State Veterans Commission Meeting Minutes

January 7, 2022
10:00 AM to 12:45 PM
WebEx Video Teleconference

Call to Order	**Chairman Nicholas Taylor**
The Pennsylvania State Veterans Commission (SVC) meeting was called to order at 10:00 AM.	

Moment of Silence and Pledge of Allegiance

Vice Chairman Smith opened the meeting with a moment of silence commemorating the 29th anniversary of the signing of the Vietnam Peace Accord. Let us remember the 58,000 Americans lost in the Vietnam War. Chairman Taylor led a recitation of the Pledge of Allegiance.

Commission Introductions	
MG Mark Schindler	The Adjutant General
Mr. Rick Hamp	Designee, DAG DMVA-OVA
Mr. Nicholas Taylor	SVC Chairman, Commander Catholic War Veterans
Mr. Nathaniel Smith	SVC Vice Chairman, Commander Veterans of Foreign Wars
Mr. Gerald Hawk	Executive Director, AMVETS
Mr. Bernard McDonald	Commander, AMVETS
Mr. John Getz	Adjutant, Veterans of Foreign Wars
Mr. William Hines	Commander, Disabled American Veterans
Mr. Justin Slep	President, PA State Association of County Directors of Veterans Affairs
Mr. Robert Heister	President, Military Officers Association of America
Mr. Samuel Petrovich	Adjutant, Disabled American Veterans
Mr. Joseph Chiodo	Commander, Italian American War Veterans
Ms. Lisa Kaye	Member-at-Large
Mr. Christopher Fidler	Director, Keystone Paralyzed Veterans of America
Mr. Larry Googins	President, Vietnam Veterans of America
Mr. David Brady	Commandant, Marine Corps League
Mr. Michael Brooker	Member-at-Large
Mr. Philip Arnold	Adjutant, Military Order of the Purple Heart
Mr. Bruce Foster	Designee, Commander, The American Legion
Mr. Charles Jackson	Member-at-Large
Mr. Mark Baylis	Member-at-Large
Mr. Chuck Thigles	VISN 4
Others Present	
BG (PA) Maureen Weigl	DAG DMVA-OVA (Attended Telephonically)
Mr. Marc Ferraro	EDS DMVA
BG Laura McHugh	DAG PANG-Army
Mr. Jeff Cavanaugh	Office of State Senator Katie Muth
Mr. Nate Silcox	Executive Director PA Senate Veterans Affairs and Preparedness Committee
Mr. Joel Mutschler	Director DMVA-PIRO
Mr. Brian Natali	DMVA-PIRO (Programs and Services)

Mr. Jeffery King	DMVA-PIRO (Programs and Services)
Ms. Brett Ann Beatty	DMVA-PIRO (Programs and Services)
Ms. Katherine Reibsane	DMVA-PIRO (Programs and Services)
Ms. Jeffrey Wallitch	DMVA-OCC
Ms. Jennifer Vandermolen	VBA-RO PITT
Mr. Gilbert Durand	DMVA-PPL
Mr. Seth Benge	DMVA-PPL
Mr. Nicholas 'Chip' Gilliland	DMVA-PIRO (Outreach and Reintegration)
Mr. Paul DeVincenzo	DMVA-PIRO (Outreach and Reintegration)
Ms. Chelsea Ellsworth	DMVA-PIRO (Outreach and Reintegration)
Ms. Samantha Cossman	DMVA-PIRO (Outreach and Reintegration)
Ms. Susan Meighen	DMVA-PIRO (Outreach and Reintegration)
Ms. Erica Moore	DMVA-PIRO (Outreach and Reintegration)
Ms. Joan Nissley	DMVA-Public Affairs
CSM Jon B. Worley	PANG-Army
Mr. David Cowgill	VISN 4
Ms. Karen Leonovich	PASACDVA-Northumberland County
Mr. Timothy Cleveland	PASACDVA-Tioga County
Ms. Jennifer Hagaman	PASACDVA-Clinton County
Mr. Danny Osten	PASACDVA-Cumberland County
Mr. Tony DiFrancesco	PASACDVA-Dauphin County
Mr. David Eisele	PASACDVA-Lackawanna County
Mr. Harry Whittemore	PASACDVA-Venango County
Ms. Karen Hall	PASACDVA-Venango County
Mr. Richard Hudzinski	Vietnam Veterans of America
Mr. Frank Boken	Military Order of the Purple Heart
Mr. William Wright	Catholic War Veterans
Ms. Elizabeth Salvador	Veterans of Foreign Wars
Ms. Constance Snavely	Keystone Paralyzed Veterans of America
Ms. Kristi Brawley	Penn State-Clearinghouse for Military Family Readiness
Mr. Cameron Richardson	Penn State-Clearinghouse for Military Family Readiness
Ms. Jillian Rodgers	Penn State-Clearinghouse for Military Family Readiness
Six Telephone Callers	Unknown

