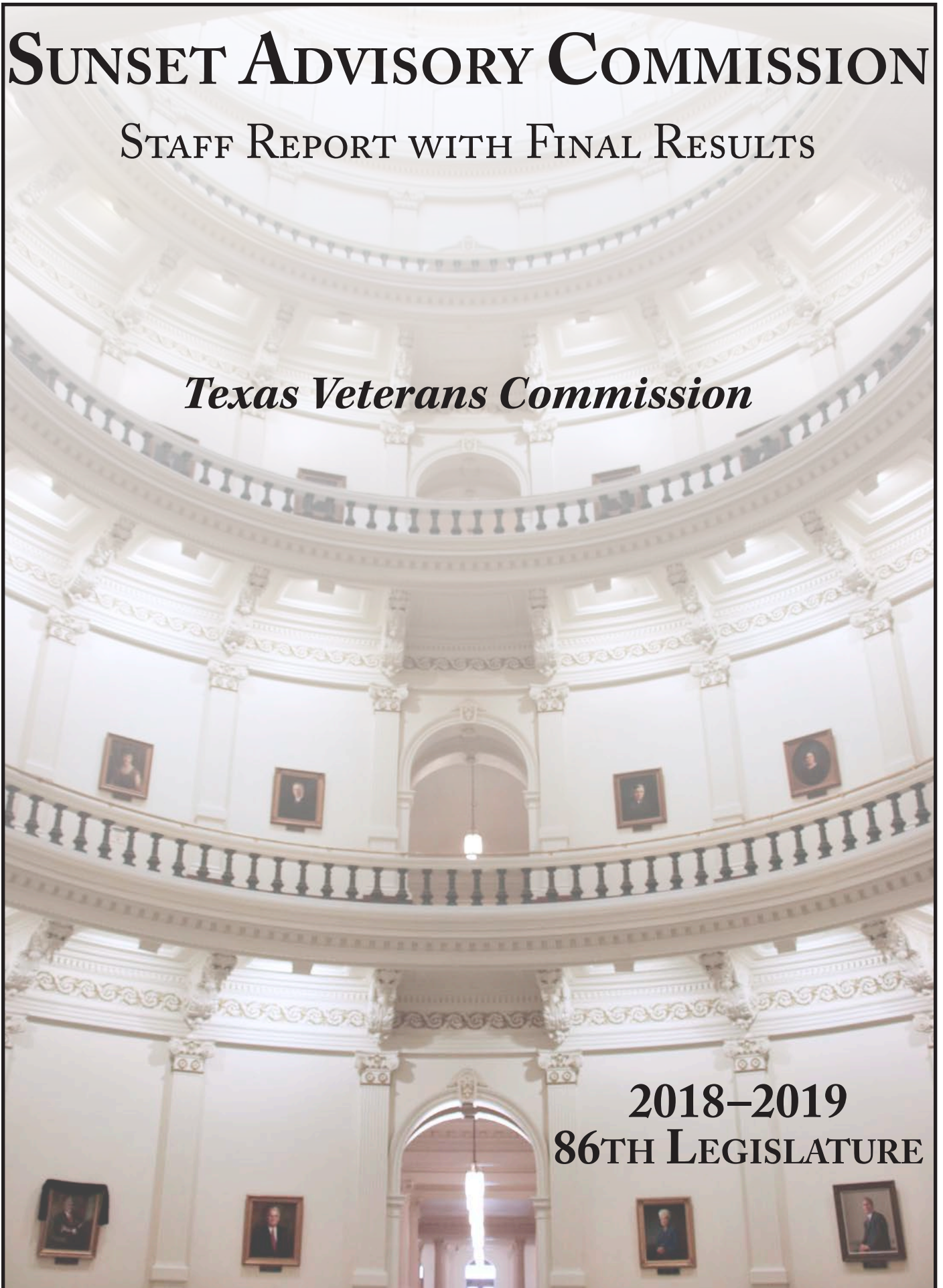


# SUNSET ADVISORY COMMISSION

STAFF REPORT WITH FINAL RESULTS

*Texas Veterans Commission*

2018–2019  
86TH LEGISLATURE



# SUNSET ADVISORY COMMISSION

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# TEXAS VETERANS COMMISSION

SUNSET STAFF REPORT WITH COMMISSION DECISIONS

2018-2019

86TH LEGISLATURE

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## ***HOW TO READ SUNSET REPORTS***

Each Sunset report is issued *three times*, at each of the three key phases of the Sunset process, to compile all recommendations and actions into one, up-to-date document. Only the most recent version is posted to the website. (**The version in bold is the version you are reading.**)

### 1. SUNSET STAFF EVALUATION PHASE

Sunset staff performs extensive research and analysis to evaluate the need for, performance of, and improvements to the agency under review.

*FIRST VERSION:* The *Sunset Staff Report* identifies problem areas and makes specific recommendations for positive change, either to the laws governing an agency or in the form of management directives to agency leadership.

### 2. SUNSET COMMISSION DELIBERATION PHASE

The Sunset Commission conducts a public hearing to take testimony on the staff report and the agency overall. Later, the commission meets again to vote on which changes to recommend to the full Legislature.

*SECOND VERSION:* The *Sunset Staff Report with Commission Decisions*, issued after the decision meeting, documents the Sunset Commission's decisions on the original staff recommendations and any new issues raised during the hearing, forming the basis of the Sunset bills.

### 3. LEGISLATIVE ACTION PHASE

The full Legislature considers bills containing the Sunset Commission's recommendations on each agency and makes final determinations.

**THIRD VERSION:** **The *Sunset Staff Report with Final Results*, published after the end of the legislative session, documents the ultimate outcome of the Sunset process for each agency, including the actions taken by the Legislature on each Sunset recommendation and any new provisions added to the Sunset bill.**

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# FINAL RESULTS





# FINAL RESULTS

## *Senate Bill 601*

### Summary

As the state's main advocate for veterans, staff at the Texas Veterans Commission (TVC) care deeply for the well-being of veterans and work diligently to fulfill the agency's many legislative mandates. The Sunset Commission focused on pushing the agency out of a business-as-usual mentality and toward continuous improvement. Senate Bill 601 requires TVC to set clear goals and performance targets, collect the right information to accurately measure impact to veterans, and better plan for future veteran needs across all its programs. Senate Bill 601 includes requirements for TVC to strategically manage the placement and targeting of its claims staff and measure how well its staff performs to achieve favorable VA decisions for veterans.

The following material summarizes results of the Sunset review of TVC, including management actions directed to the agency that do not require legislative action.

### ISSUE 1 — *Planning and Improvement*

**Recommendation 1.1, Adopted** — Require TVC to annually evaluate and set priorities for all programs.

**Recommendation 1.2, Adopted** — Require TVC to create and track meaningful outcome measures for all programs.

**Recommendation 1.3, Adopted** — Direct TVC to survey Texas veterans on a regular basis about their experience with agency programs and overall needs. (Management action – nonstatutory)

**Recommendation 1.4, Adopted** — Direct TVC to create a complaint process, make the complaint process accessible to the public, and track complaint data. (Management action – nonstatutory)

### ISSUE 2 — *Benefit Claims*

**Recommendation 2.1, Adopted** — Require TVC to track, evaluate, and strategically adjust claims staffing and special teams.

**Recommendation 2.2, Adopted** — Require TVC to better track and analyze claims outcome data to guide program success.

**Recommendation 2.3, Adopted** — Remove specific statutory military service requirements for veteran county service officers (VCSOs), but add a statutory requirement for a veterans preference for VCSOs based on the veterans preference in state law that state agencies follow (Section 657.002, Texas Government Code). Also, require counties to adopt their own veterans preference policies for VCSOs.

**Recommendation 2.4, Adopted** — Direct TVC to temporarily report on claims staffing and outcome data analyses. (Management action – nonstatutory)

**Recommendation 2.5, Adopted** — Direct TVC to strengthen support for claims staff and preserve institutional knowledge. (Management action – nonstatutory)

**Recommendation 2.6, Adopted** — Direct TVC to add information to its website about the claims process, including forms, checklists, basic claims information, and embedded VA resources. (Management action – nonstatutory)

**Recommendation 2.7, Modified** — Direct TVC to allow veterans to schedule appointments for claims counseling, while maintaining the option for walk-in services. Also, direct the agency to use teleconference or other alternative technologies to assist Texas veterans when the veteran does not need to be physically present in the office for assistance. (Management action – nonstatutory)

### ISSUE 3 — *Grants*

**Recommendation 3.1, Adopted** — Direct TVC to extend the length of its grant cycle from one to two years. (Management action – nonstatutory)

**Recommendation 3.2, Adopted** — Direct the agency to formalize the roles and training of the commission and the grants advisory committee to improve quality and transparency in the evaluation process. (Management action – nonstatutory)

**Recommendation 3.3, Adopted** — Direct TVC to develop and track enhanced grantee performance measures to better evaluate the benefit of its grant funding to veterans. (Management action – nonstatutory)

### ISSUE 4 — *Training*

**Recommendation 4.1, Adopted** — Direct TVC to restructure and streamline the scope and expense of its annual conference. (Management action – nonstatutory)

**Recommendation 4.2, Adopted** — Direct TVC to track and analyze detailed training costs to identify potential savings and improvements. (Management action – nonstatutory)

**Recommendation 4.3, Adopted** — Direct TVC to prioritize online training and other cost-effective tools to facilitate regular collaboration among staff and partners. (Management action – nonstatutory)

### ISSUE 5 — *Continue*

**Recommendation 5.1, Adopted** — Continue the Texas Veterans Commission for 12 years.

**Recommendation 5.2, Modified** — Update the standard across-the-board requirement related to commission member training, including a requirement for each board member to attest to both receiving and reviewing the training manual annually.

**Recommendation 5.3, Adopted** — The commission should implement requirements for encouraging purchasing from historically underutilized businesses. (Management action – nonstatutory)

## NEW RECOMMENDATION ADDED BY THE SUNSET COMMISSION

**Grant writing training for VCSOs, Adopted** — Direct the agency to create and provide grant-writing training for veterans county service officers either through online or in-person training. (Management action – nonstatutory)

### Provision Added by the Legislature

**Mental Health Program director** — Require TVC’s Mental Health Program director to be a licensed mental health professional and meet specific education and experience requirements. These requirements go into effect September 1, 2021.

### Fiscal Implication Summary

Overall, the Sunset Commission’s recommendations on TVC, as enacted in Senate Bill 601, will not have a fiscal impact to the state and can be achieved with existing agency resources. Many provisions in the bill are designed to improve internal operations and efficiency at the agency, but their exact impact will depend on implementation.



———— **SUNSET COMMISSION DECISIONS**  
**JUNE 2018**



# SUNSET COMMISSION DECISIONS

## Summary

The following material summarizes the Sunset Commission's decisions on the staff recommendations for the Texas Veterans Commission, as well as modifications and new recommendations raised during the public hearing.

As the state's main advocate for veterans, staff at the Texas Veterans Commission (TVC) care deeply for the well-being of veterans and work diligently to fulfill the agency's many legislative mandates. The Sunset Commission recommendations are meant to push the agency out of a business-as-usual mentality and strive toward continuous improvement. The commission recommends setting clear goals and performance targets, collecting the right information to accurately measure impact to veterans, and better planning for future veteran needs across all its programs.

