



# Summary: State Legislation on Returning Troops and Veterans

October 1, 2008

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## Overview

Increasingly, state legislatures and governors are calling for state leadership in providing outreach, information and resources to returning troops, veterans and their families with regard to traumatic brain injury (TBI), post traumatic stress disorder (PTSD) and related issues.

In July 2007, Illinois Governor Rod R. Blagojevich and the Director of the Illinois Department of Veterans' Affairs announced a first-of-its-kind program to screen every returning Illinois National Guard member for TBI and to provide a 24-hour toll-free psychological assistance for veterans suffering from PTSD. Similar efforts are beginning in other states. Below is a summary of legislation that has passed over the past two years pertaining to these and other efforts as reported in *State Watch* produced by the Federal HRSA TBI Program's Technical Assistance Center at NASHIA.

## Study Commissions

**NH** – On June 26, 2008, Governor John Lynch signed [H.B. 1335](#) establishing a commission to study the effects of PTSD and TBI suffered by New Hampshire soldiers and veterans returning from Iraq and Afghanistan.

**NJ** – In August 2007, Governor Jon Corzine signed [A.B. 3281](#) requiring state officials to study community-based care alternatives for the state's disabled veterans to avoid placement in a nursing home or other long-term care facility.

**WV** – Legislators passed [H.C.R. 75](#) requesting the Joint Committee on Government and Finance to make a study of the needs of soldiers and veterans who have been injured in the Iraq/Afghanistan wars for the purpose of making recommendations on how the State of West Virginia can assist in getting them the care they deserve. The Division of Veterans Affairs, West Virginia Congressional Delegation and the National Guard are to help with the study and recommendations.

## Screening and Outreach

**CA** – On September 30, 2008, Governor Arnold Schwarzenegger signed S.B. 1401, requiring the

Department of Veterans Affairs and the Military Department to develop outreach plans to National Guard members or veterans returning to California from combat and assist them in obtaining a screening for PTSD and TBI. The bill takes effect January 1, 2009

**MI** -- On May 28, 2008 Governor Jennifer M. Granholm signed [S.B. 731](#), that requires the Department of Military and Veterans Affairs to administer a PTSD and a TBI questionnaire to an officer or enlisted person serving in the National Guard who has returned from Operation Iraqi Freedom or Operation Enduring Freedom, unless he or she has completed similar questionnaires approved by the US Departments of Veterans Affairs or Defense.

## Referral, Counseling, Services and Coordination

**MN** -- On May 29, 2008, Governor Tim Pawlenty signed H.B. 1812 appropriating \$500,000 for casework services for veterans, including in-home counseling. The bill also directed the veterans' agency to design a treatment program for veterans with TBI within the State Veterans Homes.

Other budget items included funding for the Linkvet telephone line service for veterans; a grant to the Minnesota Assistance Council for Veterans for their work in helping veterans and their families affected by homelessness; for the veterans claims office for outreach and training to improve services and benefits; a pilot program for peer-to-peer counseling among combat veterans; and for an intergovernmental and veterans strategic planning study for the Minnesota Veterans Homes, with special emphasis on exploring alternative models to help veterans to live more independently.

In addition, the Department of Military Affairs received permanent funding for a "State Navigator to coordinate state agency programs and activities to support and assist soldiers and their families during and after the reintegration process. The "State Navigator" position is viewed as an extension of the nationally recognized "Beyond the Yellow Ribbon" program.

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**VA** -- The Virginia General Assembly appropriated \$4.5 million for wounded warrior legislation passed to provide assistance for soldiers with TBI. On March 12, 2008, Governor Tim Kaine signed [H.B. 475](#) and on March 12, 2008, he signed [S.B. 297](#), that requires the Department of Veterans Services, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse and the Department of Rehabilitative Services to establish a program to monitor and coordinate mental health and rehabilitative services support for Virginia veterans, members of the Virginia National Guard and Virginia residents in the Armed Forces Reserves not in federal service. The program is to also support family members affected by covered military members' service and deployments.

The purpose of the program is to ensure that adequate and timely assessment, treatment and support for stress-related injuries and TBI resulting from service in combat areas are available to veterans, service members and affected family members. Subject to the availability of public and private funds appropriated for them, these services include case management services, outpatient, family support and other appropriate behavioral health and brain injury services necessary to provide individual services and support to military service members and their families.

**VT** -- Governor Jim Douglas signed [H.B. 691](#), May 20, 2008, creating the Traumatic Brain Injury Fund to serve Vermonters with TBI, including residents who have served in the Armed Forces in Operation Iraqi Freedom and Operation Enduring Freedom.

**TX** -- On June 15, 2007, Governor Rick Perry signed [S.B. 1058](#), relating to reintegration counseling services and related resources for military servicemembers. The legislation enabled veterans in parts of Texas that are served by the Texas Information and Referral Network (2-1-1) to call that service to receive information on services for veterans and military personnel. S.B. 1058 requires a comprehensive array of governmental agencies to identify state, local and private or government resources--medical, social and economic--that are available to military personnel and their immediate families.

#### **Suicide Prevention and Mental Health Services**

**CA** -- On September 30, 2008, Governor Arnold Schwarzenegger signed A.B. 3083 to extend mental health services provided by the Adult and Older Adult Mental Health System of Care Act to include veterans, and requires counties to provide mental health services to veterans to the extent such services are available to other adults. The bill takes effect January 1, 2009

**MN** -- On May 4, 2007, Governor Tim Pawlenty signed H.B. 2227, an appropriations bill that appropriated \$50,000 to fund a study on the mental health needs of returning servicemen and women to be conducted by the National Guard Adjutant General and the Commissioner of Veterans Affairs, and \$30,000 to create a telephone hotline to refer veterans to available mental health services.

#### **Resolutions**

Several state legislatures have adopted resolutions to express gratitude for the sacrifices made by veterans who have sustained medical or mental health conditions or TBIs as the result of serving in the United States Armed Forces; and have urged Congress to ensure adequate funding for veterans' health care.

These states include **Alaska** ([S.J.R. 11](#)); **Louisiana** ([H.C.R. 23](#)); **Vermont** ([H.J.R. 57](#)); **Texas** ([S.R. 594](#); [H.C.R. 1](#)) in 2007; and Michigan ([H.R. 175](#)) also in 2007.

**Vermont** lawmakers also urged the US Department of Defense to screen all military personnel leaving a combat theater for traumatic brain injury, urged the US Department of Veterans Affairs to create a traumatic brain injury registry; a comprehensive program to provide long-term traumatic brain injury rehabilitation; and a pilot program in Vermont to deliver traumatic brain injury screening, readjustment counseling, mental health services, and benefits outreach to rural veterans through mobile Vet Centers.

For copies of these cited bills or resolutions please contact the [National Association of State Head Injury Administrators](#) at:

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*NASHIA assists state government in promoting partnerships and building systems to meet the needs of individuals with brain injuries and their families.*

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