

The Military - Veterans Coalition of Indiana 2020 Legislative GOALS V6

1. IC 4-30-3-20.5: Directed use of Lottery gaming proceeds for county veteran service officer (CVSO) salaries.

Synopsis: Require the state to adopt rules and direct lottery proceeds be used for funding county veterans service officers salary. Currently every county is required to have an accredited CVSO. This requirement means a CVSO must work at least 1000 hours a year. All counties shall be funded for this. Additionally, require counties with veteran population exceeding 5,000 to add an additional half staff (20 hours a week work) CVSO for each 2,500 additional veterans in that county. Funding for these positions would come from the existing gaming proceeds by establishing a dedicated \$4 million in a fund similar to that which happened for the Teachers Retirement Fund or the Public Safety retirement Fund. The funding actions should be via block grants to the counties. Any unused portion of this fund would revert to the Military Family Relief Fund.

Rationale: *Revenues from the sale of lottery tickets could be used to fund veteran service officers required by Indiana state law. Additionally, several counties are inadequately staffed to handle the number of veterans in the county. This change in law would insure adequate funding and staffing of county veteran service officers. Counties shall have one accredited CVSO (working at least 1000 hours). Additionally, any county having over 2,500 veterans in their county shall have an additional half person (If a CVSO is currently working half time they can be changed to full time to meet the requirement of serving 5,000 members.*

2. IC 10-17-XX: 21st Century Veterans Support.

Synopsis: Require County Veteran Service Officers, City Veteran Service Officers, District Veteran Service Officers to be initially accredited by the National Association of County Veteran Service Officers (NACVSO).

Rationale: *Several County / City service officers do not become accredited, retain their accreditation, or retire and must be replaced. Initial training and getting replacements up to speed is crucial to the success and support of veterans who need assistance. Current initial Veteran Service Officer training does NOT insure that these critical individuals have received and demonstrated via an objective national test that they are fully trained and capable of developing a "fully developed disability claim" on behalf of the veteran they are serving. This results in CSVOs having their work reviewed, corrected, and submitted by other Veteran Service Officers who were trained to this national standard.*

3. IC10-17-12. Fix the eligibility criteria to the Military Family Relief Fund.

Synopsis: All Reserve and National Guard who have served at least 365 days of cumulative service (active, Reserve or Guard or any combination of same). All Active Duty service members who have Indiana as their state of residence when entering the service AND retaining Indiana as a state are eligible; and have served for 365 days of cumulative service. All Hoosier Veterans who are residence of Indiana (residency being determined as living in Indiana for at least 365 days and having served a cumulative of at least 365 days and have discharge documents identifying their character of service at anything other than dishonorable). A person from another state who has served in the armed forces of the United States of America becomes a Hoosier Veteran when they reside of Indiana for at least 365 days and having served in the armed forces of the United States Of America a cumulative of at least 365 days (not only active duty but active, Guard, and Reserve) and have discharge documents identifying their character of service at anything other than dishonorable). Additionally, eliminate the requirement of serving in time of conflict or war.

Rationale: *This clarifies any interpretation issues that have occurred and insures clear understanding of the law.*

4. IC21-14-4: Veteran Higher Education Assistance Matters.

Synopsis:

SECTION 1. Limit duration of tuition remission to undergraduate degree programs separately from any other tuition remission programs.

SECTION 2. Provide children of all service connected disabled veterans full remission of fees at any State supported post secondary school or university in the State of Indiana.

Rationale:

- *Today many students can and do receive college credits while still in high school. When they apply for state financial assistance they are awarded 128 hours of schooling yet they do not need all 128 hours to receive a bachelor's degree. The unused hours then are used for Masters Programs. We believe this should NOT be allowed. If Indiana wants to fund Masters Programs then students should apply separately for such a course of education. ALL state assistance should be the last source of assistance used and any unused should be reverted to the state to assist other students; this should include funds designated for the Indiana National Guard.*
- *The current law changed the assistance for dependence of disabled veterans. As the law reads today any service member who joined the Armed Forces prior to 2012 are grandfathered to receive 100% assistance. A person joining in 2012 or later is subject to the current law which uses a formula of discount of 20% discount plus the disability rating of the disabled veteran parent disability rating.*
- *Most individuals joining the military are below the age of 25 and thus have no dependents old enough to go to college and thus all payments made to date are of the 100% discounted law.*
- *Returning to pre-2011 criteria eliminates future issues that include two "classes" of Hoosier Veterans; those who served since July 2011 is discriminatory and devalues those who serve today and in the future.*
- *Currently the VA medical claims processing system does not provide timely decisions for veteran's disability claims especially when appeals are sought. Appeals can take up to five (5) years. The dependent could attend and graduate only to find out that they parent's true disability was higher and they paid more than they should have. Additionally these students and/or their parents could have thousands of dollars in loans to pay back.*
- *State College professors' kids get free tuition—they deserve it more than veterans?!!*

