

**Minutes of the
Kansas Commission on Veterans' Affairs Meeting
Friday, January 18, 2008
Telephonic (Fort Dodge, Topeka, Winfield)**

Commission members present via telephone: Jack Fowler, Chairman; Jim Buterbaugh, Commissioner; Michael Neer, Commissioner. Absent: Joy Moser, Commissioner; Ed Wieggers, Vice Chairman.

Staff present via telephone: George Webb, Executive Director; Wayne Bollig, Veteran Services Director; Jim Frederick, Chief Fiscal Officer; Kafer Peele, Cemetery Program Director; Dave Murach, SAA Program Consultant; Jim Hays, KVH Superintendent; Web Roth, IT Director/Acting KSH Superintendent; Kim Tatum, HR Director.

Guests in attendance via telephone: Gilbert Cruz, State LTC Ombudsman; Ken Stodgell, Larry Graham, Darrell Bencken (VFW).

1. Chairman Jack Fowler opened the telephonic meeting of the Kansas Commission on Veterans' Affairs at 1:00 PM. The Commissioners introduced themselves. Executive Director George Webb introduced himself, KCVA staff members and superintendents.
2. Kansas Veterans' Home Superintendent Jim Hays introduced the pledge leader, Milton L. Laurie. Pictures will be available online at <http://www.kcva.org>.
3. Chairman Fowler began with the December 12, 2007 and December 14, 2007 Commission minutes.

MOTION: Commissioner Jim Buterbaugh moved to accept the December 12 and December 14, 2007 Commission minutes. Commissioner Mike Neer seconded. All in favor; no dissenting votes; no abstentions. Motion passed.

Executive Director George Webb reported on KCVA activities. **(A)** Director Webb reported that the KARs on the homes were reviewed and revised by himself and Superintendent Hayes, and the revision was sent to commissioners for their review before approval for submission. The intent was to reflect the earlier work of the Commission, staff, and Walker Committee; to clean up the Attorney General and Department of Administration tweaks from long ago; to add a few modifications we know or suspect will be needed; and to get ready to submit the new KARs for approval. To that end, Director Webb's and Superintendent Hays' work remains true to the Walker Committee product. Director Webb said that the Department of Administration Legal section is backlogged, so a quick turn-around from there and the Attorney General is not likely. Director Webb said that he and Superintendent Hays had concluded that the KARs could go forward without having to change KSAs first. Director Webb pointed out that while the Walker Committee had recommended in 1999 that surviving non-veteran spouses in the cottages at the Kansas Soldiers' Home would be given 60 days to vacate a cottage following the death of the veteran, subsequent Commission decisions changed that to 180 days and also allowed them to move into one-bedroom duplexes. The KARs will need to reflect this guidance. Director Webb advised the Commission that VA policy stipulates that only 25% of residents at any state veterans' home can be non-veterans. The Veterans' Home is not close to this threshold, but the Soldier's home is just under it due to the cottage demographics. If the number of surviving spouses in cottages increases, the KSH could exceed the VA threshold and be out of compliance. On a second issue, there is still a conflict regarding allowing children as residents at the homes; the statutes permit it, but VA policy does not. This VA policy is only applicable to facilities which were constructed or renovated with federal VA funds. Serendipitously, the two resident children at the Soldiers' Home are living in cottages constructed and renovated exclusively with state funds, so the present situation is clean. But because the KSH will receive federal grant funds for some renovations, this situation will have to be watched closely, and policies may have to be changed in the future.

With Commission consensus Chairman Fowler requested that Director Webb edit the KARs with the changes previously described and present the final draft at the February Commission meeting for approval for submission.

(B) Director Webb reported on "Vet Link" in Kansas City, a new computer resource to be based on the KC SourceLink web model to assist veterans in finding the right agencies for the right services. In a program spearheaded by the Greater Kansas City Chamber of Commerce and the