The Sunset Commission paid special attention to TVC's state-funded claims assistance program, its bread-and-butter program where agency staff counsel veterans through the federal benefit claims process. The commission recommends that TVC strategically manage the placement and targeting of its claims staff and measure how well its staff performs to achieve favorable VA decisions for veterans. The commission also recommends that TVC take several basic steps to modernize customer service. Other recommended changes would improve the impact of TVC's well-funded grant program and more cost-effectively target the agency's training resources to employees and partners that need it most.

## ISSUE 1

*The Texas Veterans Commission (TVC) Lacks the Proactive Planning and Necessary Information to Regularly Evaluate and Improve Services to Veterans.*

**Recommendation 1.1, Adopted** — Require TVC to annually evaluate and set priorities for all programs.

**Recommendation 1.2, Adopted** — Require TVC to create and track meaningful outcome measures for all programs.

**Recommendation 1.3, Adopted** — Direct TVC to survey Texas veterans on a regular basis about their experience with agency programs and overall needs. (Management action – nonstatutory)

**Recommendation 1.4, Adopted** — Direct TVC to create a complaint process, make the complaint process accessible to the public, and track complaint data. (Management action – nonstatutory)

## ISSUE 2

*TVC's Status Quo Approach to Claims Counseling Does Not Maximize State Resources to Best Serve Veterans.*

**Recommendation 2.1, Adopted** — Require TVC to track, evaluate, and strategically adjust claims staffing and special teams.

**Recommendation 2.2, Adopted** — Require TVC to better track and analyze claims outcome data to guide program success.

**Recommendation 2.3, Adopted as Modified** — Remove specific statutory military service requirements for veteran county service officers (VCSSOs), but add a statutory requirement for a veterans preference for VCSSOs based on the veterans preference in state law that state agencies follow (Section 657.002, Texas Government Code). Also, require counties to adopt their own veterans preference policies for VCSSOs.

**Recommendation 2.4, Adopted** — Direct TVC to temporarily report on claims staffing and outcome data analyses. (Management action – nonstatutory)

**Recommendation 2.5, Adopted** — Direct TVC to strengthen support for claims staff and preserve institutional knowledge. (Management action – nonstatutory)

**Recommendation 2.6, Adopted** — Direct TVC to add information to its website about the claims process, including forms, checklists, basic claims information, and embedded VA resources. (Management action – nonstatutory)

**Recommendation 2.7, Adopted as Modified** — Direct TVC to allow veterans to schedule appointments for claims counseling, while maintaining the option for walk-in services. Also, direct the agency to use teleconference or other alternative technologies to assist Texas veterans when the veteran does not need to be physically present in the office for assistance. (Management action – nonstatutory)

## ISSUE 3

*TVC's Grant Program Needs Improvements to Promote Overall Effectiveness and Transparency.*

**Recommendation 3.1, Adopted** — Direct TVC to extend the length of its grant cycle from one to two years. (Management action – nonstatutory)

**Recommendation 3.2, Adopted** — Direct the agency to formalize the roles and training of the commission and the grants advisory committee to improve quality and transparency in the evaluation process. (Management action – nonstatutory)

**Recommendation 3.3, Adopted** — Direct TVC to develop and track enhanced grantee performance measures to better evaluate the benefit of its grant funding to veterans. (Management action – nonstatutory)

## ISSUE 4

*TVC Prioritizes a Costly Annual Conference Over Training Targeted to Better Meet Veterans' Needs.*

**Recommendation 4.1, Adopted** — Direct TVC to restructure and streamline the scope and expense of its annual conference. (Management action – nonstatutory)

**Recommendation 4.2, Adopted** — Direct TVC to track and analyze detailed training costs to identify potential savings and improvements. (Management action – nonstatutory)



**Recommendation 4.3, Adopted** — Direct TVC to prioritize online training and other cost-effective tools to facilitate regular collaboration among staff and partners. (Management action – nonstatutory)

## ISSUE 5

*Texas Has a Continuing Need for the Texas Veterans Commission.*

**Recommendation 5.1, Adopted** — Continue the Texas Veterans Commission for 12 years.

**Recommendation 5.2, Adopted** — Update the standard across-the-board requirement related to commission member training.

**Recommendation 5.3, Adopted** — The commission should implement requirements for encouraging purchasing from historically underutilized businesses. (Management action – nonstatutory)

## ADOPTED NEW RECOMMENDATION

### Grant Writing Training for VCSOs

Direct the agency to create and provide grant-writing training for veterans county service officers (VCSOs) either through online or in-person training. (Management action – nonstatutory)

## Fiscal Implication Summary

Overall, the Sunset Commission's recommendations would not have a fiscal impact to the state and can be achieved with existing agency resources. Many recommendations are designed to improve internal operations and efficiency at the agency, but their exact impact would depend on implementation.



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**SUMMARY OF SUNSET  
STAFF RECOMMENDATIONS**



# SUMMARY

As the state's main advocate for veterans, staff at the Texas Veterans Commission (TVC) care deeply for the well-being of veterans and work diligently to fulfill the agency's many legislative mandates. With 1.6 million veterans, Texas has the second largest veteran population in the nation and proudly provides a wide variety of services and programs to increase veterans' quality of life. Since the agency's last Sunset review in 2006, the Legislature has continued to consolidate and add new programs to TVC, leaving little additional benefit from further organizational change. Overall, the agency has successfully absorbed the education and employment programs from the Texas Workforce Commission, significantly expanded its grant program, enhanced coordination with the Veterans' Land Board and other agencies, and started other new initiatives as directed by the Legislature, such as entrepreneurship and mental health programs.

Most stakeholders seem happy with TVC's services and programs, and the review found almost nothing in the way of legislative concerns, news coverage, or even general public interest in the agency's day-to-day operations. However, such sleepiness risks complacency, and the Sunset review focused on pushing the agency out of a business-as-usual mentality and toward one of continuous improvement. The agency and many stakeholders use the U.S. Department of Veterans Affairs (VA) as a benchmark for comparison, making an easy fallback measure of success simply "doing better than the VA." With a changing veteran population and perpetually limited resources, TVC must take control of its own future and work smarter by setting clear goals and performance targets, collecting the right information to accurately measure impact to veterans, and better planning for future veteran needs across all its programs.

The review paid special attention to TVC's state-funded claims assistance program, its bread-and-butter program where agency staff counsel veterans through the federal benefit claims process. TVC has not strategically managed placement or targeting of its claims staff and has not meaningfully measured how well its staff performs to achieve favorable VA decisions for veterans. The agency also has not taken basic steps to modernize customer service, such as allowing veterans to make appointments. TVC depends heavily on institutional knowledge for administration of its programs but has one of the highest turnover rates in the state. The agency needs to better document its processes and share best practices, so all employees and decision makers are on the same page. Other recommendations in the report aim to improve the impact of TVC's well-funded grant program and more cost-effectively target the agency's training resources to employees and partners that need it most. Sunset staff also recommends continuing the agency for 12 years. The following material summarizes the Sunset staff recommendations on TVC.

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*The Sunset review focused on pushing the agency out of its business-as-usual mentality.*

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## Issues and Recommendations

### *Issue 1*

#### **TVC Lacks the Proactive Planning and Necessary Information to Regularly Evaluate and Improve Services to Veterans.**

TVC acts as the state's advocate for Texas veterans by helping navigate the complex service network, monitoring the challenges veterans face, and addressing barriers to accessing services. However, TVC does not comprehensively assess and plan holistically across programs to best address veterans' challenges and more effectively align services. Importantly, the agency does not collect outcome measures, regularly survey veterans, or comprehensively track complaint data to monitor how well its programs serve veterans. Implementing a formal planning process and collecting the right kind of information would allow TVC to set concrete goals for its programs, link planning directly to the needs of Texas veterans, prioritize staff's work, and quantify its impact on veterans.

#### **Key Recommendations**

- Require TVC to annually evaluate and set priorities for all programs.
- Require TVC to create and track meaningful outcome measures for all programs.

### *Issue 2*

#### **TVC's Status Quo Approach to Claims Counseling Does Not Maximize State Resources to Best Serve Veterans.**

The agency assists veterans filing benefit claims with the VA to compensate for hardships resulting from military service. However, TVC has not strategically managed the state's significant investment in claims staff, lacking regular workload analyses to target staff and funding to the greatest need. Additionally, TVC does not effectively target the efforts of special teams intended to help veterans get faster claims decisions by addressing VA hotspots. The agency also fails to collect, analyze, and report claims outcome data needed to monitor and improve services to veterans. Additionally, TVC has not taken basic steps to improve the customer service experience for veterans and increase overall efficiency, such as providing comprehensive online information for veterans and allowing veterans to make appointments for claims counseling. Finally, state law restricts the pool of veteran county service officers available to file claims by requiring rather than preferring prior military service. The following recommendations would help TVC better use state resources to assist veterans with claims and modernize customer service for veterans.

#### **Key Recommendations**

- Require TVC to track, evaluate, and strategically adjust claims staffing and special teams.
- Require TVC to better track and analyze claims outcome data to guide program success.
- Remove military requirements for veteran county service officers to expand the pool of potential accredited claims counselors for Texas veterans.

## ***Issue 3***

### **TVC's Grant Program Needs Improvements to Promote Overall Effectiveness and Transparency.**

TVC awards grant funding to nonprofit organizations and units of local government to deliver direct services to veterans. Sunset staff found that the length of the grant cycle was too short to effectively evaluate grantee performance and provide technical assistance to grantees. In addition, TVC lacks policies and appropriate training for grant advisory committee members and TVC commissioners to better prepare them for a successful grant process. Further, TVC does not measure grantee outcomes, a best practice in any grant program. Extending the grant cycle and applying best practices to the agency's grant program will help ensure that the agency awards grants fairly, tracks performance over time, and meets program goals for veteran services.

#### **Key Recommendations**

- Direct TVC to extend the length of its grant cycle from one to two years.
- Direct the agency to formalize the roles and training of the commission and the grants advisory committee to improve quality and transparency in the evaluation process.
- Direct TVC to develop and track enhanced grantee performance measures to better evaluate the benefit of its grant funding to veterans.

## ***Issue 4***

### **TVC Prioritizes a Costly Annual Conference Over Training Targeted to Better Meet Veterans' Needs.**

The agency provides training for its staff and key partners who serve veterans throughout the state but relies heavily on one staff-wide annual conference to train staff and partners. Due to the emphasis on the annual conference, TVC cannot meet other training needs. Despite the high cost and extensive staff time to plan the conference, TVC does not track detailed conference and training costs. TVC also does not effectively target state training resources provided to veteran county service officers, county staff who assist veterans with claims and referrals. Streamlining the fall conference to use training resources more efficiently would help TVC maximize year-round and on-demand training opportunities to help staff and partners serve veterans effectively.

