

**MINUTES
of the
THIRD MEETING
of the
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**August 7, 2013
St. Joseph Community Health
1516 5th Street NW
Albuquerque**

The third meeting of the Military and Veterans' Affairs Committee, which was held as a joint meeting with the Mortgage Finance Authority (MFA) Act Oversight Committee, was called to order by Representative Ernest H. Chavez, chair, MFA Act Oversight Committee, on August 7, 2013 at 9:10 a.m. at the St. Joseph Community Health (SJCH) facility in Albuquerque.

Present

Sen. Richard C. Martinez, Co-Chair
Rep. Rodolpho "Rudy" S. Martinez,
Co-Chair
Rep. Thomas A. Anderson (voting member
for this meeting)
Rep. Nathan "Nate" Cote
Rep. Bob Wooley

Absent

Sen. William F. Burt
Rep. Dianne Miller Hamilton
Sen. Daniel A. Ivey-Soto
Sen. William H. Payne

Advisory Members

Rep. Eliseo Lee Alcon
Sen. Carlos R. Cisneros
Rep. George Dodge, Jr.
Rep. Edward C. Sandoval
Rep. Jeff Steinborn

Sen. Craig W. Brandt
Rep. Yvette Herrell
Sen. Timothy M. Keller
Sen. John Pinto
Sen. Cliff R. Pirtle
Rep. Dennis J. Roch
Sen. Lisa A. Torracco

Staff

Peter Kovnat, Staff Attorney, Legislative Council Service (LCS)
Kathleen Dexter, Researcher, LCS
Jennifer Dana, Intern, LCS

Guests

The guest list is in the meeting file.

Handouts

Copies of all handouts and other written testimony are in the meeting file.

Wednesday, August 7

Welcome

Allen Sanchez, president and chief executive officer of SJCH, welcomed the committees to SJCH's new facility, which will be dedicated on September 7, 2013 during a celebratory matanza. He described the organization's advocacy programs for children from birth to age five and noted that SJCH runs the largest family home visiting program in the country.

Homeless Veterans and the Housing First Model

Joseph Montoya, deputy director of programs, New Mexico MFA; Hank Hughes, executive director, New Mexico Coalition to End Homelessness; Doug Chaplin, manager, Community Development Division, City of Albuquerque; Dennis Plummer, executive director, Metropolitan Homelessness Project; and Nicole Martinez, executive director, Mesilla Valley Community of Hope, gave a presentation on programs in New Mexico that use the Housing First model to address homelessness. Two such programs are the Heading Home program in Albuquerque, for which early data show a decrease in jail, hospital, shelter and medical costs for the population served; and the Mesilla Valley Community of Hope, a tent city in Las Cruces that is run in large part by its residents and that focuses on rapid re-housing.

A January 2013 one-day count of the state's homeless population, conducted per U.S. Department of Housing and Urban Development (HUD) guidelines, showed that more than 2,800 people in New Mexico were homeless, of whom more than 400 were "unsheltered" — living outside, in cars or in other unprotected situations. More than 25 percent of the homeless identified were under age 18. This HUD count shows a decrease in the homeless population since 2005, when the population exceeded 5,000; however, numbers produced under the HUD definition of "homeless" are significantly lower than those produced under the Public Education Department (PED) definition, which includes children in unstable housing situations, such as living in motels or "doubling up" with friends or family. Under its definition, the PED identified more than 12,500 homeless children during the 2011-2012 school year.

The federal Department of Veterans Affairs (VA) provides three programs to assist homeless veterans. The VA Supportive Housing (VASH) program provides housing vouchers and supportive services to disabled veterans; the Supportive Services for Veteran Families (SSVF) program provides rapid re-housing for veterans who need short-term assistance; and the Grant and Per Diem program provides transitional housing. The HUD reports a 17 percent decrease in veteran homelessness since 2009, and the federal government has steadily increased funding for both the VASH and SSVF programs in an effort to eliminate veteran homelessness by 2015. The VA recently granted \$1.9 million to New Mexico programs for the homeless, run by Goodwill Industries, the New Mexico Veterans Integration Center (NMVIC) and the Mesilla Valley Community of Hope.

On questioning, the presenters and committee members addressed the following topics.

Tax incentives. New Mexico provides tax incentives for building affordable housing but not for rent, which is addressed with federal housing vouchers.