Oath of Office **MG Schindler**

General Schindler administered the oath of office to Joseph Chiodo, Italian American War Veterans, as a new member of the State Veterans Commission.

Chairman's Opening Remarks **Chairman Taylor**

As we start the new year, I am excited to work with my fellow commissioners to represent the veterans of the Commonwealth.

Questions/Discussion

None.

TAG's Opening Remarks **MG Schindler**

Quickly, an update on PANG and outreach to veterans. Current and future unit mobilizations: folks from Army and Air are going out the door, are forward, are at assembly areas, or are returning. About a 1,000 out the door and 1,000 coming back. We do have two federal strike teams in PA, one in Scranton-area and one in York. These teams were requested by Department of Health in conjunction with PEMA at hospitals in the Scranton and York areas. Because federal forces are operating in PA, we stood up a dual-status commander, BG James

McCormack to provide command and control. Also, just over 110 PANG members are on orders supporting long-term care facilities across the state, in Allegheny, Lancaster, Philadelphia and Northampton Counties, again at the request of DOH and PEMA. These members are helping offset day-to-day work in the facilities to free up the nursing and other skilled staff. We have been doing this for two years and the mission continues.

In December, I met with Sen. Stefano to go over the Department's priorities. I made it around to all the homes for the holiday season to award our employees and visit with residents. On December 18th, I spoke at the Wreaths Across America event at Indiantown Gap National Cemetery. And, on January 13th, I will be at the Military and Veterans Day at the Farm Show. On January 21st, I will be speaking at the VFW Mid-Winter Conference in Lancaster.

Questions/Discussion

None.

Approval of the December 3, 2021 Meeting Minutes

Motion: Mr. Heister, MOAA, made a motion to approve the minutes.

Second: Mr. McDonald, AMVETS, seconded the motion.

No discussion. The body agreed; motion carried.

Reading of Official and Other Communications **Chairman Taylor**

Chairman Taylor: I have not received any written communications since last meeting.

Mr. Holler: The only communication received was from the National Commander of Italian American War Veterans, confirming Mr. Chiodo as the state commander and representative to the SVC.

Questions/Discussion

None.

Deputy Adjutant General-VA Remarks **BG (PA) Weigl**

BG Weigl: Happy New Year to everyone and welcome to the new members. We are excited for 2022. We had a great meeting with the War Council and E-Board for PASCDVA. Working collaboratively, we will be able to meet some milestones this year. Mr. Hamp will invite you to a luncheon we are working on with Mission BBQ and Chef Robert Irvine. COVID is back. We have been feeling the impact at our homes. Our residents are doing well, but we have some staff fighting for their lives. Please keep them in your prayers. We lost two staff members from Erie over the holidays. Please keep them all in your thoughts.

Mr. Hamp: On January 13th, we will be working with the Robert Irvine Foundation, Mission BBQ, and the Department of Agriculture to host a Veterans luncheon at the Farm Show. We will serve about 300 meals from 11:00 through 12:30. We would ask that the organizations here send leadership or veterans. Let Mr. Mutschler know how many tickets you would like, up to about ten per organization. Other tickets will be passed out to Veterans attending the Farm Show at the DMVA outreach table. From 12:00 to 12:30, General Weigl and Chef Irvine will be hosting the Army-Navy Cook-off.