Association of the United States Army (with participation from the MO Veterans Commission and the KCVA), a need was identified for a capability to assist wounded veterans in the greater Kansas City area. One aspect to this effort would be a web-based resource for vets to access for information on benefits and jobs. The Congress has earmarked \$282,000 to cover the cost of developing this service. KCVA (Lawrence) VSR Matt Fowler was appointed as the KCVA liaison for this service. (C) Director Webb reported on a newly received request to lease land (330 acres) on the northern end of the KSH for oil and gas rights. He just received it and will have to review it with applicable agencies. (D) Director Webb reported on the Veteran Service Organization meeting scheduled for tomorrow (Saturday); it is to discuss priorities and programs. The Military Order of the Purple Heart and Kansas National Guard Association are sponsoring it, and Director Webb will attend. (E) Director Webb reported on the SFY 2008-2009 Governor's budget recommendation. The Governor's recommendations would restore the Emporia VSR position, keep the KSH on course, assure operating funds for opening the Fort Riley State Veterans' Cemetery, and assist the KVH in SFY 2009. The recommendation does not support a VSR in Topeka, outreach assistance, assistance for KVH for higher contracts for pharmaceuticals and with ARAMARK, funding for Veteran Services in IT, training, and increased outreach. (F) Director Webb reported on ongoing legislation. One of the bills still on the table from last year is the request to modify the Persian Gulf War Veterans' Health Initiative Board to a broader more comprehensive veteran's health board. The veterans' preference bill is expected to have another go. Director Webb said that Representative Don Myers wants to introduce a bill that would provide \$25 tuition vouchers to high school students who play Taps at veterans' funerals, and the vouchers would be redeemable at a Kansas regent school. Director Webb told Representative Myers that the Cemetery Program would be able to manage that program. Director Webb said that Representative Derrick Schmidt wants to introduce a bill that identifies programs and benefits for significantly wounded and disabled veterans. Director Webb said that Senators Dwayne Umbarger and Carolyn McGinn want to reintroduce Senate Bill 330, a comprehensive bill on benefits for veterans and the military. (G) Director Webb reported on old business. (1) Director Webb reported that the KARs were revised and are ready for final edits, as discussed. (2) Veteran Services Program Director Wayne Bollig will brief on the Veteran Services comprehensive restoration bill and the Wichita office wall and one-stop shop.

4. Chief Fiscal Officer Jim Frederick reported on the KCVA's results of operations and financial position, which were provided in written budget narratives, financial statements, and related fiscal charts to the commissioners. **(A)** The KCVA has completed the first six months of SFY 2008, ending December 31, 2007. The KCVA has completed 50% of the fiscal year and 13 out of 26 pay periods. Mr. Frederick reported on operational results of the programs. For budgeted expenditures the programs are at the following percentages: Administration at 44.7%, Veteran Services at 49.6%, VCAP at 36.3%, the KSH at 42.1%, the KVH at 48.2%. The Cemetery Program was slightly above 50%, but is expected to be within the budget parameters by the next quarter. The KCVA began the year with about \$9 million in appropriations. The KCVA has received about \$2.6 million in patient and revenue funds and an additional \$2.6 million in federal funds, which are primarily Per Diem receipts. During this period, KCVA had expenditures of \$9 million. This leaves KCVA in a good cash position of \$6.1 million. Of the \$6.1 million, \$1.4 million is for the KSH in fee and federal funds. Those funds will accommodate all of the taskforce directions and expanded recruitment programs for this year and for the coming year. **(B)** Mr. Frederick has been in development with Mr. Cruz with the existing budget, task force directed activities, and expanded recruitment activities. The developments are out for comment to the rest of the staff. Mr. Frederick is awaiting comment back and there will be a summit meeting next week to finalize those activities. He will have a report afterwards. The task force model for staffing is consistent with the KSH's authorized positions. **(C)** Mr. Frederick has been in contact with the Piñon Management Group. The KCVA received an initial draft proposal on deliverables that covered areas of administration, finance, clinical, human resources, marketing, and admissions for the Medicare/Medicaid implementation. The draft proposal is being reviewed and evaluated. Mr. Frederick will provide a mail out for the next Commission meeting. He has invited Mrs. Schwan of the Piñon Management Group to present at the next Commission meeting.
5. Human Resources Director Kim Tatum reported on personnel issues. Mrs. Tatum said that she mainly worked on the KSH personnel issues and recruitment. Mrs. Tatum said that the new KSH HR manager, Cheryl Gross, is making excellent progress. Mrs. Tatum said that the KCVA is undergoing an audit through the Division of Personnel Services on overtime. The audit on the KVH is completed, and the KSH will be completed next week.

6. Information Technologies Director Web Roth reported on IT issues. Mr. Roth reported that for December 2007, the KCVA received 2, 678 internet visits from all 50 states and 84 cities in Kansas. The top five states outside of Kansas are California, Missouri, New York, Texas, and Colorado. The top five webpages visited are Veterans Benefits, Veteran Services, Office Locations, Soldiers' Home, and Veterans' Home. The website has a comment box. For July 2007 through December 2007, there were 29 requests for information. There have been three requests for information in January 2008.