Funding. The New Mexico Coalition to End Homelessness, the Metropolitan Homelessness Project and the Mesilla Valley Community of Hope are private organizations funded through donations and grants. The VASH program is entirely federally funded, and the funds go to local housing authorities; the Heading Home program is run with both local and federal funds and is looking at a funding collaboration with jail diversion programs. The MFA receives minimal state funding for homeless programs. Homeless programs are limited by both a shortage of program funds and a shortage of affordable housing in the state, especially on tribal lands. Funding for local housing authorities has decreased 50 percent in the last five years, and no funds may be used for maintenance. One possible funding stream for homeless veteran programs would be to impose a use fee for locations used by veterans during commemorative events, such as the Memorial Day event at the Vietnam Veterans Memorial in Angel Fire.

Homeless count and definitions. The January one-day homeless population count is conducted statewide, both as a day-of head count and as a survey over the course of the following week at locations that provide services to the homeless, such as soup kitchens. Homeless counts tend to be higher in the summer than in the winter. If a homeless person stays for a night with a friend, the person is still considered homeless by the HUD and eligible for services. The VA definition for "homeless" includes anyone without a permanent residence. Veterans typically account for 15 percent of the homeless population, and the working homeless account for 80 percent. Homeless people who request services are asked if they are veterans and, if so, directed toward veteran benefits. The decrease in the homeless population since 2005 shown in HUD statistics reflects a decrease in the homeless population living outside and in the disabled homeless, but not in the overall homeless population as measured under broader definitions of homelessness. People who are homeless tend to stay as close to "home" as possible, but some in rural areas migrate to urban areas to receive services.

Housing. A person in subsidized housing must pay 30 percent of his or her income for rent. Affordable housing rents are based on fair market rents in the area and are targeted at 50 percent of the area median income. Surplus equipment currently coming to New Mexico law enforcement agencies from the federal Department of Homeland Security might be distributed to homeless programs as well. The Mesilla Valley Community of Hope has support from the community for its request to rezone city property for a permanent tent city; however, some businesses in the immediate area are concerned about having a homeless population nearby, and the organization is looking into building a fence to address the concerns.

Homeless children. New Mexico has one of the highest populations of homeless children in the country. The Cuidando los Ninos program in Albuquerque ensures that homeless children go to school while their parents are looking for work. School liaisons in Las Cruces meet

monthly with area schools to assist homeless children. Title I funding for homeless children is available to all school districts in the state.

Minimum wage. Though there is a great deal of research on the effects of raising the minimum wage, there has been no research on its effect on homelessness.

Speaking from the audience on invitation of the chair, Secretary of Veterans' Services Timothy L. Hale noted that the Veterans' Services Department (VSD) provides funding for the NMVIC and the Mesilla Valley Community of Hope.

- ★ Senator Cisneros suggested that the Military and Veterans' Affairs Committee consider legislation to provide guaranteed state matching funds for federally funded homeless veteran programs that require a state match.
- ★ Mr. Montoya will provide information to Representative Sandra D. Jeff, an advisory member of the MFA Act Oversight Committee, on:
 - (1) how many homeless Native Americans migrate to the Albuquerque area; and
 - (2) funding sources for VSD programs serving homeless urban Native Americans.

New Mexico Veterans Integration Center

Elinor Reiners and Fermin Ortega, NMVIC program director and operations manager, respectively, gave an overview of programs for single veterans who are either homeless or experiencing a housing crisis. The NMVIC provides transitional housing for up to two years while a veteran transitions into a stable income and housing situation, and the program has seen a 70 percent success rate thus far. Conditions for admission into the program include, among other requirements, an honorable discharge, sobriety for at least 28 days prior to admission and a clean drug screen. NMVIC services include case management, food baskets, transportation, clothing and training in daily living skills such as job seeking and budgeting. Veterans who receive services are required to perform community service. The NMVIC currently houses 50 veterans and plans to expand to 200, preferably on a dual campus that can serve both single veterans and veterans with families. The organization hosts an annual Stand Down event in Albuquerque to make homeless veterans aware of available benefits and services; in part because of the turnout at this event, the NMVIC projects there will be at least 200 additional veterans needing services in the next few years.

On questioning, the presenters and committee members addressed the following topics.

Other veteran housing. Henderson House, which is in Albuquerque and run by the YWCA, provides transitional housing for female veterans and their families. NewLife Homes is refurbishing the Sundowner Motel site in Albuquerque as affordable housing available to all, including veterans. The NMVIC currently operates in Albuquerque but, depending on available funding, has plans to expand to other areas of the state. Care 66 runs a similar program for veterans in the Gallup area, and a group in Espanola is working to establish a program.