Questions/Discussion

None.

DMVA Bureau of Veterans Homes **Mr. Davis**

COVID is certainly back and ramping up. We have seen an uptick of cases in our homes. Thankfully, for the most part, these have been mild cases for our Veterans which we have been able to manage in-house. Today our census is 914, just over 60 percent bed fill across state. Currently, 26 residents are positive, and 145 staff members are positive and out of work. The federal Centers of Medicare and Medicaid Services (CMS) vaccine

mandates were challenged at courts in Missouri. We were making some headway until it was put on hold. Thankfully back on in PA and we are required to have first doses by end of Jan and second doses by end of Feb. We are about 80 percent vaccinated staff, 98 percent residents. We have had some relief with return-to-work guidance. Quarantine was shortened from 10 to 7 days, and employees can return to work with a negative test result. Fully vaccinated staff with exposures are allowed to continue working as long as they are asymptomatic and with a negative test result. One of our challenges is visitation. The federal CMS has relaxed visitation restrictions, so we cannot restrict or limit visitation at any time. This is a double-edged sword in my opinion: there is a huge benefit to our residents in being able to see family members, but it also opens us up to a lot of risk. So, we are managing that day-to-day in our homes and we are doing our best to enforce COVID safety measures and precautions. Staffing remains biggest challenge. That is why we are stuck at the occupancy rate of 60 percent – we do not have the staff to adequately care for full occupancy. We are hoping to recruit and retain as many employees as we can. Please spread the word: all homes are hiring, both clinical and administrative.

Questions/Discussion

None.

DMVA Bureau of PIRO **Mr. Joel Mutschler**

Mr. Mutschler, Bureau of PIRO: Beyond our read-ahead, we are continuing to work with our Veterans Service Organizations across the commonwealth on the Act 66 program. Thanks to Mr. Foster for work he and his committee have done. Since the PA VETConnect launch, we have had 16,000 connections across the board. Our regional staff is making a difference each day. There are now 1,800 resources in our information referral tool. At the Farm Show, stop by any time during the week. The YWCA is also doing Veterans Homelessness Standdown at Farm Show on February 26th from 0900 to 1600. VTF grant applications are due January 19th. More information can be found at vtf.pa.gov.

Questions/Discussion

None.

Approval of State Veterans' Programs Reports

Motion: Mr. Slep, PASCDVA, made a motion to approve the programs report.

Second: Mr. Smith, VFW, seconded the motion.

No discussion. The body agreed; motion carried.

VHA, VISN-4 **Mr. Thigles**

Hopefully you all have the read-ahead. Just as with the state homes, we are seeing staffing challenges across the network too. We cross-level staff to medical centers where staffing is down best, we can, and we are managing. Also, just a reminder that it is not too late to get your flu shot, COVID vaccines, or boosters. The vaccines will help keep you out of the hospital, or if you need the hospital, will help cut down on the time you are there.

Questions/Discussion

Mr. Petrovich: Regarding Lebanon VA transportation, we had a meeting with Chuck Thigles, David Cowgill, and Karen O'Neil, Chief of Voluntary Services in Erie. It was very productive. They were going to meet with Lebanon. We are now going to have quarterly meetings with the Chiefs of Voluntary Services at the different hospitals to discuss and coordinate. If anything should flow out of those meetings, I will bring it to your attention. I just wanted to thank Chuck, David, and Karen for a productive meeting and their help.

Chairman Taylor: If you want to add anything from those meetings to the read-ahead, I would be happy to include that.

Mr. Thigles: It was a good meeting. We will see what we can do to get the drivers from Lebanon to come back.

VBA, RO Pittsburgh **Ms. Vandermolen**

Thank you for the invitation and I apologize for not submitting a read-ahead. VBA and VHA have developed a new evaluation model to determine presumption of service connection based on military environmental exposures. The goal is to lower the burden of proof and speed up delivery of healthcare and benefits. This new model will continue to leverage findings from the National Institutes of Science, Engineering and Medicine as well as relevant scientific research and data to identify trends and new concerns. The first conditions we are piloting with this new model are rare respiratory cancers and constrictive bronchiolitis. We are working hard to speed up the time it takes to identify those conditions and link them to service and exposure.

