

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

June 28, 2016

2. Department

California Department of Veterans Affairs

3. Organizational Placement (Division/Branch/Office Name)

Veterans Services Division-District Offices

4. CEA Position Title

Assistant Deputy Secretary, District Offices and County Support

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The Veterans Services Division (VSD) Assistant Deputy Secretary for District Offices and County Support is critical to CalVet's mission to serve veterans and their families and increase the accessibility and utilization of benefits and services. The CEA's primary role is developing and implementing statewide policy in adherence with federal, state, and local laws and regulations in relation to the U.S. Department of Veterans Affairs claims and County Veterans Service Offices (CVSO) partnerships and funding. The development and deployment of these department-wide and statewide policies are constantly evolving and growing as the laws, legislation, regulations, and requirements of the Veterans Services Division in relation to the U.S. Department of Veterans Affairs (USDVA) and CVSO continue to evolve and grow.

6. Reports to: (Class Title/Level)

Deputy Secretary for Veterans Services Division/Exempt

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): The Deputy Secretary is responsible for direct reporting to the Agency Secretary on all VSD issues.

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The CEA is the chief policy maker for the California Department of Veterans Affairs (CalVet), Veterans Services Division-District Offices, for regulations and policy development as well as implementation of the following statewide programs:

1) U.S. Department of Veterans Affairs (USDVA) accreditation program: CalVet is one of many veterans service agencies which have been given the power of attorney of this federal accredited program for the State of California. The CEA will be responsible for the development of policies and procedures for all accredited representatives to follow federal regulations for filing USDVA claims for veterans benefits. Oversee the development and administration of CalVet's 3-month accreditation training program and USDVA-approved exam according to the USDVA and Office of General Counsel requirements and regulations. Develop and deploy regulations and policies to ensure all CalVet-accredited personnel meet requirements of Title 38 CFR for Service Organization accredited representatives. Provide oversight of federally-required continuing education for all accredited veterans service representatives in California to include at least three on-line continuing education courses and three four-day, in person training conferences each fiscal year. Provide high-level oversight and statewide standardization of policies and procedures for operations for claims representation in each of the district offices according to federal regulations and state policy. Currently, the District Offices staff provide claims assistance and review approximately 50,000 new USDVA claims per year and provide representation in the USDVA Board of Veterans Appeals process for approximately 480 Board of Veterans Appeals hearings each year.

2) Medi-Cal Cost Avoidance Program: CalVet along with the California Department of Health Care Services (DHCS) negotiate and administer an annual contract which defines the administration and local assistance to California veterans. The CEA is responsible for overseeing the distribution of approximately \$838,000 annually to County Veterans Service Offices (CVSO) on a pro-rata basis and according to regulations and CalVet policies. Responsible for developing and maintaining CalVet policy and procedures to the CVSOs for the distribution of Medi-Cal funds. Maintain a partnership with DHCS and strategically improve the efficacy of the program performance metrics each year.

3) Veterans Service Office Fund (VSOF) Program: CalVet is responsible for overseeing the distribution of the state license funding which is generated by the California Department of Motor Vehicles (DMV). DMV calculates the revenue generated and provides CalVet with a monthly report of revenue earned. Currently it is at approximately \$554,000 annually which CalVet is responsible for distributing to the 56 County Veterans Service Offices (CVSO) in California. The CEA will be responsible for overseeing and managing the required annual reporting and marketing for the specialized "Honoring Veterans" license plate. Negotiate with CVSOs regarding their requests for increases in funding from VSOF and administer the State budget process for any requests.

4) College Tuition Fee Waiver for Veteran Dependents Program: CalVet is responsible for the statute enforced by the Legislature to provide veteran dependents a College Tuition Fee Waiver. Included in this statute is the responsibility to distribute funding of approximately \$25,000 annually. This program saves over 21,000 veteran dependents thousands of dollars in tuition each year at California post secondary schools. The CEA is responsible for developing and implementing policies and regulations to prevent fraud and hold County Veterans Service Offices accountable for properly approving and denying applications for the state benefit. Spot audits are performed by auditors in this CalVet unit to ensure quality and adherence to Title 38 CFR, Education Code, regulation, and policies.

5) County Subvention Program: CalVet is responsible for the statute enforced by Legislature to oversee the distribution of funding through the County Subvention Program. The CEA is responsible for the distribution of approximately \$5.6M General Fund annually to the 56 County Veterans Service Offices (CVSO) for reimbursements for a portion of their administrative costs and workload units performed according to statute and regulations. Responsible for the developing and proposing regulations and policies as necessary to hold CVSOs accountable. Make decisions for the Department regularly regarding interpretation of existing regulations and policies. Ensure requirements of CVSOs are met to receive the funding and requirements for auditing CVSO workloads are completed in accordance with regulations and California State Auditor recommendations.