Requirements. The NMVIC waives the requirement for an honorable discharge for certain minor infractions on a case-by-case basis. Veterans with alcohol or drug issues need not have graduated from a substance abuse program prior to admission; however, if a veteran resumes using alcohol or drugs while at the NMVIC, the veteran will be referred to the Metropolitan Assessment and Treatment Services program or Turquoise Lodge. The requirement for proof of insurance, registration and licensure is specific to owning and operating a vehicle. Pets are not allowed, but assistance animals are welcome. Residents are not allowed in each other's rooms but may take three-day passes to stay off-site together.

Benefits and services. Veterans with service-connected disabilities qualify for VA benefits regardless of their length of service. If a veteran does not qualify for VA benefits, the NMVIC will help the veteran access other services, including Medicaid and the Supplemental Nutrition Assistance Program. The Workforce Solutions Department conducts training classes twice weekly at the NMVIC to help veterans who are seeking employment. Veterans with families cannot enroll in the NMVIC program but are eligible for emergency services, and the NMVIC will try to get them into other facilities such as Henderson House. Veterans who leave the NMVIC facility are eligible for furniture donations.

Speaking from the audience on invitation of the chair, Deputy Secretary of Veterans' Services Alan Martinez described several VSD programs to assist veterans, including the transitional assistance, job search and Yellow Ribbon programs. The department's 19 offices statewide conduct outreach to make veterans aware of available benefits and services, an effort that will be aided by a new tracking program that will soon be operational. Deputy Secretary Martinez also noted that National Guard members are recognized as veterans in New Mexico.

Approval of Minutes

Representative Anderson was appointed to serve as a voting member of the Military and Veterans' Affairs Committee in lieu of Representative Hamilton for purposes of this meeting. On a motion by Senator Martinez, seconded by Representative Anderson, the minutes from the committee's July 1, 2013 meeting were unanimously approved.

Goodwill Industries of New Mexico SSVF Program

Mary Martinez Carter and Jim Cochran, SSVF case manager and program manager, respectively, gave a presentation on the SSVF program sponsored by Goodwill Industries of New Mexico. The program provides case management and temporary financial assistance to veterans and their families, with "families" consisting of whomever the veteran designates. Eligibility requirements include a discharge other than dishonorable, income below 50 percent of the area median income and homelessness, impending homelessness or inappropriate housing. In October, the program will expand from its current seven counties into 26 counties, and it expects to serve 650 veteran households annually. Aside from additional funding to meet the growing need for services, the greatest needs in the program are: 1) more transitional housing facilities; and 2) a funding stream, or a waiver of the obligation, for licensing and testing fees for veterans

seeking employment.

On questioning, the presenters and committee members addressed the following topics.

Benefits. Temporary financial assistance benefits are limited to one security deposit. Federal funding for SSVF programs can be used only for housing; however, SSVF temporary financial assistance qualifies under the "but for this assistance, the veteran would be homeless" standard. If a veteran is in a rehabilitation facility, the family is not eligible for SSVF, but the program will help the family get services through other programs. If a veteran dies while enrolled in the program, the veteran's family will continue to receive SSVF services for up to a year following the veteran's death. SSVF services include legal aid through the Veterans Justice Outreach program at the VA, and the state bar association provides free legal advice for veterans. Counseling services are not provided through SSVF but are available through the VA.

Speaking from the audience on invitation of the chair, Deputy Secretary Martinez explained the statutory provision, signed into law in 2013, that provides for expedited professional licensure for military service members and their spouses and for veterans.

- ★ Military and Veterans' Affairs Committee staff will research federal programs for homeless veterans, how much funding the programs receive and how much the state can afford in supplemental funding to expand the programs to all counties.

United South Broadway Corporation (USBC): Homeless Prevention Program

Deborah Norman, USBC outreach coordinator, outlined the USBC's efforts to prevent homelessness through foreclosure counseling and defense. Active-duty service members qualify for certain protections under the federal Servicemembers Civil Relief Act, and veterans have access to the same general plans offered by lenders to other homeowners, including special forbearance, mortgage modification, partial or advance claims, principal reduction and the Federal Housing Administration Home Affordable Modification Program. While the USBC has been very successful in helping homeowners, including veterans, avoid foreclosure by counseling them about their rights and available options, there are increasing numbers of people facing foreclosure who do not meet the income requirements for the available programs.

On questioning, Ms. Norman noted that foreclosure totals in her handout include foreclosures on modular homes.