January marks the anniversary of the Blue Water Navy Vietnam Veterans Act of 2019 that extended presumption of herbicide exposure to Navy veterans. We have processed 3,605 claims and about 450 survivor claims in PA, as well as about 1,500 *Nehmer* reviews to ensure we are providing benefits at the earliest date possible. We have also extended the presumptive period for qualifying chronic disabilities resulting from undiagnosed illnesses in Persian Gulf veterans. We have extended that deadline out to December 31, 2026.

VBA continues to hire to address the backlog of claims. VBA expects continued increase of filing related to new airborne toxic exposure. We continue to hire about 2,000 new employees beginning in October. Both Philadelphia and Pittsburgh are continuing to bring those folks onboard. Right now, nationally, we have about 263,000 claims pending over 125 days. Our inventory of claims is 627,000. The backlog was really created by COVID unfortunately delaying exams and federal records centers that were unable to provide documents as quickly as needed.

Regarding what we learned from COVID, one of the things we have implemented is reviewing certification of service. Because the federal record centers were delayed, VA decided to accept unverified copies of service if they do not appear to be edited. So, claimants can submit copies of evidence of service and VA will accept those if they appear to be accurate. That went into effect on November 17, 2021.

Lastly, the COLA increase of 5.9% went through for compensation and pension payments, effective January.

Questions/Discussion

Mr. Baylis: Are we going to do anything with detoxification for exposure to heavy metals? VA currently uses chelation therapy with heavy metal exposures, is anyone looking into any detoxification therapies versus waiting until the illnesses manifest and dealing with it then?

Mr. Thigles: We will take that question back and investigate it for you.

DMVA Policy, Planning, and Legislative Affairs **Mr. Benge**

Referring to slides, HB 995 will codify PA VETConnect as a program of record. That is on the Senate calendar for the 18th. It has already passed the House. HB 1421 is also on the calendar for the 18th, increasing the stipend for burial details. HB 491 is also on calendar for January 18th, excluding veterans benefits from income assessment in state programs. HB 729 was signed into law, providing that curriculum content for an approved nurse aide training program may be delivery in in class, in person, online or via asynchronous, virtual reality or other digital delivery, or in a blended format. This is helpful to the state homes.

HB 1108 passed into law allowing exemptions to fish and game license requirements for veterans in therapeutic programs. HB 1427 and HB 1389, both providing for grants to VSO programs from the American Rescue Plan Act of 2021, are on the Tabled Calendar but most likely will not be pulled into voting.

We are continuing to track federal legislation as well to see how several bills may be implemented.

Questions/Discussion

None.

Committee Reports

Act 66 Committee	**Mr. Foster**

We met with BG Weigl and Mr. Hamp on December 7th. Promised cooperation, discussed participants receiving award data directly from VA, discussed changing the need to report continuing awards instead of new awards, need to establish standard wage structure, need to place a price tag on the 17 VSOs in DMVA analysis, multiyear contracts, and organizational MOUs between DMVA and Act 66 participants.

On December 9th, a questionnaire was sent to members, met virtually on Dec 14th to consolidate replies. On 16th, contacted National Assn of CDVA to get copies of their MOUs with AMVETS and DAV.

Consolidated survey results provided in read-ahead and slide.

Questions/Discussion

None.

RETX Committee	**Mr. Slep**

No report with the read-ahead due to the short timeline. Next meeting scheduled for January 25th. No changes to our position with HB 1953. That also correlates with approved recommendations on October 8th meeting.

Questions/Discussion

None.

Legislative Committee	**Mr. Jackson**

We had initially prepared motions for the nine bills we were asked to address. We did not make the transparency deadline for the December meeting. The chair asked for sufficient detail to allow him to discuss these bills and represent the views of the SVC. I have motions for nine bills here.