7. Veteran Services Program Director Wayne Bollig reported on Veteran Services. **(A)** Mr. Bollig reported that the opening in the wall between the American Legion and Veterans of Foreign Wars in the Wichita VA is still pending and there is no completion date. Mr. Bollig is going to the Wichita VA next week to discuss the CBOC in Hutchinson and will address the wall at that time. **(B)** Mr. Bollig reported on the veterans' enhanced services bill. It has not been enrolled and is not expected to move forward. Mr. Bollig said that he will know more as he gets an opportunity to speak with legislators after his briefing to the Veterans Military, and Homeland Security Committee on the VCAP next Tuesday.
Chairman Fowler asked Mr. Bollig to speak with Senator Ralph Ostmeyer and Representative Candy Ruff and determine the status of this project. **(C)** Mr. Bollig reported that the Hutchinson VSR office is open half days. Mr. Bollig reported that the Pittsburg VSR is still out of the office, but the appointments are being handled by the Independence VSR office. The vacant Emporia VSR office is operating several days of the month with support from Wichita and Winfield.
The Commission discussed the potential hiring of a new VSR for Emporia. Director Webb indicated that Veteran Services had preserved enough funds to hire and pay a VSR for the remainder of this fiscal year, but if additional SGF is not appropriated next fiscal year, the requirement will be unfunded starting on July 1. The KCVA is hopeful that this important position will be funded, and the Governor's recommendation contained the SGF to do so, but the legislature will have to appropriate the funds and thus there is some risk. After deliberation and with the consensus of the Commission, Chairman Fowler requested that the Emporia VSR position be refilled. Director Webb said it shall be done. **(D)** Mr. Bollig announced that the University of Kansas has offered to donate office furniture to the VSR field offices. The Lawrence field office was the first to receive furniture last year, and it

is nice furniture. Some of the field offices are still using 1950s military surplus metal desks. This would be a no-cost upgrade for the offices. **(E)** Mr. Bollig asked that if the commissioners had any changes to the Veterans Claims Assistance Program brief he is presenting to the Veterans, Military, and Homeland Security Committee that they be sent to him by Tuesday morning. **(F)** Mr. Bollig introduced Dave Murach, the new SAA Program Consultant. His first day was January 14, and already he has tackled the backlog and begun reducing it. Mr. Murach will be based at the Hutchinson office and will commute to Central Office for a time to establish a new work system. Mr. Bollig announced that he and Mr. Murach will be at the annual NASAA training from February 23-27, 2008 in Washington, DC.

8. SAA Program Consultant Dave Murach reported on the State Approving Agency program. Mr. Murach expressed his pleasure with being in Kansas again and explained his intentions with the SAA program and its progress.
Chairman Fowler welcomed Mr. Murach to the KCVA.

9. Cemetery Program Director Kafer Peele reported on the cemetery program. **(A)** Mr. Peele reported that there were 13 new interments in December: 11 veterans and two dependents. There were 22 new pre-certifications: 11 veterans and 11 dependents. For the SFY, that is 72 new interments (60 veterans and 12 dependents) and 154 new pre-certifications (82 veterans and 72 dependents). Since the program opening the total interments is 420 and total active pre-certifications are just a little under 1200. **(B)** Mr. Peele reported on staffing and personnel issues. There was \$51 in overtime, and the payroll was \$45,000 for December. There are no employees on restrictions or leaves. **(C)** Mr. Peele reported on operating financial issues for December. The Cemetery Program is on target. There is \$14,400 pending in VA plot allowances. Wichita VSR Mark Fleet had informed Mr. Peele that the plot allowance request had gone to Finance for payment, and receipt is expected in January. **(D)** (1) Mr. Peele reported on federal construction projects. The VA grant balance is a little over \$3.8 million. The next draw down will probably be February 1. (2) Mr. Peele reported on the Fort Riley SVC activities. There was a construction meeting in Manhattan on January 17. In attendance were Kile Morrison of Goossen Livingston, Ken Kallenbach of MKEC, Ray Smith of Division of Facilities Management, Greg Stevey of McPherson Contractors, and Mr. Peele. The purpose of the meeting was to review the progress of construction, outline issues or problems, answer any questions, and update on on-site activities.