#### **Key Recommendations**

- Direct TVC to restructure and streamline the scope and expense of its annual conference.
- Direct TVC to track and analyze detailed training costs to identify potential savings and improvements.
- Direct TVC to prioritize online training and other cost-effective tools to facilitate regular collaboration among staff and partners.

## ***Issue 5***

### **Texas Has a Continuing Need for the Texas Veterans Commission.**

Texas benefits from and has an ongoing need for TVC to help the state's 1.6 million veterans access federal benefits and navigate state services. In addition, the federal government primarily funds the veteran employment and education programs, and the state needs an agency to provide those services. Overall, Sunset staff concluded Texas has effectively consolidated most veteran services under TVC, offering little benefit from further organizational change.

#### **Key Recommendation**

- Continue the Texas Veterans Commission for 12 years.

### **Fiscal Implication Summary**

Overall, the recommendations in this report would not have a fiscal impact to the state and can be achieved with existing agency resources. Many recommendations are designed to improve internal operations and efficiency at the agency, but their exact impact would depend on implementation.



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**AGENCY AT A GLANCE**

**MARCH 2018**



# AGENCY AT A GLANCE

The Texas Veterans Commission (TVC) supports Texas veterans and their families by providing direct services to veterans and technical assistance, training, and grant funding to organizations that help veterans.<sup>1</sup> Federal and state law define a veteran as any person who served in the active military, naval, or air service of the United States and who was discharged or released under conditions other than dishonorable.<sup>2</sup> In 1927, the Legislature created TVC as a division of the Adjutant General's Department and made it an independent agency in 1947. Since then, the Legislature has expanded TVC's duties to meet the increasing needs of Texas' more than 1.6 million veterans.<sup>3</sup> To fulfill its mission, the agency

- assists veterans and their families to file claims for U.S. Department of Veterans Affairs (VA) health and pension benefits;
- helps veterans find jobs and start businesses;
- oversees Texas education programs using federal GI Bill funds;
- awards grant funding to nonprofit and government organizations serving veterans and their families;
- connects veterans and their families to health care, mental health services, and other resources; and
- provides training and technical assistance to community partners serving veterans, such as counties and local mental health authorities.

## Key Facts

- **Governance.** The governor appoints five commission members to six-year, staggered terms to oversee the agency.<sup>4</sup> At least three commission members must be honorably discharged from active U.S. military service and at least one member must be a disabled veteran.<sup>5</sup> The chart, *Texas Veterans Commission*, shows the commission's current makeup. Four advisory committees provide input and recommendations to the commission on the grant program, veteran county service officers, veterans employment and training, and communication and outreach.

### ***Texas Veterans Commission***

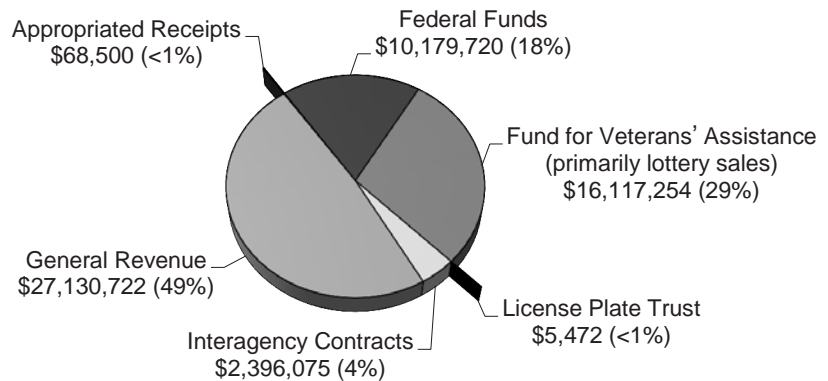
<b>Name</b>	<b>Term Expires</b>	<b>Qualification</b>	<b>City</b>
Eliseo "Al" Cantu Jr., Chair	December 31, 2019	Disabled Veteran	Corpus Christi
Richard A. McLeon IV, Vice Chair	December 31, 2017*	Veteran	Henderson
Kevin Barber	December 31, 2022	Veteran	Houston
J.K. "Jake" Ellzey	December 31, 2017*	Veteran	Midlothian
Daniel P. Moran	December 31, 2019	Disabled Veteran	Cypress

\* Commission members with expired terms continue to serve pursuant to Section 17, Article XVI, Texas Constitution.

- Funding.** In fiscal year 2017, TVC operated on a total budget of nearly \$56 million. As shown in the pie chart, *Texas Veterans Commission Sources of Revenue*, about 50 percent of the agency’s funding came from general revenue, while another 29 percent came from the sale of veterans lottery tickets to support the grant program. The agency also received about \$10 million in federal funds from the Department of Labor and the VA for the employment and education programs, and \$1.7 million in interagency contracts from the Health and Human Services Commission to support the veterans mental health program.

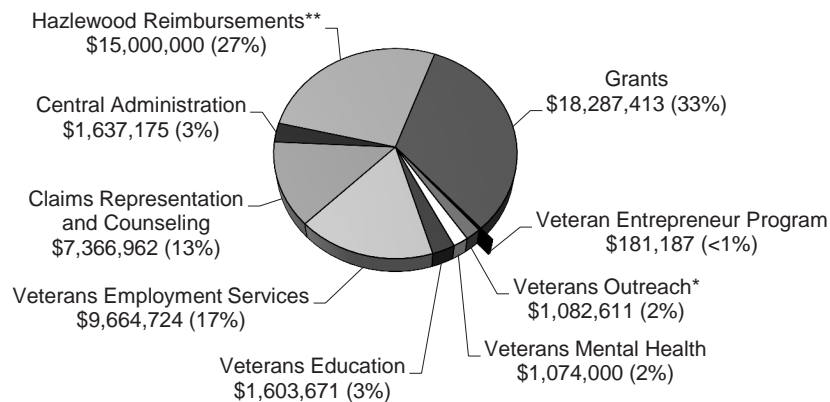
The pie chart, *Texas Veterans Commission Expenditures*, details the agency’s key expenditures. The majority is for grant awards, employment services, and benefit claims representation and counseling. While pass-through Hazlewood reimbursements to colleges and universities made up a significant portion of the agency’s expenditures in fiscal year 2017, TVC no longer has this responsibility, as the Legislature transferred the funds to the Higher Education Coordinating Board, effective fiscal year 2018. Appendix A describes the agency’s use of historically underutilized businesses in purchasing goods and services for fiscal years 2015–2017.

**Texas Veterans Commission Sources of Revenue – FY 2017**



**Total: \$55,897,743**

**Texas Veterans Commission Expenditures – FY 2017**



**Total: \$55,897,743**

\* Veterans Outreach expenditures also include those related to the Women Veterans Program.

\*\* Beginning in fiscal year 2018, the Higher Education Coordinating Board administers Hazlewood reimbursement funds.

- **Staffing.** As of February 2018, the agency employs 380 staff, including 80 staff working at its Austin headquarters, 151 employment staff primarily in the Texas Workforce Commission's local workforce development boards, and 127 benefit claims counselors primarily in VA hospitals and clinics. Appendix B compares the agency's workforce composition to the percentage of minorities in the statewide civilian workforce for the past three fiscal years.
- **Claims.** The agency's oldest responsibility is helping veterans file benefit claims for disabilities, pensions, and related health care with the VA. The agency's claims counselors receive accreditation from the VA to directly represent veterans seeking to establish or adjust a disability rating, which determines the level of benefits received. In fiscal year 2017, TVC filed more than 130,000 veterans claims cases and helped appeal another 19,000 VA benefit decisions. The agency also supports a network of county employees serving veterans, described in the textbox, *Veteran County Service Officers*.
- **Employment.** The agency provides direct services to veterans with significant barriers to employment through a federal grant from the Department of Labor. Staff placed in local workforce development boards help these veterans find jobs by creating employment plans, writing resumes, and searching and applying for opportunities. Staff also works with both private and public sector employers to identify job opportunities for veterans, serving as a point of contact for employers seeking military-specific skill sets. In fiscal year 2017, TVC provided employment services to more than 16,000 veterans.
- **Education.** Through a grant from the VA, the agency approves and monitors 1,453 Texas education and training programs using federal GI Bill funds. In 2017, TVC staff conducted more than 400 compliance visits of these programs. Though the Legislature transferred administration of the state Hazlewood tuition reimbursements to the Higher Education Coordinating Board, TVC still provides technical assistance to educational institutions serving veterans, maintains a database, and ensures administrative rules for the state Hazlewood Act tuition exemption remain up to date.
- **Grants.** The agency administers the Fund for Veterans' Assistance grant program supported by the veterans lottery scratch-off ticket. Since 2009, the commission has awarded more than \$90 million in grant funding to organizations directly supporting nearly 220,000 veterans and their families. Grantees include community nonprofit organizations and local governments providing a variety of services, such as mental health support, transportation, veterans treatment courts, housing, and homeless assistance. In fiscal year 2017, the commission awarded about \$17 million in grants to more than 80 organizations.
- **Healthcare advocacy.** Since 2015, the agency's healthcare advocates have worked within the VA healthcare system to help Texas veterans troubleshoot problems, including helping schedule doctor appointments, receive lab testing, obtain outside referrals, and settle billing issues. In fiscal year 2017, TVC's 14 advocates helped more than 5,000 veterans with VA healthcare issues.

#### **Veteran County Service Officers**

- State law requires counties with populations of 200,000 or more to have a veteran county service officer.
- Currently, Texas has 256 veteran county service officers.
- Officers must have prior military service or be a widow or spouse of a service member who was killed in action, is disabled, or retired after 20 years of active duty.
- TVC trains these county employees to help process and submit claims to the VA.

- **Mental health.** Through about \$1.7 million in annual grant funding from the Texas Health and Human Services Commission, TVC supports 33 veteran peer coordinators at local mental health authorities across the state. In fiscal year 2017, these peer coordinators trained about 6,000 volunteer veterans to mentor other veterans experiencing mental health issues caused by military trauma.<sup>6</sup> Peer coordinators also train mental health providers working with veterans to identify military-related conditions such as post-traumatic stress disorder, traumatic brain injuries, and military sexual trauma. In fiscal year 2017, TVC coordinated training for 587 mental health providers on veterans mental health issues.<sup>7</sup>
- **Entrepreneurship.** The agency assists veterans with starting and growing their own businesses through one-on-one mentorship and seminars. Three TVC staff provide direct services to veterans such as developing business and marketing plans and learning how to work as a government contractor. Staff also verify the veteran status of business owners who qualify for exemptions from state franchise taxes and business incorporation fees. In fiscal year 2017, TVC's entrepreneur program served 3,635 new clients, including those seeking verification of veteran status.
- **Women veterans.** TVC works to address the unique needs of Texas' growing women veteran population by developing specific outreach materials, directing individuals to appropriate career and mental health services, and collaborating with community partners who serve and honor women veterans. In fiscal year 2017, the Women Veterans Program responded to requests from 815 women veterans and supported an online communication platform for 1,027 women veterans.

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<sup>1</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Chapter 434, Texas Government Code.

<sup>2</sup> Section 302.151, Texas Labor Code, citing 38 U.S.C. Section 101(2).