HB 1691

Motion: Mr. Jackson moved that the SVC support HB 1691 to use a veterans' lottery to support the Veterans Trust Fund. (Specific recommendations provided in read-ahead.)

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

HB 1953

Motion: Mr. Jackson moved that the SVC support HB 1953, because it is a companion to SB 5778, changing the constitutional provision regarding the Real Estate Tax Exemption. (Specific additional considerations under which the SVC should not support the bill provided in read-ahead report.)

Second: Mr. Heister, MOAA, seconded the motion.

Mr. Slep raised numerous points wherein the Legislative Committee's recommendations depart from the RETX Committee's recommendations provided in the October white paper.

Mr. Jackson disagrees, explaining that the Legislative Committee was required to tie the white paper recommendations to a bill. In tying the recommendations to HB 1953, more specific considerations had to be applied.

There is a brief discussion by commissioners on the appropriateness of including Individual Unemployability in the definition.

Chairman Taylor notes that he sees agreement on most points, the Legislative Committee was just asked to tie the RETX Committee's points to the bill.

Mr. Foster notes that since this is a financial need-based program, pensioners, who need it most, should be included as well.

Following discussion, the body agreed; motion carried.

HB 910

Motion: Mr. Jackson moves not to support HB 910 because only one RETX bill should be moved forward.

Second: Mr. Heister, MOAA, seconded the motion.

Mr. Slep again asked if the recommendation was to support HB 1953.

Mr. Jackson replied, yes, the Chairman will be able to testify to our support for 1953 so long as it addresses our specific considerations. It is the committee's recommendation not to support HB 910 or HB 1815.

Following discussion, the body agreed; motion carried.

HB 1815

Motion: Mr. Jackson moves not to support HB 910 because only one RETX bill should be moved forward.

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

HB 1972

Motion: Mr. Jackson moves not to support HB 1972 dealing with community-level palliative care as it creates mission creep in state veterans' homes. (Specific recommendations provided in read-ahead report.)

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

HB 1964

Motion: Mr. Jackson moves not to support HB 1964 to create an independent agency for veterans affairs and specifies criteria for a leader of the agency. (Specific recommendations provided in read-ahead report.)

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

HB 1978

Motion: Mr. Jackson moves not to support HB 1978 to reorganize the State Veterans Commission. (Specific recommendations provided in read-ahead report.)

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

HB 1963

Motion: Mr. Jackson moves not to support HB 1978 to create a State Veterans Homes Advisory Board. (Specific recommendations provided in read-ahead report.)

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

HB 1938

Motion: Mr. Jackson moves not to support HB 1938 to improve competency of DMVA General Counsel. (Specific recommendations provided in read-ahead report.)

Second: Mr. Heister, MOAA, seconded the motion.

No discussion. The body agreed; motion carried.

Questions/Discussions

Chairman Taylor: Thank you for giving us a very good way ahead with these nine bills.

Pensions/Relief/Grave Marking/State Military Cemetery Committee **Mr. Googins**

At the last meeting, we discussed the issues with grave markings. It is not a simple matter. Mr. Googins will meet with the members of the committee to consider issues regarding this and other subjects. He will be in contact with the members now that he has a list. If the Chairman or other Commissioners have areas, they would like the committee to look into, he would appreciate that.

Questions/Discussions

Chairman Taylor: I will get with you offline to present you and the committee with some ideas.

Women Veterans Committee **Ms. Kaye**

Ms. Kaye, an Army veteran, VSO, and county director, introduced herself and thanked those who supported her appointment to the committee. Ms. Constance Snavely accepted an invitation to the committee as well, and they continue to search for other members to fill out the committee. Top issues for the committee to consider will be gender bias, access to medical care, inclusiveness, and outreach. (Much more detail provided in read-ahead report.)

Questions/Discussions

Mr. Hudzinski, VVA: Do you know the status of HR 1279? [Technical issues prohibited an answer.]

Chairman Taylor: Thank you so very much, great report. I look forward to you filling out your committee.