So far, the site has been set-up for construction; they have the construction trailer, the office, phone power, and DSL for internet are set up. Gossen Livingston has had weekly meetings with the subcontractors to get out all the RFIs, requests for additional information. RFIs are any questions concerning drawings or specs that the subcontractors have can be forwarded to Dudley Richardson, who would send those on to Gossen Livingston or Mr. Peele for response. Mr. Richardson currently has 25 RFIs to respond to. Mr. Peele said that the construction is on hold due to the weather. They need the temperature to be above 32 degrees. They are stripping the site, but are not taking it all the way down, because the ground will freeze and that may cause delays. From now to the end of February they plan on cutting the roadway to grade, developing and putting in the sewer main, doing the earthwork for the path to the administration building and committal shelter, putting in the domestic water main, doing the excavation for the crypt site, and putting the columbarium foundations in. **(E)** Mr. Peele reported on cemetery activities. Wreaths Across America was on December 15. Over 1,000 wreaths were donated to the cemetery program. Five hundred of the wreaths were used at the old Kansas Soldiers' Home cemetery. About 230 state and national cemeteries participated in the event; 24 veterans' cemeteries on foreign soil participated this year, which is the most ever. The attendance was down this year due to the bad storms in December. The services went on as scheduled, and attendance averaged from 25 to 40 people. The next upcoming events are in May: EchoTaps ceremonies and Memorial Day ceremonies.

10. Acting Superintendent Web Roth reported on the Kansas Soldiers' Home. **(A)** The current census is 171 residents, of which 129 are veterans and 42 are non-veterans. There are 40 residents in the domiciliary, 56 residents in LTC, and 75 residents in the cottages. There are nine applicants on the waiting list: five for domiciliary, three for nursing care, and one for the cottages. There were two deaths, Mr. Houston and Mr. Korf. Mr. Korf's memorial service was held at the KVH Eisenhower Auditorium. **(B)** There are 108 filled FTE, 18 temporary employees, 16 resident workers, and one vacancy on hold. Acting Superintendent Roth announced that the KSH hired an RN and a CNA. The three payouts for December salary and wages totaled \$712,513, which included \$35,415 for overtime (1,549 hours). Acting Superintendent Roth reported on restrictions and leaves: two employees off on workers' comp; one employee working with workers' comp restrictions; two employees working with personal medical restrictions; two employees on FMLA leave; and two employees on non-FMLA leave. **(C)** Acting Superintendent

Roth reported on operation and finance. The general operating fund balance is \$2.202 million. The state general fund balance is \$680,000. The VA per diem fund balance is \$894,000. The fee fund balance is \$487,000. The Repair and Rehabilitation fund balance is \$291,000. The Independent Resident Support funds are good. **(D)** Acting Superintendent Roth discussed the repair and rehabilitation projects. (1) The tornado shelter is 95% complete. The expected completion date is February 1. (2) There is a pre-construction meeting on January 28 for sprinkler systems in Grant, Nimitz, and Lincoln Halls. (3) The estimates for the HVAC in the Custer House and Sutler Store are in, and the cottage HVAC project is still in progress. (4) The electrical installation and wiring on the Halsey Hall elevators are being replaced. Both elevators will be working after that. (5) The KSH had to upgrade the Wander Guard door alarm for \$22,000 to fix one of the elopement concerns. The door alarms are working. **(E)** Acting Superintendent Roth reported on surveys, inspections, and audits. (1) The Kansas Department on Aging survey is scheduled between February and August. (2) The DVA resurveyed the 41 deficiencies found in August 2007 and cleared the KSH of all deficiencies. The surveyor commented that there was a 100% improvement and has lifted the ban on admissions. Acting Superintendent Roth commended Gilbert Cruz, Mary Kneif, and Carl Noyes for their efforts and leadership in correcting the deficiencies. He complimented the KSH staff for their commitment to success. (3) The State Fire Marshall survey was the same day as the DVA resurvey. The Fire Marshall said that it was a very good survey for a facility of its size. There were seven deficiencies in Halsey, four deficiencies in Grant, four deficiencies in Lincoln, and three deficiencies in Nimitz. The plan of correction was submitted on January 18. The deficiencies and recommendations were of no serious consequence to life safety of the residents. **(F)** Acting Superintendent Roth reported on the KSH upcoming events. In January the KSH will have a Ben Franklin Day and a Martin Luther King Jr. Celebration, and the Lee Richardson mobile zoo will visit. In February the KSH will have a Super Bowl party and a Valentine's Day party. Chairman Fowler commended and thanked Mr. Roth for his efforts.