Other duties include: The CEA will negotiate and manage contracts for the statewide claims case management system used by all 56 County Veterans Service Offices (CVSO) and CalVet claims representatives; negotiate the Memorandum of Understanding and maintain partnerships with the USDVA Directors of the Veterans Benefits Administration Regional Offices; write BCP's for funding according to budget request; negotiate an annual contract for FY 17/18; ensure all state and county requests are prioritized collaboratively and meet budget and stakeholder requirements; assist with Legislation proposal analysis and development of text and amendments for State bills related to all Veterans Services Division units; assist with administering and advising the development of regulations and rule making process for the Veterans Services Division. Directly supervise three Staff Services Manager IIs in Los Angeles, Oakland, and San Diego.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The California Department of Veterans Affairs (CalVet) mission is to serve California veterans and their families. Without this CEA position, the Veterans Services Division (VSD) will not be able to effectively meet the CalVet mission of assisting California veterans and their families. Also, VSD will not be able to effectively develop and deploy policies and regulations regarding state funding distribution requirements of all 56 County Veterans Service Offices (CVSO) in California as well as maintain claims representation accreditation status with the U.S. Department of Veterans Affairs (USDVA), partner with the USDVA Veterans Benefits Administration Regional Office Directors, or administer the various critical programs for California's veterans and their families through programs such as the College Tuition Fee Waiver for Veteran Dependents, CVSO funding programs, and claims representation for USDVA veterans claims for benefits. As of September 30, 2014, almost 360,000 veterans in California were receiving federal compensation totaling payments of \$4.45M annually to the State of California's communities. About 50,000 claims for VA benefits are submitted by CVSOs annually to our district offices to review and track. District offices are located in Los Angeles, Oakland, and San Diego.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The responsibility of the chief policy-maker for statewide programs relating to County Veterans Service Offices (CVSO) funding distribution, College Tuition Fee Waiver for Veteran Dependents, and U.S. Department of Veterans Affairs (USDVA) claims representation and accreditation administration has existed for decades. This position has testified in State Budget Hearings as well as represented the Department in high-level strategic planning meetings with the California Association for County Veterans Service Officers and USDVA. This position has historically developed and implemented statewide policies in an independent manner and advised the Deputy Secretary, Undersecretary, and Secretary on claims representation and CVSO policy. Since 2008, the Agency has increased the number of Veterans Homes from three (3) to eight (8); the Veterans Services Division Claims Representative staff has grown from four (4) to nineteen. With this growth has come increased complexities of regulation and consequence of error in each district office. The growth in these offices has resulted in a greatly expanded workload and increased demands on the time and resources of the Staff Services Manager III.

In recent years, there has also been increased responsibility for the position. The Budget Act of 2015 increased the County Subvention program by \$3M annually—the Veterans Services Division is charged with the oversight of distribution of this funding. The District Offices gained 36 limited term positions with the Strike Team program (15 positions received permanent funding in the Budget Act of 2016). The CVSO auditing functions also gained two positions in the last two years to increase oversight of funding distribution.

The existing and new responsibilities warrant the CEA level because the duties are high-level oversight of statewide programs, which require constant development of policies and procedures that address evolving federal and state regulations.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

1. U.S. Department of Veterans Affairs (USDVA) Claims Representation. Provide high-level oversight and statewide standardization of policies and procedures for the operations for claims representation in each of the district offices in Los Angeles, Oakland, and San Diego according to federal regulations and state policy. District office staff provide claims assistance and review for 50,000 new USDVA claims per year and representation in the USDVA Board of Veterans Appeals process for 480 Board of Veterans Appeals hearings each year.

If this position is not approved, CalVet will not have statewide policies in place on how CalVet district offices provide claims representation resulting in a variety of policies and procedures for the same federal regulations. Policy and procedure decisions would take place individually, in each office, per the USDVA Regional Office staff direction instead of involving direction with CalVet's CEA in a coordinated partnership between the State and federal government.

2. U.S. Department of Veterans Affairs (USDVA) accreditation of over 365 state and county employees to file claims for veterans benefits. Develop policies and procedures for all accredited representatives to follow federal regulations for filing USDVA claims for veterans benefits. Oversee the development and administration of CalVet's 3-month accreditation training program and USDVA-approved exam according to the USDVA and Office of General Counsel requirements and regulations. Develop and deploy regulations and policies to ensure all CalVet-accredited personnel meet requirements of Title 38 CFR for Service Organization accredited representatives. Provide oversight of federally-required continuing education for all accredited veterans service representatives in California to include at least three on-line continuing education courses and three four-day, in-person training conferences each fiscal year.