5. IC21-14-4: Reserve Higher Education Assistance Matters.

Synopsis: Create a Reserve Tuition Supplement Program to include Indiana Reservists like the National Guard has. Tuition Supplement Program should focus on STEM and education degrees.

Rationale:

- *The Reserve Forces in Indiana continue to be re-station units to other states. Indiana had approximately 11,000 positions in the Reserves; today this number has declined to about 6,500. This is lost jobs in Indiana and it is lost state revenue that these units and reservists contribute to the state. The only reason for this decline is Indiana's inability to fill the positions available in these units. This makes these units NON-deployable or at a low readiness status. The National Guard has enjoyed being over 100% strength for over 20 years while the reserves have averages at about 70%.*
- *Loosing Reserve Units impacts local businesses that do things like janitorial, maintenance, construction, equipment repair and replacement. It also puts Indiana at a disadvantage when DOD-Reserves let contracts as the perception is Indiana doesn't support the Reserves.*
- *More scholarships will focused on STEM and education will help fill jobs in career fields with shortages. This should be of interest to grow Indiana's economy.*

- *The Chief of Staff of the Army published a letter of direction indicating the Army, National Guard and Army Reserve will be growing in the near future. Indiana has lost thousands of Army Reserve positions and units since 1990. The main reason for this loss is lack of unit strength. The Indiana National Guard has grown in units and number of spaces over the same period. The ONLY reason for the difference is the state supported college scholarship support. Indiana has lost over \$50 MILLION annually in this Army Reserve downsizing. Reserve Centers have closed throughout the state; contracts for services were lost, additional income to Hoosiers was lost, and facilities have closed.*
- *No other state offers Reserve Units a recruiting scholarship program like the National Guard gets.*
- *The federal government does not have a unique equal program to the National Guard Education Program.*
- *The Indiana National Guard continues to operate between 104% and 114% authorized strength since 1990. The Army Reserve has varied between 70% and 85% during the same period.*
- *State College professors' kids get free tuition—they deserve it more than veterans?!!*

6. IC 6-1.1-12-14: **Veteran Property Tax Matters.**

Synopsis:

SECTION 1. Exemption for Surviving Spouse of Service Member killed in Action, Dies While On Active Duty, or receives Dependency Income Compensation (DIC).

SECTION 2. Exemption of real property used and owned as homestead by disabled veteran or individual described as individually unemployable by the federal Department of Veterans Affairs regardless of their service connected disability rating.

Rationale:

- *Surviving spouses could have financial hardships and should be granted this exemption as a measure of gratitude from the State Of Indiana for their loss. Individual and spouse must be Indiana residents.*
- *Some counties provide property tax credits at 100% for veterans who are classified as “INDIVIDUAL UNEMPLOYABILITY” even though their disability rating is not 100%. Other counties are only recognizing the disability rating which must be at least 70% to be classified as individually unemployable.*

Language:

- (1) Real property used and owned as a homestead by a disabled veteran who was discharged from the armed forces of the United States under honorable conditions or by an individual described in subsection (2) is exempt from the collection of taxes under this act. To obtain the exemption, an affidavit showing the facts required by this section and a description of the real property shall be filed by the property owner or his or her legal designee with the supervisor or other assessing officer during the period beginning with the tax day for each year and ending at the time of the final adjournment of the local board of review. The affidavit when filed shall be open to inspection. The county treasurer shall cancel taxes subject to collection under this act for any year in which a disabled veteran eligible for the exemption under this section has acquired title to real property exempt under this section. Upon granting the exemption under this section, each local taxing unit shall bear the loss of its portion of the taxes upon which the exemption has been granted.
- (2) If a disabled veteran who is otherwise eligible for the exemption under this section dies, either before or after the exemption under this section is granted, the exemption shall remain available to or shall continue for his or her un-remarried surviving spouse. The surviving spouse shall comply with the requirements of subsection (1) and shall indicate on the affidavit that he or she is the surviving spouse of a disabled veteran entitled to the exemption under this section. The exemption shall continue as long as the surviving spouse remains un-remarried.
- (3) As used in this section, "disabled veteran" means a person who is a resident of this state and who meets 1 of the following criteria:

- (a) Has been determined by the United States department of veterans affairs to be permanently and totally disabled as a result of military service and entitled to veterans' benefits at the 100% rate.
- (b) Has a certificate from the United States veterans' administration, or its successors, certifying that he or she is receiving or has received pecuniary assistance due to disability for specially adapted housing.
- (c) Has been rated by the United States department of veterans affairs as individually unemployable.

7. IC xx.xx.xx: The Honor and Remember Flag Act.

Synopsis: Requires state and local government to fly the Honor and Remember Flag during the month of May.

Rational:

- *To get rational from other states.*

8. IC xx.xx.xx: Indiana Heroes Home Loan Program

Synopsis: Active duty, veterans, Guard/Reserve members, and surviving spouses who are Indiana residents may be eligible for the Indian Housing Finance Agency (IHFA) Indiana Heroes home loan program which offers mortgage loan interest rate discounts. These loans are for single-family primary residences and have income and price limits, which may vary by county. This program operates via a list of participating lenders, and you may have to shop around to find a lender offering Indiana Heroes incentives. FICO score and credit history requirements will apply. Read more: <https://militarybenefits.info/ohio-veterans-benefits/#ixzz5rPbBgtgv>

Rational:

- *To get rational from OHIO.*

9. IC xx.xx.xx: Ending Hoosier Veteran Homelessness.

Synopsis:

Section 1. Provide one full time staff person to lead a Hoosier Veteran Homelessness Task Force to design, coordinate, and execute plans to manage the entire state problem—working with federal, state, county and other entities.

Section 2. Modify existing IC to include Hoosier Veterans and not just Veterans as qualified by the federal VA grant programs.

Section 3. Also provide property tax credits for Landlord/Property Owners/Managers who house Hoosier Veterans that are connected to the VA or Veteran Organization.

Rationale: *The goal is to end Veteran homelessness in the State of Indiana. Many organizations operate in the state and within various agencies of state government, county government yet there is no coherent plan to reach the goal. Other states have been successful and Indiana is among the worse in the nation by WalletHub analysis rating of the 100 largest cities in America.*

Additionally, one of the difficulties in reaching this goal is the lack of safe and affordable housing for Veterans experiencing barriers such as history of eviction, felonies, low-income, etc... Some of these barriers are the results of the Veteran's difficulty in transitioning to civilian life.

Housing is a basic human need. One cannot hold a job; provide for their family; be healthy both physically and mentally; recover from trauma; and to simply survive.

This proposal is to incentivize landlords/property Owners/managers to collaborate with the VA to end Hoosier Veteran homelessness. The VA already fund programs to house homeless veterans and support them while working toward being a stable member of society such as the Supportive Services for Veteran Families (SSVF), the Gran Per Diem (GPD), and HUD-Veterans Affairs Supportive Housing (HUD-VASH). Some Hoosier Veterans as defined in Indiana Code do NOT meet the federal standards and thus are NOT supported by the programs identified above. Unfortunately, the funds from these programs do no good if landlords/property managers won't take a chance on our Veterans.

If this legislature passes, it can lead to ending homelessness; reduce the unemployment rate; boost the local economy; lower crime rates; lower the use of emergency services; and set the precedence for the country to follow suit.