Veterans' Health Committee **Mr. Baylis**

Mr. Baylis, retired Army, works in the non-profit world with veterans at a homeless shelter and counseling program called Veterans Unstoppable. His number one priority for the committee: Veterans Suicide. Priority 2: Veteran Homelessness. Good data collection is critical for both priorities. Toxic Exposures are another issue of importance. Current need is to recruit people for the committee. He would also like to bring subject matter experts who are not commissioners onto the committee. (Much more detail provided in read-ahead report.)

Questions/Discussions

Chairman Taylor: Good report. I believe the Commission should attack your first two priorities. Please proceed.

UNFINISHED BUSINESS

Chairman Taylor: If you would like an access badge to the facilities at Fort Indiantown Gap, please get together with Greg Holler. He has seven applications already. We can have new badges issued after the next meeting.

Mr. Hamp: The DMVA access badge will not get you access to the exchange and other facilities. It will get you through the access points and into the DMVA offices.

Mr. Ferraro: Access Control Points will not be up and running for at least 18 to 24 months. We are currently working through acceptable forms of identification and the DMVA access badge does not meet DoD standards, so we are working through that issue. As soon as we work it out, we will let everyone know the requirements.

NEW BUSINESS

Chairman Taylor: One of the things we have been asked to comment on was a blueback proposal by Sen. Muth on veterans and Veterans Courts. Mr. Jackson, can you give us a quick rundown of comments from the Legislative Committee?

Mr. Jackson: This will turn into an act, but it is blueback right now so there is no number. The intent is to change Title 42, Judiciary and Judicial Procedure, to provide for eligibility for relief and post-conviction review. It does have some shortcomings: It does not address pre-sentencing investigations prior to sentencing.

It does not require that a veteran should be identified when appearing before a court. It does not address parole boards, and it touches on the issue of reversing a conviction in addition to appropriate sentencing. VVA is the lead proponent for this proposal; this is a state goal for them. They consider post-traumatic distress and TBI more appropriately as mitigating factors for sentencing. There is a second blueback from Sen. Brown. His blueback is much more complete.

Motion: Mr. Jackson made a motion not to support Sen. Muth's blueback as written and that we ask the two senators' staffs to work together to improve the blueback.

Second: Mr. McDonald, AMVETS, seconded the motion.

No discussion. The body agreed; motion carried.

Chairman Taylor: Effective today I will be establishing an SVC Constitution and Bylaws Committee. I would like to have a set of rules for how we as a commission conduct business. Mr. Brooker has agreed to chair that committee. I will provide him with some instructions. Mr. Gilliland is also looking for two scorers to help DMVA go through the VTF grant submissions. Please let Chip know if you are interested.

Mr. Slep: As a commission, it is beyond time that we rattle the cage on behalf of Vietnam Veterans for Agent Orange exposure on Thailand bases. We all know that it is not treated fairly; the burden of proof is almost impossible. At the same time, ships can be 12 NM off coast and they are covered. The VA is expanding and adding more presumptions for Vietnam Veterans and that is great, but those in Thailand are forgotten about.

Chairman Taylor: Would you be willing to work with Mr. Baylis on this in the Veterans Health Committee?

Mr. Slep: Yes, as well as a few other individuals I could recommend as subject matter experts.

Mr. Googins: I would like to be a part of that discussion too. I am deeply involved in that with the state VVA.

Mr. Hudzinski, VVA: I just wanted to point out that Mr. Brooker may want to look at the California Administrative Book for the SVC Constitution and Bylaws Committee.

Questions/Discussions

None.

Good of the Order

Mr. Brady: A member of the MCL will be singing the National Anthem at the Farm Show next Thursday.

Chairman Taylor: If anybody has agenda items they would like to see presented at the next meeting, please email them to me.

Announcements

Chairman Taylor: If the COVID numbers remain high at the next meeting, I will consider holding it virtually again. I would ask that you and your family members please stay safe and healthy.

Next Meeting

February 4, 2022, 10:00 AM
Forum: Arrowheads Community Center, FIG

The minutes of this meeting are respectfully submitted by:

BG (PA) Maureen Weigl
Deputy Adjutant General
Veterans Affairs