<sup>3</sup> National Center for Veterans Analysis and Statistics, *VetPOP2016 Living Veterans by State, Age Group, Gender, 2015–2016*, accessed February 7, 2018, [https://www.va.gov/vetdata/veteran\\_population.asp](https://www.va.gov/vetdata/veteran_population.asp).

<sup>4</sup> Section 434.007, Texas Government Code.

<sup>5</sup> Section 434.003, Texas Government Code.

<sup>6</sup> Texas Health and Human Services Commission, *Report On the Mental Health Program for Veterans*, accessed February 20, 2018, <https://hhs.texas.gov/sites/default/files/documents/laws-regulations/reports-presentations/2017/sb1-mental-health-veterans-fy2017-nov-2017.pdf>.

<sup>7</sup> Ibid.

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**ISSUES**





# ISSUE 1

## *TVC Lacks the Proactive Planning and Necessary Information to Regularly Evaluate and Improve Services to Veterans.*

### Background

Approximately 1.6 million veterans live in Texas, the second largest veteran population after California.<sup>1</sup> Texas also has a higher concentration of veterans living in the state than the national average.<sup>2</sup> Texas' veteran population and needs are changing. Women and minority veterans will become larger proportions of the state's veteran population in the future.<sup>3</sup> Texas already has the highest number of women veterans in the nation, and women are moving to Texas at a faster rate than any other state. Additionally, in 20 years, almost half of the veterans in Texas will be minorities.<sup>4</sup>

Veteran healthcare needs are also becoming more complex. Many service members returning from Iraq and Afghanistan require intensive services, such as treatment for post-traumatic stress disorder and traumatic brain injury. Finally, as Texas veterans from the Korean and Vietnam War eras age, their healthcare needs will change and grow.<sup>5</sup>

Veterans face many challenges to find and access the right services for their specific needs within the complex network of local, state, and federal programs. A 2016 study concluded that figuring out the network of services is so difficult that some Texas veterans stop seeking help altogether.<sup>6</sup> As the state's main advocate for veterans, the Texas Veterans Commission (TVC) serves as a one-stop shop to help veterans navigate the system by monitoring the challenges veterans face, addressing barriers, and adjusting limited resources to areas with the greatest need.

### Findings

#### **TVC does not regularly plan across all agency programs to ensure it best meets the changing needs of Texas veterans.**

- **Lacking program-specific planning.** Though the agency completes a strategic plan every five years as required for all state agencies, TVC does not translate these high-level goals into updated priorities for many programs.<sup>7</sup> Without regular, program-specific planning and direction, many TVC staff lack concrete goals to prioritize their daily work or measure performance. For example, the agency's staff in small programs, such as education coordinators, healthcare advocates, and entrepreneur program staff, work independently without much direction on types of issues they should prioritize and statewide results they are expected to achieve, beyond general duties listed in statute.<sup>8</sup>

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*TVC staff lack concrete goals to direct their work.*

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TVC's employment program is the only major TVC program with a structured, annual planning process, which other agency programs could use as a model. Required by the U.S. Department of Labor, the plan includes information about how the agency intends to target funding and staffing levels, whether the program met past performance standards,

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*TVC misses an obvious opportunity to better link planning to the needs of Texas veterans.*

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what additional staff trainings are needed, and other proposed changes to better address veterans' needs over the coming year. Before submitting the annual plan to the Department of Labor, all regional employment managers collaborate to discuss the issues they are seeing in the field, and what changes they want to make to better serve veterans in the coming year. Staff also analyze U.S. Department of Veterans Affairs (VA) data and other veteran studies and consider initiatives, such as the governor's veteran proposals, to inform needed changes.<sup>9</sup> For example, in its 2016 plan, TVC decided to exclusively focus the work of five staff located at military installations on wounded warriors and veterans transitioning from military service to civilian life. TVC also requested two new staff to work with incarcerated veterans pending release from criminal justice facilities to respond to an emerging need.

- **Underused needs assessment.** TVC misses an obvious opportunity to better link planning in all agency programs directly to the needs of Texas veterans. State law requires TVC's grant program to conduct a statewide needs assessment every four years and to identify discrepancies between the needs identified and the services available to inform grant funding decisions.<sup>10</sup> The 2016 assessment identified several priorities in topic areas relevant to many of the agency's programs beyond grants, listed in the textbox, *Priorities Identified in Statewide Veterans Needs Assessment*.<sup>11</sup>

#### ***Priorities Identified in Statewide Veterans Needs Assessment (2016)***

##### **Services for Veterans**

- Assistance with rent, mortgage, and utilities
- Transportation
- Living expenses other than housing or food and legal services (such as clothing and furniture)
- Mental health and addiction
- Assistance for women, younger veterans, low-income veterans, and veterans transitioning from military to civilian life
- Assistance in locating and accessing medical care and higher education

##### **Services for Families of Veterans**

- Child care and child mentoring
- Home improvement and modifications

##### **Geography-Based Priorities**

- Organizations operating statewide
- Specific regions (or counties): Areas with large veteran populations, East Texas region, Alamo region, and veteran services in the Gulf Coast region
- Family services in the North Texas region

TVC only uses this document for the grant program, not as a resource for the agency's activities as a whole. The agency paid Texas State University about \$93,000 to produce the last report and should better use the information to help set concrete goals, improve program delivery, address veterans' needs, and identify gaps in services across all of the agency's programs. Finally, the study could also be a resource for members of the public, legislators, and veteran service organizations, but TVC does not publish it on the website.

### **TVC does not collect key information needed to monitor how well its programs serve veterans' needs.**

- **Not assessing true program outcomes.** The agency cannot quantify how its programs are improving veterans' lives. TVC measures its effectiveness primarily by counting how many people the agency serves, how many activities staff perform, and how much money Texas veterans bring into the state through successful VA benefit claims. The chart, *Better Measuring Effectiveness of Veteran Programs*, shows examples of output measures TVC developed for its strategic plan compared to better outcomes the agency could track to evaluate how well it is helping veterans. Unlike outputs that describe the number of activities or services provided, outcomes show rates of performance that provide an indication of performance over time. In most cases, the agency already has access to information needed for the suggested measures, or could set up systems to gather needed information without undue cost, but has simply not taken the initiative to do so. Issues 2 and 3 describe the lack of outcomes for TVC's benefit claims assistance and grant programs in more detail.

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*Outcomes would show an indication of performance over time.*

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#### ***Better Measuring Effectiveness of Veteran Programs***

<b>Program</b>	<b>Sample of Outputs Tracked by TVC</b>	<b>Outcomes TVC Could Track</b>
<b>Claims</b>	<ul style="list-style-type: none"> <li>• Number of claims filed</li> <li>• Number of favorable VA decisions</li> <li>• Number of appeals of unfavorable VA decisions filed on behalf of veterans</li> </ul>	<ul style="list-style-type: none"> <li>• Percent of veterans turned away at TVC claims offices</li> <li>• Percent of favorable VA decisions matched to the claims filed</li> <li>• Percent of TVC appeals granted by VA</li> </ul>
<b>Education</b>	<ul style="list-style-type: none"> <li>• Number of institution visits completed by veterans education staff</li> </ul>	<ul style="list-style-type: none"> <li>• Percent of approved education programs that meet criteria during compliance visits</li> </ul>
<b>Grants</b>	<ul style="list-style-type: none"> <li>• Number of veterans, dependents, and survivors served by the Housing for Texas Heroes Program</li> </ul>	<ul style="list-style-type: none"> <li>• Percent of clients who successfully transition from temporary to permanent housing</li> </ul>
<b>Entrepreneur</b>	<ul style="list-style-type: none"> <li>• Number of services provided to veterans and their families by the Veteran Entrepreneur Program</li> </ul>	<ul style="list-style-type: none"> <li>• Percent of veterans starting their own businesses after receiving entrepreneur services</li> </ul>
<b>Health Care Advocacy</b>	<ul style="list-style-type: none"> <li>• Number of veteran encounters and services provided by the Health Care Advocacy Program</li> </ul>	<ul style="list-style-type: none"> <li>• Percent of veterans that gain access to VA health services after working with a healthcare advocate</li> </ul>
<b>Outreach</b>	<ul style="list-style-type: none"> <li>• Number of public information briefings given</li> <li>• Amount of public information distributed</li> </ul>	<ul style="list-style-type: none"> <li>• Percent of veteran hotline calls timely answered by TVC</li> <li>• Percent of veterans expressing satisfaction with TVC's services</li> </ul>

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*TVC does not regularly survey veterans to evaluate and prioritize its programs.*

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- **Lacking regular surveys of veterans.** TVC's feedback loop from the veterans it serves is ad hoc. The agency does not, as a rule, regularly survey clients in all programs or the veteran population generally to evaluate and prioritize its programs. The agency has conducted some useful targeted surveys and would benefit from expanding this practice across all programs to inform its work. For example, the TVC Women Veterans Program surveyed women veterans about difficulties faced while transitioning out of the military, and the Health Care Advocacy Program distributes client satisfaction surveys.
- **No complaint process.** TVC does not have a complaint process or comprehensively track complaints to identify issues in the agency's programs as required in law. TVC's statute requires TVC to respond to complaints, maintain information on complaints, and make information available describing its complaint process.<sup>12</sup> The agency's website does not mention a complaint process, and TVC does not provide veterans and their families receiving services information on how to file complaints with the agency. As a common best practice, the public should be able to file a written complaint against a TVC staff member, TVC-approved education program, or a grantee on a simple form provided by the agency, and the agency should clearly communicate the process in rules, brochures, and the website to promote awareness.

## Recommendations

### *Change in Statute*

#### **1.1 Require TVC to annually evaluate and set priorities for all programs.**

This recommendation would require TVC to evaluate and set priorities for every program annually to set concrete goals for staff, measure performance over time, and meet the changing needs of Texas veterans. The agency should consider the existing strategic plan and needs assessment; improved complaint data, performance outcomes, and survey results as directed in Recommendations 1.2, 1.3, and 1.4; staff input; and any other available information when developing goals and strategies to guide staff for the upcoming year. As part of this recommendation, TVC would also be required to publish its existing statewide veterans' needs assessment on the agency's website to ensure all internal and external stakeholders can benefit from the information when setting priorities for veteran programs. The agency should complete the first evaluation and annual program plans by December 1, 2019.

#### **1.2 Require TVC to create and track meaningful outcome measures for all programs.**

Under this recommendation, TVC would be required to establish success measures and corresponding targets for all programs. The agency would amend its existing strategic plan to adjust and add these improved measures and would regularly report progress by amending its existing annual report to include a summary of TVC program goals and performance. Establishing well-defined performance goals and annual updates on progress would allow the agency to better quantify its impact on veterans and identify any concerns or opportunities for improvement. The agency should define new measures by December 1, 2019 and include the measures and any preliminary data in its January 2020 annual report. The agency should also report measures in all subsequent annual reports and update measures in the next strategic plan by June 1, 2020.

## **Management Action**

### **1.3 Direct TVC to survey Texas veterans on a regular basis about their experience with agency programs and overall needs.**

This recommendation would direct TVC to expand use of veteran surveys to evaluate performance and plan for the future. TVC should regularly survey both veterans already using TVC services about their experience and veterans who do not use specific TVC programs about what services they need and any barriers they encounter. Collecting this information would ensure TVC has regular, direct feedback from the population the agency serves.