BILLS FOR THE OFFICE OF THE SEC. OF DEFENSE DONE BY COALITION

1. IC xx.xx.xx: Admission of nonresident pupils; active military duty (OSD INITIATIVE):

Synopsis: a. Notwithstanding any other law, a pupil complies with the residency requirements for school attendance in a school district if the parent of the pupil is transferred to or is pending transfer to a military installation within this state or stationed at a location directed by the Department of Defense while on active military duty pursuant to an official military order.

b. A school district shall accept an application for enrollment and course registration by electronic means for a pupil who meets the requirements prescribed in subsection a of this section, including enrollment in a specific school or program within the school district.

c. The parent of a pupil who meets the requirement prescribed in subsection a of this section shall provide proof of residence to the school district within ten days after the arrival date provided on official documentation. The parent may use the address of any of the following as proof of residence for the purposes of this subsection:

1. A temporary on-base billeting facility.

2. A purchased or leased home or apartment.

3. Any federal government housing or off-base military housing, including off-base military housing that may be provided through a public-private venture.

d. For the purposes of this section:

1. "Active military duty" means full-time military duty status in the active uniformed service of the United States, including members of the National Guard and the State Military Reserve on active duty orders.

2. "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship or other installation under the jurisdiction of the United States Department of Defense or the United States Coast Guard.

Rational:

- *About 185 thousand military children move between schools annually, and as a result, may potentially miss their registration date. As a result, they may have to shift their planned courses of study, which may require them to take courses in summer school, or even force them to graduate later than their peers.*
- *Military families transferring on official military Permanent Change of Station (PCS) orders are not eligible to register in courses, enroll in specialized academic programs, or submit their children's names for consideration in random lotteries for charter or magnet school entry until they are physically located within district boundaries.*
- *Military service members are routinely reassigned to new duty stations on three to four-year rotation, most often in the summer, due to mission and training requirements. Families moving during this timeframe typically receive military orders, detailing destination and timeframe for arrival, in early to mid-spring.*

- *When children of military families move as a result of their parents' service, they are disadvantaged due to missed deadlines for course and program enrollment and/or registration, which usually occur in the spring.*
- *When military students know which school they will be attending and their class schedules in advance of arriving to school, they and their families are provided with a sense of comfort, relieving unneeded stress during their transition between locations.*
 - *Remote enrollment is intended to help ease some of the challenges faced by military pupils, not offer an advantage or priority over other students.*
- *No new online systems are required, and there is added benefit to school districts by reducing the need for districts to make projections regarding their student population.*

2. IC xx.xx.xx: Sustain in-state resident status until enrollment (OSD INITIATIVE):

Synopsis: If that member of the Armed Forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution, (1) is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, or (2) is thereafter retired as an active member of the Armed Forces of the United States, the student dependent shall not lose his or her resident classification so long as he or she remains continuously enrolled at that institution.

Rational:

- *"Out-of-State" or non-resident tuition is often 2 to 3 times that of "in-state" tuition. A change in status before enrollment places the student in a situation where they must find another college at the last minute or pay higher tuition.*
- *States can alleviate this stressor on the family by allowing a spouse or child of an active member of the armed forces who is assigned to duty out-of-state, and has received a letter of acceptance, to be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning as long as the spouse or child enrolls and remains continuously enrolled.*
 - *Five states, Arizona, California, New Mexico, Texas and Virginia have existing language that would accommodate this action.*
 - *Most states grant in-state status while the service member is assigned in the state.*
 - *Many state statutes/policies use terminology such as, 'enrolled' or 'continuously enrolled' rather than accepted.*

Bills others would lead that the Coalition would support:

1. IC xx.xx.xx: Prescription Drug Cost Affordability Act

Synopsis: Requires companies to give 60 days' advance notice before raising the price of a drug, and to allow prescription drugs to be imported from Canada. Also, caps copayments of the lifesaving medication at \$100 a month for insured patients, regardless of the supply they require.

Rational:

- *Prescription drugs continue to increase up to 10 times the rate of inflation and older veterans cannot afford their purchase leaving them choices that to stop taking these medications and suffering the effects to include committing suicide, hospitalization, eviction, and homelessness. Requiring advance notice of pricing increases could help put the market back into balance.*
- *Canadian standards are on par with those of the United States. The real benefit comes from the savings. "Prescription drugs that are sold in Canada - and these are basically the same, exact product - are much, much less expensive," he said. "They could be as much as 80% lower, but something like 30% to 50%*

lower in price is pretty typical." Per Mark Griffith, a health-care advocate with the consumer group OSPIRG.

