

CVSO Duties According to CA Code

CVSOs Generally

The board of supervisors of each county may appoint a person to serve as the county veterans service officer. In order to qualify for the position, that person must themselves be a veteran. MVC sec. 970(a)

The CVSO is to perform myriad duties:

- administer veterans' aid as provided in Military and Veterans Code
 - Investigate all claims, applications, or requests for aid in their area of operation
 - Perform any other veterans-related services as requested by the board of supervisors.
- MVC Sec. 970(b)

In performing these duties, the CVSO is to assist any qualified veteran or former member of the armed forces (or their eligible descendants) in pursuing aid provided to them by the United States.

MVC sec. 971

Originally, in 1989-1990, \$500,000 was appropriated from the General Fund to fund CVSO activities. MVC 972.1 In 2013, CalVet was tasked with developing a performance-based formula to determine necessary funding for each CVSO. MVC 972.1. Each individual CVSO is to provide metrics to the department showing the amount of new or increased benefits that office had directed to eligible veterans.

In 2012, the Military and Veterans Code was amended to note that “[t]he Legislature finds and declares that it is an efficient and reasonable use of state funds to increase the annual budget for county veterans service officers **in an amount not to exceed eleven million dollars (\$11,000,000)** if it is justified by the monetary benefits to the state’s veterans attributable to the effort of these officers. MVC 972.1(e)(1).

Duties

Benefits

Military and Veterans Code sec. 699.5(d) makes it clear that the duty of a CVSO is to be the key person in determining annually the amount of monetary benefits to be paid to eligible veterans and their dependants.

CVSO’s are also to aid the California Department of Veterans Affairs in recovering federal funding. Whenever CalVet determines that benefits paid are recoverable, the matter is to be referred to the appropriate CVSO for further processing.
MVC sec. 721. (*Amended by Stats. 2013, Ch. 186, Sec. 2. Effective January 1, 2014.*)

Burials

County officials are to make reasonable efforts to determine whether unclaimed remains belong to a veteran. Whenever there is reason to suspect that the unclaimed remains are those of a veteran, CVSO's may be contacted to help provide confirmation.

MVC sec. 951.5 (*Added by Stats. 2012, Ch. 722, Sec. 2. Effective January 1, 2013.*)

Whenever these unclaimed remains are in fact determined to belong to a veteran, the CVSO is to coordinate with the VA for proper identification and burial.

MVC sec. 955 (*Added by Stats. 2012, Ch. 722, Sec. 3. Effective January 1, 2013.*)

Reporting

Pursuant to MVC sec. 974, CVSOs are required to document and provide reporting metrics to CalVet annually. In doing so, the CVSOs are to document:

(1) The number of veterans and their family members who have contacted or utilized the services of the county veterans service offices during the fiscal year.

(2) The number of claims filed to achieve benefits such as pension, disability compensation, and health care on behalf of veterans and their dependents.

(3) The annualized monetary value of benefits received by veterans and their dependents as a result of the efforts of county veterans service offices, broken down by type of benefit.

(4) A summary of other services provided by county veterans service offices and special events and activities in which county veterans service offices participated, such as veterans outreach events, homeless veteran "Stand Downs," and job fairs for veterans.

(*Amended by Stats. 2012, Ch. 401, Sec. 4. Effective January 1, 2013.*)

Corrections Outreach

Welfare Code sec. 1840 tasks the Department of Corrections to develop guidelines in dealing with inmates who are veterans. These guidelines, in part, are to detail how to hand the administration of benefits to these veteran inmates. CVSOs are to coordinate with the Department of Corrections in developing and instituting these guidelines.

CVSOs are also to coordinate with inmate advocates in order to reach out to incarcerated veterans and help them pursue federal benefits. Penal Code sec. 2695. The CVSOs are also to work with soon-to-be released veterans in order to develop a plan to pursue benefits and avoid recidivism.

(*Added by Stats. 2014, Ch. 652, Sec. 3. Effective January 1, 2015.*)

As a procedural matter, courts should document whether a criminal defendant is a veterans ad provide this information to appropriate veterans advocates, which may include the local CVSO.

When available, the CVSOs should work to ensure the defendants participation in Veterans Treatment Courts, Mental Health Diversion, similar programs.

Penal Code sec. 858

(Amended by Stats. 2014, Ch. 655, Sec. 1. Effective January 1, 2015.)

& Penal Code sec. 1001.80

(Added by Stats. 2014, Ch. 658, Sec. 1. Effective January 1, 2015.)

Veterans Drivers License

According to Vehicle Code sec. 12811, the DMV is to include a space on drivers license applications where applicants can state that they are a veteran. CVSOs are to be notified in order to confirm that applicants veteran status, and reach out to the applicant about potential benefits.

(Amended by Stats. 2014, Ch. 644, Sec. 1. Effective January 1, 2015.)

Mental Health Outreach

Under Welfare and Institutions Code sec. 5600.3, CVSOs are to act as the “point person” in referring and securing mental health treatment for eligible veterans. The Legislature has made it clear that a preference should be placed on providing local treatment, which CVSOs by definition are in a position to offer.

Medi-Cal

Under WIC sec. 14124.11, CalVet is to refer identified Medi-Cal beneficiaries who are receiving high-cost services, including long-term care, to CVSOs to obtain information regarding, and assistance in obtaining, USDVA benefits.

(Added by Stats. 2008, Ch. 758, Sec. 48. Effective September 30, 2008.)