### **1.4 Direct TVC to create a complaint process, make the complaint process accessible to the public, and track complaint data.**

This recommendation would direct the agency to establish a complaint process as already required in law and post information about how to file a complaint on the agency website along with a simple complaint form. Under this recommendation, TVC staff should develop procedures that clearly lay out all phases of the complaint process and centrally track and analyze all complaint information to identify trends and issues. TVC should develop the policy and post information to its website by January 1, 2019.

## **Fiscal Implication**

These recommendations would require TVC to evaluate and ensure it spends the state's resources effectively but would not have an overall fiscal impact to the state. The agency already has staff dedicated to planning, performance tracking, and outreach, and should redirect efforts to accomplish the recommendations within existing resources. The agency already collects data, conducts surveys, produces a needs assessment, and publishes an annual report. The recommendations would require staff to use these existing systems to become a more successful, high-performing agency for Texas veterans.

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<sup>1</sup> National Center for Veterans Analysis and Statistics, *VetPOP2016 Living Veterans by State, Age Group, Gender, 2015–2016*, accessed February 25, 2018, [https://www.va.gov/vetdata/veteran\\_population.asp](https://www.va.gov/vetdata/veteran_population.asp).

<sup>2</sup> Texas Veterans Commission, *Legislative Appropriations Request, Fiscal Years 2018–2019: Administrator’s Statement* (Austin, 2016), 3.

<sup>3</sup> National Center for Veterans Analysis and Statistics, *VetPOP2016 Living Veterans by State, Race/Ethnicity, Gender, 2015–2016*, accessed February 26, 2018, [https://www.va.gov/vetdata/veteran\\_population.asp](https://www.va.gov/vetdata/veteran_population.asp).

<sup>4</sup> Ibid.

<sup>5</sup> Texas Department of Housing and Community Development, *Appendix C: Veterans Demographics in Texas*, accessed February 25, 2018, <https://www.tdhca.state.tx.us/tich/docs/HVS-docs/C-VeteranDemographics%20.pdf>.

<sup>6</sup> Center for Social Inquiry at Texas State University, *Identifying the Unmet Needs of Texas Veterans and Their Families: A Statewide Needs Assessment*, accessed March 1, 2018, <http://vetconnectntx.org/assets/files/resources/texas-statewide-needs-assessments/TVC-Veteran-Needs-Assessment-by-Texas-State-May-4-2016.pdf>.

<sup>7</sup> Texas Veterans Commission, *Strategic Plan Fiscal Years 2017–2021*, accessed March 1, 2018, <https://www.tvc.texas.gov/wp-content/uploads/2016/10/Strategic-Plan-2016-Final-BKPG.pdf>.

<sup>8</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Sections 434.022, 434.023, and 434.302, Texas Government Code.

<sup>9</sup> Jonathan Tilove, “Abbott unveils plan to boost health care, opportunities,” *Austin American-Statesman*, November 11, 2017, <http://www.mystatesman.com/news/state—regional-govt—politics/abbott-unveils-plan-boost-health-care-opportunities-for-veterans/V4LdaOCBFmHDIoMSDW9hsM/>.

<sup>10</sup> Section 434.017(c-1), Texas Government Code.

<sup>11</sup> Center for Social Inquiry, *Identifying the Unmet Needs of Texas Veterans*.

<sup>12</sup> Section 434.0076, Texas Government Code.

# ISSUE 2

## *TVC's Status Quo Approach to Claims Counseling Does Not Maximize State Resources to Best Serve Veterans.*

### Background

State law requires the Texas Veterans Commission (TVC) to help veterans file benefit claims with the U.S. Department of Veterans Affairs (VA).<sup>1</sup> The textbox, *What is a Claim?*, provides basics on VA benefits for veterans.<sup>2</sup> Veterans may choose to file claims on their own or with the assistance of other service organizations such as the Disabled American Veterans. In fiscal year 2017, TVC filed 133,126 claims on behalf of veterans and their survivors, 95 percent of which were for service-connected disability compensation.<sup>3</sup> The commission also filed more than 19,000 benefit decision appeals for veterans and their survivors with the VA.<sup>4</sup>

TVC claims staff work in four districts throughout the state to meet the high demand for claims counseling, with 127 TVC claims counselors in 44 field offices, mostly located inside VA facilities. The chart on the following page, *Texas Veterans Commission Claims Process*, shows how a typical claim progresses. Claims counselors help veterans every step of the way, from understanding the claims process, gathering paperwork, and filing the claim to representing veterans wishing to appeal the VA's eventual decision, if necessary.

In response to a nationwide VA claims backlog, Texas leaders and TVC have added to the state's existing investment in regular claims counseling by launching special efforts to address hotspots, described in the textbox, *Special Claims Initiatives*.<sup>5</sup> In fiscal year 2017, the Legislature allocated about \$2 million out of TVC's total \$7.4 million claims counseling appropriation for these two special initiatives.<sup>6</sup>

#### ***What is a Claim?***

The VA can approve three types of claims to compensate veterans for hardships resulting from their military service.

- **Service-connected disability compensation.** Monthly payments for disabilities incurred during military service. The amount depends on the veteran's disability rating, determined by reviewing medical records and other supporting documentation.
- **Pension.** Monthly payments, separate from military retirement, for wartime veterans and their survivors with limited income who are totally and permanently disabled, or at least 65 years of age.
- **Dependency and indemnity compensation.** Monthly payments for survivors of service members who died during active duty, training, or from a service-connected disability.

#### ***Special Claims Initiatives***

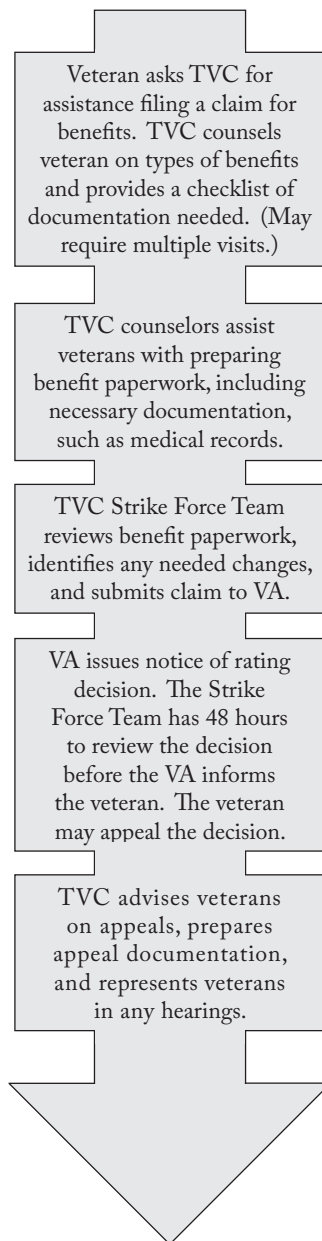
- **Strike Force Team.** Established in 2009 to expedite Texas veterans' claims pending decision at the VA for more than 120 days. Currently includes 21 staff with significant prior VA experience.
- **Fully Developed Claims.** Established in 2009 to assist Texas veterans in filing well-documented claims with the VA, which receive a faster VA decision. Currently includes 20 staff located throughout the state.

## Findings

### TVC has not strategically managed the state’s significant investment in claims staff.

The Legislature has given TVC significant staffing resources intended to help the agency strategically respond to VA problems, but the agency has not targeted these resources effectively, as discussed below.

#### Texas Veterans Commission Claims Process



- No formal workload analysis and staffing adjustments.** TVC lacks a formal process to match staffing to demand for claims assistance and does not regularly address large variations in workload and performance among field offices. In 2017, the Legislature gave the agency additional flexibility to move staff positions between regular claims services and special teams, but TVC has not yet taken advantage of this option to evaluate whether they could serve veterans more effectively with a different staffing model.<sup>7</sup> The chart, *Wide Variability in Workload and Performance*, provides a comparison of workload and veterans turned away at select field offices, suggesting some staff are underutilized and could potentially serve more veterans in a different office or role.<sup>8</sup> TVC sets targets for number of claims each office should file, but only uses this information for annual staff evaluations and not overall workload analysis. The agency only evaluates where claims staff are most needed when faced with a vacancy and has no regular process to make overall adjustments statewide.

**Wide Variability in Workload and Performance – FY 2017**

Office	Average Claims and Appeals Filed Per Counselor	Veterans Turned Away Per Office
Fort Sam Houston	842	4 %
Lufkin VA Outpatient Clinic	1,239	2 %
Fort Worth VA Outpatient Clinic	1,630	18 %
Harlingen VA Health Care Center	2,556	17 %
McAllen VA Outpatient Clinic	3,533	11 %
Dallas VA Medical Center	4,718	6 %

- Special teams not targeted as intended.** TVC’s special claims teams do not target efforts on the most high-impact initiatives. The Legislature appropriates money for the Strike Force Team and Fully Developed Claims Team to expedite the most delayed claims awaiting a decision from the VA and support a VA initiative to provide faster decisions for certain straightforward, well-



documented claims.<sup>9</sup> However, TVC is currently using the Strike Force Team as a general quality control team who check all TVC claims before submitting to the VA. Similarly, the Fully Developed Claims Team is spread out in TVC offices across the state doing the same work as regular claims counselors, instead of focusing only on getting faster decisions for targeted claims under the VA's initiative. Issues at the VA and hotspots within the claims process may change over time, but TVC has not assessed whether the special teams target the right problem areas or need adjustment. For example, the VA backlog for appeals decisions has increased sharply as the regular claims decision backlog has declined, but the Strike Force Team devotes little effort to expediting appeals. Instead, these resources have become absorbed within the larger TVC bureaucracy, diluting their original purpose.

- **Lacking information for staff.** TVC has not implemented best practices to ensure claims staff have needed tools to do their job, and that the agency preserves vital institutional knowledge for the future. TVC's four claims districts function largely separately, with minimal claims counseling guidance from TVC headquarters. TVC does not provide staff with detailed, step-by-step checklists and other easy reference tips to support claims counselors. Instead, each district and often individual claims counselors develop their own guidance, checklists, and methods for submitting claims. Additionally, TVC has not taken clear steps to preserve the significant institutional knowledge of its longer-tenured staff by comprehensively documenting and sharing their experience. For example, Strike Force Team members have substantial knowledge on the claims process from their years working with the VA and TVC, and the agency risks losing much of this information in the near future as many of these staff have already retired from federal government service. See Issue 4 for more details on problems with TVC's overall approach to training.

### **The commission fails to collect and analyze claims outcome data needed to improve program effectiveness and respond to changing needs.**

- **Lacking outcome information.** TVC tracks some detailed claims data, but mostly volume outputs on the number of claims filed and reviewed per staff rather than more useful outcome information needed to identify issues and guide improvements at a program level. To meet state budget reporting requirements, TVC's central office calculates a high-level, overall rate of favorable VA decisions issued compared to claims filed in a given year, which the agency reported at 73 percent in fiscal year 2017. While required, this figure provides little insight into claims success. The success rate is not calculated solely on claims filed in 2017, but includes claims filed over previous years. This method inflates the success rate.