- *The price of the drug in the U.S. has increased exponentially in recent years. Between 2002 and 2013, it tripled, according to 2016 study published in the medical journal JAMA. It found the price of a milliliter of insulin rose from \$4.34 in 2002 to \$12.92 in 2013. And a March report from the House of Representatives, found "prices continued to climb, nearly doubling between 2012 and 2016." Dramatic price hikes have left some people with Type 1 and Type 2 diabetes who use insulin to control their blood sugar levels in the unfortunate position of making dangerous compromises. They either forego the medication or they ration their prescribed dose to stretch it until they can afford the next prescription. In some instances, those compromises can lead to tragedy. As NPR reported, an uninsured Minnesota man who couldn't afford to pay for \$1,300 worth of diabetes supplies, died of diabetic ketoacidosis, according to his mother. The man, who was 26, had been rationing his insulin.*
- *The move in Colorado comes on the heels of recent commitments by manufacturers to limit the drug's cost to consumers, which in turn comes on the heels of mounting pressure (and some skewering) from elected officials. Following a U.S. Senate Finance Committee hearing in February and a subcommittee hearing in the House in April, pharmaceutical company leaders have reluctantly admitted they have a role to play in reducing drug prices. Last month Express Scripts, one of the largest pharmacy benefit managers in the country, announced it is launching a "patient assurance program" that will place a \$25 per month cap on insulin for patients "no matter what." In March, insulin manufacturer Eli Lilly said it will soon offer a generic version of Humalog, called Insulin Lispro, at half the cost. That would drop the price of a single vial to \$137.35.*
- *"These efforts are not enough," Inmaculada Hernandez of the University of Pittsburgh School of Pharmacy tells NPR, of the latest legislation in Colorado. Hernandez was lead author of a January report in Health Affairs attributing the rising cost of prescription drugs to accumulated yearly price hikes. While the Colorado out-of-pocket caps will likely provide financial relief for diabetes patients, she noted "the costs will kick back to all of the insured population" whose premiums are likely to go up as a result. "Nothing is free," Hernandez said. "It also doesn't fix the real issue," she added, pointing to her own research which found "that prices have increased because there's not enough competition in the market, demand will always be high and manufacturers leverage that to their advantage." [Source: NPR | May 24, 2019 ++]*

2. IC xx.xx.xx: The Responsible Vaping and Tobacco Use Act.

Synopsis: Requires purchasers of vaping, e-cigarettes, and tobacco products in Indiana be at least 21 years of age.

Rational:

- *Should the federal government fail to enact a bipartisan congressional plan to raise the federal minimum age to purchase tobacco from 18 to 21 won't include an exception for military members, despite past indications from top Senate leaders those plans would not include active-duty troops. On 29 MAY, Senate Majority Leader Mitch McConnell (R-KY) and Sen. Tim Kaine (D-VA) announced details of their new legislation, calling it a way to curb the "public health crisis" of teenage smoking. "When teenagers use tobacco, they are quite literally altering their brain's chemistry and making it more susceptible to addiction," McConnell said in a floor speech unveiling the idea. "It is our responsibility as parents and public servants to do everything we can to keep these harmful products out of high schools and out of youth culture."*

In an interview with the Herald-Leader on Monday, McConnell acknowledged that he had considered an exemption on the new age limits for military members, but dropped that idea after discussions with public health advocates. "We've had plenty of evidence ... that this is a public health problem of significant proportions," McConnell told the paper. He added that the military should not be "treated differently on a public health issue." Kaine said that "as the father of a marine and as a member of the Senate Armed

Services Committee, I feel strongly we should extend the same public health protections to members of the military as we do to their civilian counterparts.”

The National Survey on Drug Use and Health released last year found about 30 percent of veterans used tobacco products on a regular basis. Past Defense Department surveys have shown almost one-in-four active-duty members smoke on a regular basis. Both McConnell and Kaine come from states where the tobacco industry plays a major role in the regional economy. They said the goal is not to end tobacco use among adults, but to make sure that the product is being used in a legal and responsible way.

“E-cigarettes are the most commonly used product among the young, and they are frequently used in combination with other tobacco products,” Kaine said. “And the recent increase in use of tobacco products is heavily, heavily driven by the popularity of these cigarettes ... able to be shared with friends, sold in kid-friendly flavors with high nicotine content.” Already 13 states have passed laws raising the legal tobacco purchase age to 21. Of those, only two — Maryland and California — have exemptions for members of the military who are between 18 and 21 years old. [Source: Military Times | Leo Shane III | May 20, 2019 ++]