

Texas Veterans Commission Meeting Minutes

Special Meeting (FY 2018)

June 7, 2018

I. Call to order.

Chairman Eliseo Cantu called to order the 3rd Quarterly Commission Meeting of the Texas Veterans Commission (TVC) at 9:00 a.m. on June 7, 2018 at the John H. Reagan State Office Building, 1400 Congress Ave, Room 120, Austin, Texas 78701.

The following Commissioners, constituting a quorum were present:

Eliseo "Al" Cantu, Jr. Chairman
Richard McLeon, Vice Chairman
Dan Moran, Commissioner
Kevin Barber, Commissioner

MOTION: Excuse Secretary Jake Ellzey and from attending the Special Commission Meeting.
MADE BY: Vice Chairman Richard McLeon
SECONDED BY: Commissioner Dan Moran
ACTION: The motion passed unanimously

Also present was Thomas P. Palladino, Executive Director.

Also present: See attached list.

Pledge of Allegiance to the United States Flag was led by Commissioner Dan Moran and Secretary Jake Ellzey led the Pledge of Allegiance to the Texas Flag. Commissioner Richard McLeon led the opening prayer.

II. Public Comment.

None.

III. Report, presentation and/or action on agency's 2019-2023 Strategic Plan.

Cruz Montemayor, Deputy Executive Director provided a report on the strategic plan. The sections were explained and gave a summary of things that have changed and point out one thing that will be deleted with the approval of the commissioners. The Philosophy and Mission of TVC remain unchanged. Moving on to Goal A, starts with claims representation and we change verbiage regarding VetraSpec which is a new Electronic Claims program that claims is putting into place and to include decision ready claims. Changes to training because of some legislation that passed in the last legislative session pertaining to claims training. Veterans Employment Services remain unchanged. No significant changes to the Veterans Education. Goal A. Communications and Veterans Outreach program, we were given the authority to solicit and gifts and grants to fund the community outreach program. Veterans Entrepreneur Program, items have remains unchanged. Healthcare Advocacy Program has specific items they cover that have remained unchanged. Women Veteran Program, has the outreach, education and recognition. Veterans Mental Health Department has the Military Veteran Peer Network, licensed health providers and Community and Faith-Based Organizations. Goal B. Fund for Veterans Assistance, change due to a

law that passed in legislation due to VCSO grants, talks about competitive awards and selection process. Goal C. Hazlewood administration remains virtually unchanged. Highlighted redundancies and implements which includes Services for Survivors, Spouses and Family Members, Statutory Consistency and Reliance on Donations. Budget Structure and Measure Definitions, significant changes are to the historically underutilized business plan, information resource planning and the contract manager training, those were all enhanced and changed because of legislation that passed. Agency Workforce Plan give public and the commissioner a snapshot of what our workforce looks like breaks down Racial Diversity and Gender. Report on Customer Service, a change we are proposing for approval on the Veteran County Service Officer we are going to strike out "Sixty six percent of respondents found TVC staff was knowledgeable. Sixty six percent of respondents expressed satisfaction with delivery of TVC printed information and publications. Information Resource Planning has been enhanced to ensure we address the security threats that we continue to encounter. Contract Manager Training, we have a Contract Manager (Paula Ornelas) that has been designated, we have a robust contract program.

MOTION: Approve the minutes of the 2nd Quarterly Commission Meeting
Held on February 7, 2018 as presented.
MADE BY: Vice Chairman Richard McLeon
SECONDED BY: Commissioner Moran
ACTION: The motion passed unanimously.

IV. Report, presentation and/or action regarding the Internal Audit of Claims Representation and Counseling Processes.

Jay Reyes, Auditor McConnel and Jones. Our audit of the veteran's claims representation and counseling process assessed the agency's internal control environment for ensuring it addressed the associated risks with the respective business processes. We assessed the following: Compliance with Texas Government Code §434.0078, Veteran's appointment scheduling process and Veteran's claim monitoring process. The scope incorporated the 2017 fiscal year but also included claims and updated support documentation related to the processes that were recently implemented. Overall Internal Control Rating; TVC's internal control environment governing the Texas veteran's claims representation and counseling process are effective to ensure the agency's objectives are met. We noted that some process improvement is needed to enhance management's monitoring and data integrity.

TVC completed documenting the claims representation and counseling policy and procedures in November 2017. Each claims representative is required to complete an acknowledgement form stating that they have received and understand the policy and procedures. Prior to 2017 written policies and procedures for the claims representation and counseling processes did not exist. Instead, the agency relied on the agency employee's knowledge of the respective processes and there were no effective monitoring process in place. Completing the written policies and procedures is an important management control.

The first review process is well established. TVC integrated a team known as the "Strike Force Team" with the claims representation and counseling team. The Strike Force Team has the responsibility of reviewing claims completed by TVC's claims counselors to ensure they meet criteria established by the VA regional offices. Each of the two regional VA offices in Texas has different claims submission processes. The Strike Force Team reviews each claim submission against the respective region's criteria. Although the Strike Force Team documents all of their reviews in their established review log the review results are communicated inconsistently.

The second review process is a new. This review process requires the district managers to review a random sample claims processed based on a single day's volume. These reviews measure the quality of the claim processed to ensure the Texas veteran is receiving the services promised. Checklists are available to document the review. However, district managers perform the review at their discretion and based on available time.