If this position is not approved, CalVet is at risk of losing the authority to be a USDVA-accredited service organization. Per U.S. code of Federal Regulations, CalVet must maintain specific requirements for accredited persons, including policies and procedures to include a training program. Without statewide policies and regulations requiring accreditation, CalVet will no longer be able to hold power of attorney and represent veterans for hundreds of thousands of USDVA claims.

3. County Subvention program. Oversee the distribution of \$5.6M General Fund annually to 56 County Veterans Service Offices (CVSO) according to statute and regulations. Develop and propose regulations and policies as necessary to hold CVSOs accountable. Make decisions for the Department regularly regarding interpretation of existing regulations and policies. Ensure requirements of CVSOs are met to receive the funding, and requirements for auditing CVSO workloads are completed in accordance with regulations and California State Auditor recommendations.

If the position is not approved, the County Subvention program could be shut down; the responsibilities for developing policies and implementing procedures required in statute by CalVet to run the program would fall on the Deputy Secretary for Veteran Services Division (VSD). The Deputy Secretary is involved in higher-level decision making and executive duties, and does not have the capacity to develop the regulations, policies, and implement procedures for the County Subvention program. The State Auditor recommended in July 2015 that VSD increase oversight of the County Subvention program. Without this CEA, VSD will not be able to comply to that recommendation.

4. Medi-Cal Cost Avoidance program. Negotiate and administer an annual contract with the California Department of Health Care Services, to include administration and local assistance. Oversee the distribution of \$838,000 annually to CVSOs on a pro-rata basis and according to regulations and CalVet policies. Maintain a partnership with DHCS and strategically improve the efficacy of the program performance metrics each year.

If this position is not approved, the Medi-Cal Cost Avoidance program could be shut down. The responsibilities for developing policies and implementing procedures required in statute by CalVet to run the program will fall on the Deputy Secretary for Veterans Services Division (VSD). The Deputy Secretary is involved in higher-level decision making and executive duties, and does not have the capacity to develop the regulations, policies, and implement procedures the Medi-Cal Cost Avoidance program. The State Auditor recommended in July 2015 that VSD increase oversight of the Medi-Cal Cost Avoidance program. Without this CEA, VSD will not be able to comply to that recommendation.

5. College Tuition Fee Waiver for Veteran Dependents program. This program saves over 21,000 veteran dependents thousands of dollars in tuition each year at California post secondary schools. Develop and implement policies and regulations to prevent fraud and hold CVSOs accountable for properly approving and denying applications for the state benefit. Spot audits are performed by auditors in this CalVet unit to ensure quality and adherence to Title 38 CFR, Education Code, regulations, and policies.

If this position is not approved, the College Tuition Fee Waiver for Veteran Dependents program could cease because CalVet will not have the required statewide policies and procedures implemented to ensure that all 56 CVSOs are correctly approving and denying applications, as well as to prevent fraud and abuse of the benefit for veteran dependents in California. The only way to ensure program integrity is through regulations, policies, and procedures established by CalVet, as required in statute.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The CEA has decision-making authority to make changes and determinations for the development and implementation of statewide policy related to established federal and state regulations in the areas of U.S. Department of Veterans Affairs (USDVA) claims representation, USDVA accreditation, College Tuition Fee Waiver for Veterans Dependents, County Subvention program, County Veterans Service Offices (CVSO) Medi-Cal Cost Avoidance program, and Veterans Service Officer Fund distribution. The CEA's scope is limited in the establishment of new programs and regulations--those recommendations are brought to the Deputy Secretary of the Veteran Services Division for decision.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CEA will be developing and implementing new policy as the federal and state regulations and requirements evolve, by adding policies to new and existing manuals for CalVet-accredited claims representatives as federal regulations and policies change; by submitting proposed regulations to better interpret State Military and Veterans Code pertaining to county funding; and by adding policies and regulations as clarifications are needed for the College Tuition Fee Waiver for Veteran Dependents.

The CEA will also be interpreting and implementing existing policy on an ongoing basis by constantly reviewing existing policies as questions and clarifications arise regarding various local assistance and veteran benefit and service programs. For example, on an annual basis, the CEA reevaluates all policies related to the County Subvention program and makes changes based on errors made in the previous year.