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*The Strike Force Team devotes little effort to appeals despite a sharp backlog increase.*

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*Other veteran service organizations track more detailed outcomes.*

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TVC does not use any outcome information to understand trends or guide potential improvements. Other veteran service organizations track more detailed outcome data tied to specific program goals, as detailed in the textbox, *Claims Outcome Data Examples*.<sup>10</sup> TVC has opportunities to collect better information to measure more meaningful outcomes. For example, claims staff already have access to every VA decision to document each claim outcome and track other elements of success, such as whether TVC claims met VA requirements or how quickly they were resolved. TVC's new electronic claims system is expected to include better reporting features with direct links to VA systems, which should allow the agency to more easily track claims outcomes in the future. For more on TVC's overall lack of outcome measures, see Issue 1.

#### ***Claims Outcome Data Examples***

- Missouri and Michigan track and report the percent of claims submitted through the VA's fully developed claims program. In Missouri, 58 percent of claims were fully developed in 2017. In Michigan, the percent of fully developed claims was 57 percent in fiscal year 2015, an increase of more than 10 percent from fiscal year 2014.
- Disabled American Veterans publishes the percent of appeals overturning or remanding VA decisions, showing the organization's success rate for appeals. In 2016, 78 percent of appeals led to initial decisions being overturned or remanded.

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*Lack of online resources leads to multiple field office visits by veterans.*

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- **Limited evaluation and reporting.** The agency does not analyze the information it does have available to identify best practices and areas for improvement. In particular, TVC misses opportunities to use Strike Force Team data to improve the claims process by identifying staff needing additional training and extra review, or general claims topics where more training is needed. TVC also does not use Strike Force Team results to determine which projects have the most value for veterans. TVC's new claims system will have reporting features, which the agency could customize to collect, report, and analyze better data. More proactive analysis of this information would give missing feedback to individual claims counselors and TVC management.

#### **TVC has not taken basic steps to modernize the customer service experience for veterans and increase overall efficiency.**

Veteran demand for claims counseling exceeds TVC's limited resources to provide claims services, yet TVC has not taken common sense steps to better serve veterans, as discussed below.

- **Limited online information to prepare for claims visits.** TVC does not provide basic information to help educate veterans about the claims process before their first visit to a field office, wasting staff and veterans' time. Veterans typically have to travel to a field office multiple times before filing their claim, first to meet with a counselor about their claim

and receive a checklist of needed information, and again to provide the necessary documents to support the claim. TVC's website has limited information on the claims process and lacks the information detailed in the textbox, *Key Resources Missing From TVC Claims Website*.

#### **Key Resources Missing From TVC Claims Website**

- Checklist of paperwork needed
- Answers to frequently asked questions
- Tips to get faster decisions from the VA, such as information about the VA's Decision Ready Claims Process, which helps veterans get decisions within 30 days of submitting certain claims
- Simple locator feature to find the nearest TVC claims office or TVC-accredited veteran county service officer

Other state veteran agencies provide detailed information for veterans on the claims process. For example, Colorado provides a checklist of items to bring when meeting with a claims counselor and answers to frequently asked questions about the claims process.<sup>11</sup> California offers a step-by-step guide to filing claims and tips to accelerate the claims process.<sup>12</sup>

- **No appointments for claims counseling.** The agency's claims services are walk-in only, making it difficult for some veterans to get services. Many veterans must travel to visit a TVC field office, and without an appointment, have no assurance they will receive assistance. For example, veterans in Val Verde County must travel at least 150 miles to visit a TVC field office in Kerrville, San Angelo, or Laredo. In the first three months of fiscal year 2018 alone, TVC turned away 3,429 veterans, who must return at a later date. Other public agencies provide better customer service by taking both walk-in clients and appointments as shown in the textbox, *Agencies Offering Appointments for Services*.<sup>13</sup>

#### **Agencies Offering Appointments for Services**

- The Employees Retirement System
- Travis and Williamson county tax assessors
- Some veteran county service officers
- Other state veterans agencies, including Arizona, New York, and Colorado

### **State law unnecessarily limits counties' ability to fill staffing gaps for veteran claims assistance.**

State law requires Texas counties with populations over 200,000 to hire veteran county service officers, who TVC accredits to file claims directly with the VA, expanding Texas' capacity to help more veterans. However, the state imposes military service requirements for these county employees beyond what is required for other state, federal, and nonprofit staff involved in the claims process, detailed in the textbox on the following page, *Statutory Service Qualifications for Veteran County Service Officers*.<sup>14</sup> The VA does not require accredited claims counselors be veterans, only that they meet state requirements. In comparison, TVC does not have a service requirement for its own claims counselors, nor does the National Association of County Veterans Service Officers, which also provides accreditation.

***Statutory Service Qualifications for Veteran  
County Service Officers***

- Active duty service in the U.S. armed forces for at least four months, or less with a service-connected disability, and honorably discharged;
- Widowed Gold Star Mother;
- Unremarried widow of a serviceman or veteran whose death resulted from service;
- Spouse of a disabled veteran who has a total disability rating; or
- Spouse of a retired veteran who served a minimum of 20 years on active duty.

While veterans serving veterans is always a positive goal, restricting the pool of trained, accredited county service officers in Texas does not best serve veterans overall. Twelve counties had a county service officer who did not meet the statutory criteria in fiscal year 2017, and these officers cannot file veteran claims with the VA. TVC's training helps county service officers gain the requisite experience and knowledge to assist veterans with claims, and any employer, including counties, could continue to show preference for veterans in hiring for these positions.

## Recommendations

### ***Change in Statute***

#### **2.1 Require TVC to track, evaluate, and strategically adjust claims staffing and special teams.**

This recommendation would require TVC to regularly evaluate its overall approach to staffing the claims assistance program to determine where counselors and special team staff are needed most. TVC should evaluate workload, number of veterans turned away, and quality of claims prepared at each of its offices to determine staff effectiveness. Additionally, the agency should regularly evaluate areas of need and performance of any special resources provided by the Legislature, such as the Strike Force Team and Fully Developed Claims Team and request to adjust staffing as appropriate. A related management action to temporarily report on this analysis is discussed in Recommendation 2.4.

#### **2.2 Require TVC to better track and analyze claims outcome data to guide program success.**

This recommendation would require TVC to collect improved and more detailed claims outcome measures and use this performance information to evaluate and improve the claims program on a regular basis. At a minimum, the agency should track and evaluate the following information by TVC district:

- The quality of claims submitted to the Strike Force Team
- The percent of TVC claims processed by the VA as fully developed claims
- The success rate of TVC claims and appeals, matching the claim to the corresponding decision
- The average VA processing time for claims and appeals

Better evaluating the ultimate outcome of the state's significant investment in claims assistance for veterans would allow TVC to identify its successes and improve on weaknesses by targeting training, guidance, and staffing. This information should be regularly collected, evaluated, and assessed by program management at all levels to monitor performance. A related management action to temporarily report on outcomes and improvements is discussed in Recommendation 2.4.

### **2.3 Remove military service requirements for veteran county service officers to expand the pool of potential accredited claims counselors for Texas veterans.**

This recommendation would remove from statute the requirement that veteran county service officers be veterans or meet alternative qualifications to fulfill the military service requirement, such as being a widowed Gold Star Mother or spouse of a disabled veteran with a total disability rating. Removing these requirements would increase the pool of veteran county service officers eligible to file claims for veterans, while maintaining the other education and training qualifications in statute. The recommendation would also ensure requirements for these county employees align with similar state, federal, and nonprofit employees providing the same services to veterans. County commissioners appoint veteran county service officers and could still implement a veteran preference policy without restricting the pool of applicants in law. The VA also has additional training requirements for accreditation, ensuring any county service officers would remain well qualified to assist veterans with claims.

### ***Management Action***

#### **2.4 Direct TVC to temporarily report on claims staffing and outcome data analyses.**

Under this recommendation, TVC would prepare two short-term reports biennially for four years, as a management action related to Recommendations 2.1 and 2.2. TVC should develop a report analyzing staffing levels and effectiveness of the agency's special projects. TVC should also provide a comprehensive overall assessment of claims performance, lessons learned, and needed improvements.

The agency should present the first report to the Veterans Commission no later than January 1, 2019, and the second no later than January 1, 2021. TVC should also make this information publicly available on its website.

#### **2.5 Direct TVC to strengthen support for claims staff and preserve institutional knowledge.**

Under this recommendation, the agency would be directed to ensure claims staff has the guidance and resources needed to file high-quality claims for veterans and to preserve the substantial knowledge of more experienced staff. TVC should do the following:

- Provide training and easy reference materials such as checklists, flow charts, and tips on submitting claims
- Ensure all claims district managers share best practices among management and with field staff
- Identify key areas where more training is needed based on feedback from claims managers and the Strike Force Team
- Document the Strike Force Team's processes, roles, and results

TVC should provide these guidelines and document processes by January 1, 2019.

## **2.6 Direct TVC to add information to its website about the claims process, including forms, checklists, basic claims information, and embedded VA resources.**

The agency would be directed to add clear, useful information to the website allowing veterans to access information on the claims process and necessary documentation before visiting a TVC office. For example, the website should include the following:

- A checklist of documentation veterans should bring with them
- A step-by-step guide to filing claims
- Answers to frequently asked questions about claims
- Embedded VA resources, including already available videos and graphics about the claims process

TVC should ensure claims information on the website remains current and could use other states, including Colorado and California, as examples of providing clear, useful information to help prepare veterans. Providing more information on the website would help veterans understand the claims process upfront and prepare for meeting with TVC claims counselors, improving customer service and reducing staff time needed to assist veterans. The agency should make these improvements by January 1, 2019.

## **2.7 Direct TVC to allow veterans to schedule appointments for claims counseling, while maintaining the option for walk-in services.**

Under this recommendation, TVC would be directed to implement an appointment policy to counsel veterans at a set time, while still allowing veterans to walk in at TVC's field offices. To implement this recommendation, the agency could assign certain claims counselors primarily to appointments while leaving others free to counsel walk-in veterans, or could stagger appointments throughout the day. TVC should ensure that walk-in veterans who cannot be seen on the same day are scheduled for an appointment in the future. Allowing veterans to make appointments would ensure all veterans seeking claims counseling from TVC are able to get help filing claims and reduce the number of veterans turned away from TVC's field offices. The agency should implement an appointment policy by January 1, 2019.

## **Fiscal Implication**

These recommendations are designed to improve efficiency of the overall claims process and customer service for veterans, but would not have a fiscal impact to the state. The agency already employs a program specialist to collect, analyze, and report data and is currently implementing a new claims system, which can support additional data collection and reporting in the future. The agency can provide resources and guidance for claims counselors using existing claims staff and support from the training and events team, and make improvements to the website using existing outreach staff. Finally, TVC could accept appointments for claims counseling using existing claims receptionists and counselors to take appointments by phone, or the agency could use the scheduling feature in its new claims system.