The data used for reporting of the claims and counseling activity is reliant on a TVC application (CMS) which is not integrated with the VA claims application and is populated with manual entries entered by the TVC claims representative. This process creates an opportunity for incorrect information to be processed which then has a direct impact on the reporting used for the claims and counseling process. The agency has developed mitigating controls to reduce the risk of error associated with data entry and ensure a specific claim is processed by the VA. The agency has also recently adopted the process of assigning the review of the LBB performance measurement results to be reviewed by the division directors to ensure the information being presented is reliable.

MOTION: Approve the Internal Audit of Claims Representation and Counseling Processes report as presented.
MADE BY: Commissioner Barber
SECONDED BY: Commissioner Moran
ACTION: The motion passed unanimously.

V. **Report, presentation and/or action on Veterans County Service Officer Advisory Committee Chairman requesting removal of a Committee Member.**

Ted Oats, Chairman of Veterans County Service Officer Advisory Committee, reported on Jody Crawford, VCSO for Bosque County Texas and how he is an accredited agent working for a private practice and is allowed to charge veterans for his service doing their appeals. Mr. Oats states VA prohibits VCSO officer to charge a fee or permit the payment of a fee by an applicant to a third person for services the officer renders.

**Mr. Jody Crawford is asked to speak to the Commissioners:

My conduct has always been in full compliance of Title 38 of the United States Code, Title 38 of The Code of Federal Regulations, all Veterans Administration Office of General Counsel guidelines, the laws of the Great State of Texas, and has conformed to the requirements set forth by the Bar of the State of Texas in its rules of conduct and ethical practice. My record, in regard to assisting veterans and other claimants by representing them before the VHA, VBA, VCA, and other federal and state agencies and in other capacities is unblemished. The complaining letter cites to no violations of the documents listed above and therefore should be set aside as it is unfounded. I have never accepted any payment from Bosque County for the performance of my duties as CVSO. Furthermore, I have never received any payment from or on behalf of any claimant in Bosque county for performance of my duties as CVSO. Additionally, although it would be legal to do so I have never accepted payment for representing Bosque County residents at the appellate level. In order to demonstrate how important training is in real life terms I will bring the last two board cases that I have received decisions on. These are claims that originated under CVSO/TVC control. Both veterans will be glad to tell you that they lost confidence in the representation that they received from initial application through the perfection of their appeals. I was able to advance theories of entitlement that had not been considered or advanced by TVC and the result was approximately \$400,000 in back pay. Certainly, TVC representatives can claim large recoveries on occasion, but I challenge them to produce their last two decisions for purposes of comparison. I am available to answer questions.

VI. **Executive Session.**

10:26 Commissioners enter into Executive Session.

VII. **Discussion and take possible action on the items considered in Executive**

Session.

Commissioners feel there is no conflict of interest and would like Mr. Jody Crawford to remain as a Committee Member.

MOTION: Motion to dismiss removal of VCSO Jody Crawford as a Committee Member
MADE BY: Vice Chairman Richard McLeon
SECONDED BY: Commissioner Moran
ACTION: The motion passed unanimously.

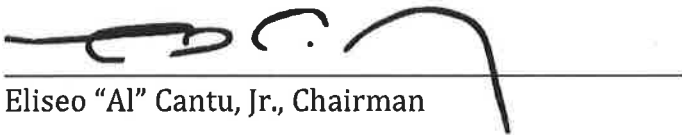
XV. Adjournment.

Chairman Cantu asked each Commissioner for any closing remarks.
Vice Chairman Scott addressed his retirement and appreciation of the Commissioners and TVC Staff.
Each Commissioner extended their gratitude to Texas Veterans Commission staff for all their support and hard work in serving our Texas Veterans.
Chairman Cantu provided closing remarks as well.

MOTION: Adjourn
MADE BY: Vice Chairman Richard McLeon
SECONDED BY: Commissioner Dan Moran
ACTION: The motion passed unanimously.

Chairman Cantu adjourned the meeting at 10:41 a.m.

Minutes Approved by:



Eliseo "Al" Cantu, Jr., Chairman

TEXAS VETERANS COMMISSION

Special Meeting
FY 2018 – June 7, 2018
9:00 a.m. – John H. Reagan State Office Bldg. Rm 120
Speakers and Visitors

Ted Oats

Chairman, VCSO, Advisory Committee

Jay Reyes

Auditor, McConnell & Jones LLP

Jody Crawford

Veteran Service Officer/Accredited Agent



WELCOME
to the

TEXAS VETERANS COMMISSION
Special Commission Meeting

Fiscal Year 2018
June 7, 2018 9:00 a.m.
John H. Reagan Bldg. – Room 1-110
1400 Congress Ave, Austin, TX 78701

Name – Please Print Clearly

TED D. DAVIS
J Reyes

Jessie Carter

Name of Organization/Agency

The Advisory Committee
MS

Email Address

Toots Chaufourney

TEXAS VETERANS COMMISSION
Special Commission Meeting

SPEAKER'S REQUEST FORM

**PLEASE COMPLETE THIS FORM IF YOU REQUEST TO
SPEAK BEFORE THE TEXAS VETERANS COMMISSION**

Date: 7 JUNE 2018
Name: JODY CRAWFORD
Address: _____

Organization Represented: SELF
Address: 278 LIVE OAK LOOP
WHITNEY
TX, 76692

Subject To Speak On:
ADVISORY BOARD MEMBERSHIP

Speakers will be limited to five (5) minutes to speak.

JODY M CRAWFORD
Printed Name

Jody M Crawford
Signature