- ★ Ms. Norman will provide information on how a veteran can qualify for more than one homeless prevention program and how the programs work together.

New Mexico VA Health Care System: Benefits, Eligibility and Billing

Bill Etchison and Kara L. Catton, chief of health administration services and executive assistant to the director, respectively, New Mexico VA Health Care System, gave an overview of VA health care services in the state. The VA hospital in Albuquerque and its 13 community-

based outpatient clinics (CBOCs) in New Mexico and southern Colorado provide inpatient, outpatient, mental health and non-institutional care, such as respite and hospice services. The VA also provides mileage reimbursements and transportation assistance to certain qualifying veterans. Eligibility requirements for VA services include a discharge other than dishonorable and 24 continuous months of duty, or the full period for which the veteran was called for active duty. On enrollment with the VA, a veteran is assigned to one of eight priority groups based on the veteran's disability level, income and time of service. The VA will pay for health services that a veteran receives from non-VA facilities in certain circumstances, including emergencies.

On questioning, the presenters and committee members addressed the following topics.

Benefits and pensions. The VA hospital conducts benefits and pensions exams on behalf of the Veterans Benefits Administration (VBA), which administers the benefits and pensions. It currently takes about a year to complete the VBA certification process for a service-connected disability. A veteran who cannot access a VA office to file a VBA claim can get help from private veterans' organizations such as the Veterans of Foreign Wars.

Copays and mileage reimbursements. Copays and mileage reimbursement amounts vary by priority group.

VA physicians, facilities and services. If a physician in the VA system moves to a different facility, that physician's patients have the option of continuing with the physician in the new location or staying at the original clinic. The VA is expanding and updating its CBOCs to serve more patients locally. Calls to the CBOCs are currently routed to a centralized call center, but this practice is under review following many complaints. The VA has no age limit on provision of services.

Non-VA facilities and services. If a non-VA facility is reimbursed by the VA for services provided to a veteran, the facility is prohibited from billing the veteran for any difference between the reimbursement amount and the amount the facility would have charged for those services. A veteran enrolled in TRICARE insurance is not limited to the VA health care system and can receive treatment at any facility that accepts TRICARE.

Federal health care reform. Veterans enrolled in the VA will not be assessed a penalty for lack of health coverage under the federal Patient Protection and Affordable Care Act.

- ★ Mr. Etchison will address VA services issues with Representatives Steinborn, Cote and Anderson and with their constituents. He will also provide a map and flow chart of where a veteran receives VA services based on where the veteran lives and the services necessary.

Presbyterian Medical Services (PMS) Veteran and Family Support Services

Cheri Nipp, PMS central region director, and Hoyt Roberson, PMS veteran services

training coordinator, gave a presentation on PMS's Veteran and Family Support Services (VFSS) program. The program provides outpatient case management, behavioral health and psychiatric services to veterans, defined as anyone who has served in the military for as little as one day, regardless of discharge status, and their family members, defined as anyone with a primary relationship to the veteran and who is affected by the veteran's military service. VFSS services are available at all PMS primary sites in the state, with the main office in Rio Rancho. Since its inception in 2007, the program has served 1,600 clients — 60 percent for behavioral health services and 35 percent for case management services.

On questioning, the presenters clarified that family members qualify for alcohol and substance abuse services; there is no age restriction for services so long as the client's issue is related to the veteran's service; and there is no time frame for applying for posttraumatic stress disorder services.

Fort Bayard

Tennessee Webb, principal and director, and Teresa Santiago, president and chief executive officer, both of GEP Corporation, gave a presentation on their corporation's interest in developing the Fort Bayard medical facility into a public-private master-planned community for veterans. GEP Corporation is currently conducting a feasibility study for the project. Mr. Webb requested that his written statement be entered into the record and is included in the meeting file.

On questioning, the presenters and committee members addressed the following topics.

Profits. The profit margin would be low for GEP Corporation investors because they want to help American veterans. The primary focus will be on the veteran community, though GEP Corporation will also consider other projects for the site.

Old hospital. All services provided at Fort Bayard have been moved to the new hospital, and the legislature appropriated \$4.3 million to demolish the old hospital. GEP Corporation would prefer to reinvent the old hospital and add sustainable technology.

Public Comment

Daniel Stoddard reported to the committees on the work of New Mexico Veterans' Hope Inn, a nonprofit organization that provides services and housing for homeless, at-risk, elderly and disabled veterans in southeast New Mexico, including at its Los Amigos Reintegration Center in Santa Rosa.

Adjourn

The committees adjourned at 4:05 p.m.