11. LTC Ombudsman Gilbert Cruz reported on the progress at the KSH. Mr. Cruz reported on the KSH survey compliance. Mr. Cruz reported that the KSH passed the DVA resurvey. Mr. Cruz reported that due to the elopement issue, the KSH was required to go through an elopement survey, which the KSH passed. Mr. Cruz reported that phase one of the Governor's charge is complete, and the ban on admissions was lifted as of January 10, 2008. Mr. Cruz congratulated

everyone involved. Mr. Cruz said that most of the task force has been released, including Artis Parrot, Carl Noyes, Tom Reddy, Jan Scoggins, and Velvet Johnson. Mr. Cruz reported that the only task force consultants left are Ken Milner of the Kansas Foundation for Medical Care and Sally Howard, Chief Counsel to the Governor. Mr. Cruz said that the task force will continue until phase two, the culture change, is complete. Mr. Cruz is working with Danny Guthrie, the physical plant consultant and former supervisor, and Acting Superintendent Roth. They are developing blueprints. Mr. Cruz expressed his appreciation for Mary Kneif and the nursing staff. Mr. Cruz said that the KSH had 14 wounds and skin ulcers when he started, and he tried to decrease those through processes and policies. The KSH now has only two wounds. All of the skin assessments are complete at the KSH. The urinary tract infection rate went from 11 down to three. The in-services are current. The KSH hired an administrator, an ADON, and a MDS coordinator. Mr. Cruz reported that the KSH is in alignment to complete its objective. Mr. Cruz said that they have worked and introduced a new organizational chart that was approved by Director Webb. They have finished the new nurse staffing model, which has assisted in the budgetary gap analysis. Mr. Cruz thanked Mr. Frederick for his work on the model.

Chairman Fowler thanked Mr. Cruz for his efforts with the KSH.

12. Superintendent Jim Hays reported on the Kansas Veterans' Home. **(A)** The current census is 142 residents, which includes 129 veterans and 13 non-veterans. There are 43 residents in the domiciliary and 99 in the LTC. There are 5 residents on hospice care. There are three scheduled admissions. **(B)** There are 171 filled FTE with 15.5 positions vacant and an additional 17.5 temporary employees. The three payouts for December salary and wages totaled \$713,000, which included \$2,500 for longevity payments and \$2,900 for overtime. Superintendent Hays reported on restrictions and leaves: four employees off on workers' comp and three employees off on personal medical leave. **(C)** Superintendent Hays reported on the operating fund balances as of December 31, 2007, totaling \$1.8 million. The state general fund balance was \$75,622. The VA per diem fund balance was \$1.3 million. The fee fund balance was \$191,000. The independent resident support funds (Resident Trust Fund, Resident Benefit Fund and Canteen Fund) are doing well. **(D)** Superintendent Hays reported on repair and rehabilitation projects. The roofing and flooring projects are finished. The back-up generator project is not expected to be finished until May 2008. The Donlon Hall sprinkling project is scheduled for completion in March 2008. **(E)** Superintendent Hays reported on recent and upcoming events at the KVH. On

January 18, the KVH is having a Martin Luther King Jr. observance day. The Super Bowl party is on February 3. The Pancake Race and the Mardi Gras party are on February 5. The annual Valentine's Day steak dinner and afternoon party are on February 14. On February 25 and 26 the KVH will host the Healthquest Healthy Heart Screening for state employees in the Winfield area. (F) Superintendent Hays reported on surveys and inspections. (1) He reported that 19 of the 21 deficiencies received on the KDOA survey in December were cleared. The KVH is still working on the other two, and the KDOA will return in about two to three weeks. (2) For the State Fire Marshall inspection, the KVH had three deficiencies. A plan of correction will go in next week. (G) Superintendent Hays announced that the DVA gave notification of new per diem rates for FFY 2008. The domiciliary rates increased from \$31.30 to \$33.01. The nursing home care rates increased from \$67.71 to \$71.42. Both of the increases are 5.2%, which matches what was proposed 10 months ago. The KVH used the proposed rates to calculate the budget for SFY 2008-2009.

13. Chairman Fowler opened the meeting to audience comments. There were no comments.
14. Chairman Fowler called to close the meeting.

MOTION: Commissioner Mike Neer moved to adjourn the meeting. Commissioner Jim Buterbaugh seconded. All in favor; no dissenting votes; no abstentions. Motion passed.

15. Chairman Fowler adjourned the meeting at 2:11 PM.

Jack Fowler, Chairman

February 22, 2008