- .....
- 1 All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Section 434.007(5), Texas Government Code.
  - 2 “Compensation,” U.S. Department of Veterans Affairs, last modified January 19, 2018, <https://www.benefits.va.gov/compensation/index.asp>; “Pension,” U.S. Department of Veterans Affairs, last modified November 15, 2017, <https://www.benefits.va.gov/pension/index.asp>.
  - 3 Texas Veterans Commission, *Operating Budget for Fiscal Year 2018*, accessed February 28, 2017, <https://www.tvc.texas.gov/wp-content/uploads/2017/12/2018-TVC-Operating-Budget.pdf>.
  - 4 Ibid.
  - 5 U.S. Department of Veterans Affairs, *Veterans Benefits Administration Reports, Claims Backlog*, accessed January 2, 2018, [https://www.benefits.va.gov/reports/mmwr\\_va\\_claims\\_backlog.asp](https://www.benefits.va.gov/reports/mmwr_va_claims_backlog.asp); Regina Dennis, “Extra workers to help process Texas veterans’ claims backlog,” *Waco Tribune-Herald*, August 1, 2012, [http://www.wacotrib.com/news/extra-workers-to-help-process-texas-veterans-claims-backlog/article\\_05df5b16-4a68-5ca5-ae5f-c87bfda88780.html](http://www.wacotrib.com/news/extra-workers-to-help-process-texas-veterans-claims-backlog/article_05df5b16-4a68-5ca5-ae5f-c87bfda88780.html).
  - 6 Rider 11, page I-92, Article I (H.B. 2), Acts of the 84th Legislature, Regular Session, 2015 (the General Appropriations Act).
  - 7 Item A.1.1, page I-88, Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act).
  - 8 Sunset staff reviewed caseload and performance data for several TVC field offices. The chart reflects data for a sampling of similarly sized offices to allow for comparison.
  - 9 Rider 11, page I-92, Article I (H.B. 2), Acts of the 84th Legislature, Regular Session, 2015 (the General Appropriations Act); James Richman, Director of Claims Representation and Counseling, Texas Veterans Commission, testimony before the Subcommittee on Disability Assistance and Memorial Affairs of the Committee on Veterans’ Affairs, U.S. House of Representatives, 112th Congress, September 21, 2012, <https://www.gpo.gov/fdsys/pkg/CHRG-112hrg78768/html/CHRG-112hrg78768.htm>.
  - 10 Missouri Veterans Commission, *Annual Report for Fiscal Year 2017*, accessed February 21, 2018, <https://mvc.dps.mo.gov/docs/commission/2017-annual-report.pdf>; Michigan Veterans Affairs Agency, *2015 Annual Report*, accessed Feb. 23, 2018, <https://www.michiganveterans.com/servlet/servlet.FileDownload?file=00PG000000bQ9w9MAC>; Disabled American Veterans, *2016 Annual Report*, accessed Feb. 21, 2018, [https://www.dav.org/wp-content/uploads/2016\\_Annual\\_Report.pdf](https://www.dav.org/wp-content/uploads/2016_Annual_Report.pdf).
  - 11 “Filing a Claim for Disability or Pension,” Colorado Division of Veterans Affairs, accessed February 21, 2018, [http://vets.dmva.state.co.us/?page\\_id=595](http://vets.dmva.state.co.us/?page_id=595).
  - 12 “Disability Compensation,” California Department of Veterans Affairs, accessed February 21, 2018, <https://www.calvet.ca.gov/VetServices/Pages/Disability-Compensation.aspx>.
  - 13 “Meet With an ERS Retirement Counselor,” Employees Retirement System of Texas, accessed February 21, 2018, <https://ers.texas.gov/Contact-ERS/Meet-with-an-ERS-Retirement-Counselor>; “Online Appointment Options,” Travis County Tax Office, accessed February 21, 2018, <https://public.traviscountytx.gov/traviscounty-online-appointments/>; “Making Appointments,” Williamson County Tax Assessor Collector, accessed February 21, 2018, <https://www.wilco.org/Elected-Officials/Tax-Assessor-Collector/Wait-Times-Same-Day-Appointments>; “Contact Us,” Harris County Veterans Services Offices, accessed February 21, 2018, <http://www.vso.hctx.net/contactus.html>; “Benefits Page,” Arizona Department of Veterans’ Services, accessed February 21, 2018, <https://dvs.az.gov/benefits-page>; “Filing a Claim for Disability or Pension,” Colorado Division of Veterans Affairs, accessed February 21, 2018, [http://vets.dmva.state.co.us/?page\\_id=595](http://vets.dmva.state.co.us/?page_id=595); “Starting and Appealing Claims,” New York State Division of Veterans’ Affairs, accessed February 21, 2018, <https://veterans.ny.gov/content/starting-and-appealing-claims>.
  - 14 Section 434.033, Texas Government Code.





# ISSUE 3

## *TVC's Grant Program Needs Improvements to Promote Overall Effectiveness and Transparency.*

### Background

The Texas Veterans Commission (TVC) supports Texas veterans by awarding grants to nonprofit organizations and units of local government that provide direct services to veterans.<sup>1</sup> The grant program is the largest of TVC's responsibilities, representing more than 30 percent of the agency's budget, funded mostly from lottery ticket sales. During the last grant year beginning in 2017, TVC received 178 grant applications and made 91 awards. A nine-member advisory committee appointed by the commission evaluates all applications and presents funding recommendations to the commission for a final decision. Awards for the recent grant cycle totaled more than \$17 million, detailed in the chart, *Texas Veterans Commission Grants*.<sup>2</sup> In fiscal year 2017, TVC grantees served more than 14,000 veterans, 6,000 dependents, and 700 surviving spouses with this funding.

***Texas Veterans Commission Grants  
2017–2018 Grant Cycle\****

Category	Purpose	Number of Awards	Average Grant Award	Amount Funded
General Assistance	Provides funding for veteran services including limited emergency assistance, family and child services, legal services, employment training, and job placement assistance.	47	\$188,413	\$9,120,000
Housing for Texas Heroes	Provides funding to organizations that work to prevent veteran homelessness or provide general homelessness support and home modifications for low-income or disabled veterans.	20	\$233,065	\$4,550,000
Veterans Mental Health	Provides funding for clinical counseling, peer-delivered services, and non-clinical support services.	11	\$188,636	\$2,075,000
Veterans Treatment Court	Provides funding to counties that establish specialty diversion courts for justice-involved veterans.	13	\$137,000	\$1,675,000
<b>Totals</b>		<b>91</b>	<b>\$186,778.50 (average award)</b>	<b>\$17,420,000</b>

\* TVC also administers small pass-through grants from the U.S. Department of Veterans Affairs for rural transportation programs, but they are not included in the table. TVC will award new veteran county service officer grants beginning in August 2018.

Over the past 40 years, Sunset staff has reviewed numerous state agencies that provide grants to individuals, units of government, and other entities, identifying and compiling standard features and best practices that contribute to an efficient, effective, and accountable grant program. These standards serve as guidelines for evaluating agencies' grant programs as part of an overall effort to improve grant-making practices. While TVC's grant program generally works well and Sunset staff identified no significant problems, applying common best practices to the agency's grant-making activities helps ensure legislative investments work as anticipated and further strengthen grant programs. The following material describes areas where the agency's grant-making activities could benefit from these best practices.

## Findings

### **A short grant cycle limits TVC's ability to effectively evaluate grantee performance and provide technical assistance.**

An agency's grant cycle should support the goals of the grant, promote accountability, and take into consideration the needs of grantees in performing the duties of the grant. The agency should comprehensively evaluate the ability of grantees to perform grant duties before awards are made, taking into account an applicant's past performance, and use results to improve future grantee performance.

- **One-year cycle focuses effort on administrative process instead of performance.** The nature of TVC's direct service grants make it hard for some grantees to ramp up and show progress quickly within a one-year grant cycle, especially when establishing longer-term relationships with clients is important, such as with mental health programs. Other TVC grants award operating funds to established participants in a limited pool of applicants, such as veterans treatment courts, making a yearly competitive process less beneficial. Grantees are only one month into their current grant when the next funding cycle opens. As a result, TVC frequently makes awards to existing grantees, but still requires the same lengthy and inefficient new application process. Between 2016 and 2017, about 61 percent of awarded grantees had received a previous grant award. With a longer cycle, TVC would have better information to evaluate which projects are most effective and warrant continued support, and limit unnecessary administrative overhead. In 2017, grant staff suggested several changes to the program including extending the grant cycle, but the commission did not take action.

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*Grantees are only one month into their current grant when the next funding cycle opens.*

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In comparison, other grants provide similar funding as TVC but last longer than one year. For example, the federal Substance Abuse and Mental Health Services Administration has several grant programs targeted to veteran services that can last up to three years.<sup>3</sup> Like the TVC mental health grants, these grants require the recruitment and retention of clients, as well as establishing general program administration, which can take longer than a year to get off the ground. In these longer grant cycles, the funding agency always maintains responsibility and authority to monitor grantee performance and withhold funds or take other corrective actions if problems arise.

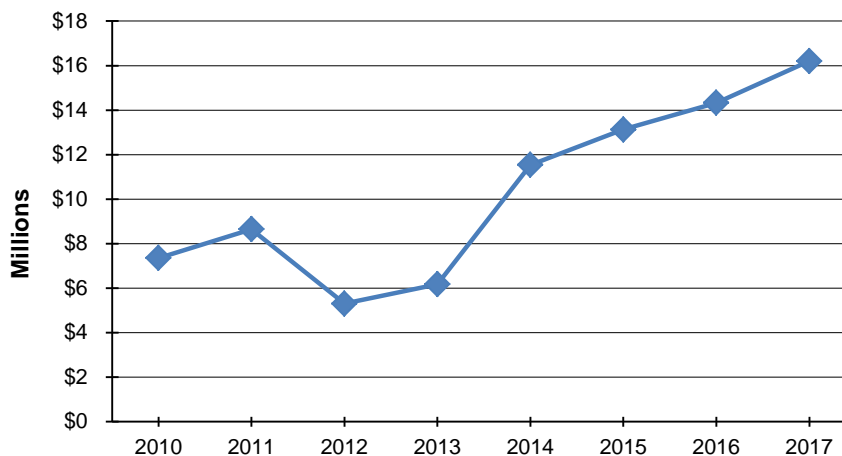
- Limited attention on technical assistance and compliance.** Feedback from grantees received during the Sunset review clearly indicated a desire for more support and technical assistance from TVC. However, the short grant cycle means grant staff are almost constantly involved in the annual application process, with much less time set aside for assistance and compliance activities. Grant staff spend the majority of the year focused on the application process and then closing out grants at the end of the cycle, with only a few months to truly focus on compliance and technical assistance duties. Overall, TVC's 11 grant staff are stretched thin with many duties, and while the Sunset review did not reveal significant compliance problems with grantees, technical assistance and compliance activities obviously take a back seat to administrative tasks such as determining applicant eligibility and processing expenditure reports. Staff also support both the grant program's advisory committee and commissioners in their roles as grant selectors, further adding to the administrative burden of a short cycle.
- Funding stability allows for longer awards.** Since 2010, the majority of TVC's grant program funding comes from revenue generated by lottery ticket sales, which increased significantly between 2012 and 2017. While this revenue was initially uncertain, funding has stabilized, allowing the agency to project future funding. The chart, *Revenue from Lottery Ticket Sales*, shows the growth of lottery funds for the grant program over the last five years.

