product if there are any changes requested by County Council.

- VAC spent 5 months rewriting decades of By-laws. Original By-laws were written in 1988.

- Tony Stewart recommended that the final copy should be sent to all Council members for consideration and approval through a voting process.

- The Chair and Mr. Quintong would like to do a tele-conference call with County Council to review the by-laws line by line.

- The delay in concurrence by County Council will delay the Board of Supervisors approval as it was supposed to be completed by July 1, 2018. This will delay the process by about four to six weeks.

- The Chair requested contact phone numbers for Oscar Gomez and Tony Teravainen who provided the information.

- The Chair reminded everyone that they have six months from a council meeting date to submit a reimbursement mileage form for payment.

- The onboarding orientation packets that is part of the Procedure Manual is tabled until the by-laws are approved by County Counsel.

- Creating Council vision is tied to the revised by-laws and the procedure manual, this will be tabled for next meeting.

- Once the by-laws are approved the Council goal will be to go to a bi-monthly meeting schedule with working groups.

9 – New Business

Stand Down June 29 – July 1, 2018

- Tony Stewart has 250 volunteers from US 4 Warriors. Feel free to sign up Warriorsvolunters.org security, escorts and other volunteers needed.
- 900-1200 veterans are present yearly.
- Tony recommends that all attend Stand Down event, get a picture of what is offered and the magnitude. All types of voucher programs are present.
- What can the VAC do?
- Stand Down is a homeless initiate and needs support level.
- Who is POC to get on the list for Stand Down? Darcy Pavich needs specifics of what an organization does for the veteran.
- Any service you can think of will be available or someone there that can refer, if not provide it.

Homelessness

- The Chair requested that the VAC consider potential avenues addressing homelessness issues that would help the Board of Supervisors and the work that the Council is charged to complete.
- What support level is a veteran able to obtain throughout the year and then at Stand Down?
- The Chair reintroduced the psychological factors associated with homelessness and the psychological factors that lead a person to be homeless. These factors are tied to the needs of the Veterans utilizing Maslow's Theory – Hierarchy of Needs that is a five step of actualization. Basic needs, emotional needs, physical needs and safely needs are critical to function. People can be working on physical needs while still attempting to meet basic needs in order to obtain food, clothing, or shelter.
- There are many changes with today's homeless veterans vice the past decades. Homeless today have different needs than a decade ago. John Weaver stated there is a growing concern about families and children that are homeless.
- Oscar Gomez, operates and manages the Head Start Programs in North County with the MAC Project.
- MAC Program includes housing programs in South Bay for low income individuals and families.
- Oscar recommended that the VAC collaborate with other councils and volunteers to share information to create a connection between the various Councils and Boards in order to find solutions to homelessness.
- Oscar volunteered to search for active councils that the Board can network with to assist with the homeless issues.

9 – Closing Remarks

- The Chair requests to have closed door meeting next month to finish on the remaining By-laws if completed by County Council timely. Also to work on finishing the procedural manual.
- Tony Stewart will supply the legislative report in advance.

Meeting Adjourn @ 11:15 am