

STATEMENT OF SCOPE

Department of Veterans Affairs

Rule No.: VA 11

Relating to: Veterans Outreach and Recovery Program

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to create a new rule chapter to be designated as Wisconsin Administrative Code VA 11, in order to implement and administer the veterans outreach and recovery program (VORP). The proposed new chapter will be titled *Veterans Outreach and Recovery Program*.

The goal of the VORP is to assist and support veterans who are homeless or at risk of homelessness and who have a mental health or substance abuse disorder, to receive housing and treatment service and to assist the veterans with all aspects of daily living with a focus on home, health, recovery, purpose, and community.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

There are no current administrative rules relating to the VORP.

The Department of Veterans Affairs (DVA) designed the VORP to connect veterans to community services and provide case management and support, with a focus on treatment and recovery.

In 2014, the DVA, partnered with the Department of Health Services to develop the initial VORP that covered 49 counties in Wisconsin using two one-time federal grants. The federal grants expired, resulting in the termination of the program at the end of 2017.

2017 Wisconsin Act 295, enacted on April 16, 2018, made an appropriation and created the VORP as a pilot program, enabling the Department to expand the program to include all 72 counties, open up eligibility, and provided a more stable funding source. The program was coordinated by 2 supervisors and 11 regional veterans outreach and recovery coordinators. The pilot program sunset on July 1, 2019.

2019 Wisconsin Act 9, enacted on July 3, 2019, provided a permanent appropriation for the VORP under s. 20.485 (2) (qs), which allows the Department to administer the VORP as a permanent program under s. 45.48, Stats.

The proposed rule is needed to implement and administer the VORP as provided under s. 45.48, Stats., created as a result of 2019 Wisconsin Act 9. The proposed rules will specify the following: definitions of terms, application procedures, eligibility requirements, assessment of applicants, administration of the

veterans outreach and recovery program, terms of assistance provided, disbursements and funding allowances and limitations, reporting requirements, and other rules deemed necessary to administer the program.

The alternative is for the Department to continue administering the VORP under the Department's current internal policies and procedures that were established for the pilot program without creating permanent administrative rules for the VORP.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

2019 Wisconsin Act 9 created section 45.48, Stats., that provides an appropriation under s. 20.485 (2) (qs), Stats., and requires the Department to: "...administer a program to provide outreach, mental health services, and support to individuals who reside in this state, who may have a mental health condition or substance use disorder, and who are serving in the national guard of any state or a reserve component of the U.S. armed forces or who served on active duty in the U.S. armed forces, forces incorporated as part of the U.S. armed forces, a reserve component of the U.S. armed forces, or the national guard of any state and were discharged under conditions other than dishonorable."

Section 45.03 (2), Stats., (in part) provides that the Secretary may promulgate rules necessary to carry out the purposes of this chapter and the powers and duties conferred upon it.

Section 227.29 (4), Stats., (in part) requires the Department to review enactments and determine whether the enactment necessitates rulemaking, and if so, shall address the consequence within 6 months after the effective date of the enactment.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

The Department estimates approximately 500 hours will be needed for staff to research, draft rules, obtain feedback from the Board, process the rules through public hearings, legislative review, adoption, and to complete the required economic and fiscal impact analyses.

6. List with description of all entities that may be affected by the proposed rule :

The rulemaking may affect any person residing in the state of Wisconsin who has served in any component of the US Armed Forces including those that have previously served and continue to serve in the National Guard and Reserve. The rule may also impact the 72 county veterans service offices, 11 tribal veteran service offices, and community providers and professionals that provide assistance and connection to mental health services, substance abuse treatment, financial assistance, housing and utilities, claims and benefits assistance, employment and education, and transportation, as well as treatment assistance and emergency services, for veterans enrolled in the program.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

There is no federal regulation that is equivalent to this program.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The department anticipates that the proposed rules will have minimal to no negative economic impact and have no effect upon small businesses.

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