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*Grant staff spend the majority of the year on the application process.*

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**Revenue From Lottery Ticket Sales  
FYs 2010–2017**



**A lack of policies and training for advisory committee members and commissioners risks subjective decisions.**

An agency's grant applicants should be evaluated based on clear procedures and criteria outlined in the request for applications, and applicants should clearly understand how their application will be judged. The evaluation of

grants should be performed by teams structured to reduce bias and incorporate needed expertise, with training provided to everyone involved in grant decisions, including information about conflicts of interest.

- **Insufficient guidance on advisory committee role.** TVC’s grant policies do not comprehensively explain the role of the advisory committee in the decision process or set out training requirements for committee membership.<sup>4</sup> Existing training focuses on agency staff and grantees, and not on the committee making the actual funding recommendations in the award process. In particular, the agency does not provide training to committee members on how the recommendations for award should relate to the required statewide needs assessment. In 2015, the Legislature required TVC to conduct a biennial assessment of statewide veterans’ needs to guide distribution of funds to highest priority areas.<sup>5</sup> TVC completed the assessment in 2016, but the agency has not specifically tied the findings to the priorities provided to committee members and listed in the request for applications. For example, the wide priorities used for making award decisions are highly subjective and do not match the level of detail in the needs assessment, as shown in the chart, *Priorities for Geographic Distribution of Grants*.<sup>6</sup>

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*The wide priorities used for making award decisions are highly subjective.*

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**Priorities for Geographic Distribution of Grants**

<b>Commission’s Priorities as Listed in Grant Application</b>	<b>Specific Geographic Priorities Identified in Needs Assessment</b>
<ul style="list-style-type: none"> <li>● Widespread distribution of grants across the state</li> <li>● Diversity of services provided within geographic regions</li> </ul>	<ul style="list-style-type: none"> <li>● Funding organizations that operate statewide</li> <li>● Serve specific regions (or counties): Areas with large veteran populations, East Texas region, Alamo region, veteran services in the Gulf Coast region</li> <li>● Family services in North Texas region</li> <li>● Organizations that meet key needs in rural areas</li> </ul>

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*Information in the grant application is vague and might cause confusion.*

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Other information in the application is vague and might cause confusion among both advisory committee members and grant applicants. For example, the agency allows applicants to give an oral presentation about their projects to the advisory committee, but the application instructions do not explain whether a presentation is required or will help funding chances. Better rules about the committee’s role in the grants process and the training required to serve on the committee would guard against introducing subjectivity into award determinations and ensure all grant applicants clearly understand the basis upon which they will be judged.

- **No conflict of interest policy for commissioners.** Grant applicants are required to disclose existing or potential conflicts or risk disqualification from consideration. Grant program advisory committee members are

prohibited from serving with or being employed by organizations that have an open grant or are planning to apply for a future grant.<sup>7</sup> However, the commissioners who make final funding decisions do not have similar restrictions.<sup>8</sup> All decision makers in the grant process should follow the same conflict of interest policies and receive the same training on that policy.

### **TVC lacks measures to gauge whether grantees are effectively using state funds to serve veterans.**

A granting agency should require evidence of program success from grantees and use those results to improve future performance. Above and beyond ensuring compliance with terms, grantors and grantees need to work together to measure results and performance against grant goals and objectives.

TVC only requires grantees to report the number of clients served and the amount of funds spent, neither of which actually measure the good done for veterans. TVC does not require grantees to report data that would show what the overall grant program is achieving, even though this information is often already tracked and available. Sunset staff identified several grantees that already track information to better gauge their own success or report performance to other funding organizations. TVC could use similar measures, shown in the textbox, *Potential TVC Grant Performance Measures*.

Tracking more meaningful performance measures would allow the agency to show stakeholders and policymakers results from the largest expenditure in the agency's budget. Tracking performance measures would also allow the commission to track performance over time and make better decisions for future projects by showing which programs worked best and provided the greatest return on investment. Finally, more meaningful performance measures would help the agency track grantee progress over a cycle and decide which grantees need more help and monitoring as part of an overall risk assessment.

#### ***Potential TVC Grant Performance Measures***

- Percentage of clients who successfully transition from temporary to permanent housing.
- Percentage of clients placed in jobs and still employed after a certain amount of time.
- Percentage of clients seeking service who complete mental health treatment.
- Percentage of clients who complete a veterans treatment court program and do not re-offend within a designated period of time.
- Percentage of clients who maintain self-sufficiency over a set period of time without using emergency assistance.

## **Recommendations**

### ***Management Action***

#### **3.1 Direct TVC to extend the length of its grant cycle from one to two years.**

Under this recommendation, TVC would change its approach to grant funding by awarding two-year grants, minimizing the administrative overhead currently required for the labor-intensive annual grant process. A longer cycle requiring longer-term goals and established benchmarks would allow for a more stable funding stream for successful projects, allow for a better assessment of grantee performance before deciding on subsequent awards, and reduce the application workload for all parties involved in the grant process. The agency would still closely monitor grantee performance and use of funds and could address

performance issues at any time during the cycle. Working with the Texas Lottery Commission, the agency could use revenue trends to appropriately estimate the availability of funds for the extended term and make awards accordingly. TVC should make this change for the grant cycle beginning in 2019.

### **3.2 Direct the agency to formalize the roles and training of the commission and the grants advisory committee to improve quality and transparency in the evaluation process.**

This recommendation would direct the agency to take the following actions for the 2019 grant cycle to protect the integrity of the grant award process and ensure grantees understand how they are being evaluated at each stage:

- Adopt written procedures clearly outlining the role of the staff, advisory committee, and commission, and all criteria used to make award decisions, including the results of the needs assessment.
- Develop a training program for advisory committee members, including training on the statewide needs assessment required by law to guide grant decisions.
- Develop a conflict of interest policy for commission members similar to advisory committee members, and include training on potential grant award conflicts of interest in the commission's regular training.
- Make all procedures and policies related to the grant program publicly available.

### **3.3 Direct TVC to develop and track enhanced grantee performance measures to better evaluate the benefit of its grant funding to veterans.**

Under this recommendation, TVC would be directed to work with grantees to establish performance measures for each grant program that better illustrate the impact of the state's investment in grant funds on improving veterans' lives. These measures should capture the outcome of the funding, such as recidivism rates for veteran treatment court programs or employment rates for job assistance programs, instead of the simple counts of veterans served and money spent that the program currently reports. TVC can work with grantees to identify existing measures they collect for other purposes, or create new measures that better demonstrate grant outcomes without putting an undue reporting burden on grantees. TVC should track these measures through existing quarterly reports grantees already submit to TVC and use the information to assess compliance risk and determine monitoring or other assistance needs. Finally, the agency should publish performance information on the agency's website to better explain the impact of these state-funded grants to the Legislature, stakeholders, and the public. The agency should implement these changes for the 2019 grant cycle.

## **Fiscal Implication**

These recommendations would help ensure the commission uses the state's investment in grant funding for veteran services effectively and manages the program efficiently but would not result in a significant fiscal impact to the state. Moving to a two-year grant award cycle would free up staff time to focus on developing better performance measures, monitoring, and providing more consistent technical assistance to grantees. Developing policies and improved training for advisory committee and commission members can be accomplished within the agency's existing resources.

- .....
- <sup>1</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Section 434.017, Texas Government Code.
  - <sup>2</sup> Texas Veterans Commission, *2017–18 Grant List*, accessed February 20, 2018, <https://www.tvc.texas.gov/grants-funding/grants-awarded/>.
  - <sup>3</sup> Substance Abuse and Mental Health Services Administration, “Grants Related to Veterans and Military Families,” accessed February 20, 2018, <https://www.samhsa.gov/veterans-military-families/grants>.
  - <sup>4</sup> Texas Veterans Commission, *2018–19 General Assistance Request for Applications*, accessed March 16, 2018, <https://www.tvc.texas.gov/wp-content/uploads/2017/02/1-2018-19-General-Assistance-Request-for-Applications.pdf>.
  - <sup>5</sup> Section 434.017(c-1)–(c-2), Texas Government Code.
  - <sup>6</sup> TVC, *Request for Applications*; Center for Social Inquiry at Texas State University, *Identifying the Unmet Needs of Texas Veterans and Their Families: A Statewide Needs Assessment*, accessed March 1, 2018, <http://vetconnectntx.org/assets/files/resources/texas-statewide-needs-assessments/TVC-Veteran-Needs-Assessment-by-Texas-State-May-4-2016.pdf>.
  - <sup>7</sup> 40 T.A.C. Section 452.2; TVC, *Request for Applications*.
  - <sup>8</sup> Section 434.003, Texas Government Code.





# ISSUE 4

## *TVC Prioritizes a Costly Annual Conference Over Training Targeted to Better Meet Veterans' Needs.*

### Background

The Texas Veterans Commission (TVC) must provide significant training for its staff of 380 employees, 300 of whom work in field offices throughout the state directly serving veterans. The majority of TVC staff work in the claims and employment programs, providing assistance to veterans filing benefit claims with the U.S. Department of Veterans Affairs (VA), and helping veterans find jobs. The agency also must train nearly 300 additional community partners serving veterans, described in the textbox, *Texas Veterans Commission Training Partners*.<sup>1</sup>

#### **Texas Veterans Commission Training Partners**

##### **Veteran County Service Officers**

- 256 county employees who help veterans file benefit claims with the VA and provide referrals to other services.
- Required in counties with a population over 200,000, but many smaller counties also appoint them.
- State law requires TVC to train and accredit them to access the VA's systems to file benefit claims.
- TVC accreditation requires an initial training from TVC or a TVC-approved provider, plus 24 additional hours.

##### **Peer Service Coordinators**

- 36 staff of local mental health authorities who train volunteer veterans to act as peers for veterans with mental health issues.
- State law requires TVC to train and support them through an interagency contract with the Health and Human Services Commission.

### Findings

#### **TVC's approach to training wastes limited resources.**

- **Overreliance on one staff-wide annual conference.** The agency puts all its eggs in one basket by providing much of its training for staff and partners at an annual flagship conference held over four days, requiring significant time and funding. The agency closes its 67 field offices for four days so all staff, veteran county service officers, peer service coordinators, and other guests can attend the annual conference, leaving veterans without access to many services during that time.
- **High cost of the annual conference.** The annual conference monopolizes TVC's annual training budget, costing \$541,000 in fiscal year 2017. TVC does not track total costs for in-house training, making accurate comparisons difficult, but all other outside training totaled significantly less that year, about \$167,000. The table on the following page, *Texas Veterans Commission Annual Conference Attendees and Cost*, provides more detail on the 2017 annual conference.

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*TVC closes all field offices during the annual conference, leaving veterans without access to many services.*

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**Texas Veterans Commission Annual Conference  
Attendees and Cost – September 2017**

	<b>Number of Attendees</b>	<b>Cost</b>
<b>State Funded Conference Costs</b>		
TVC Staff and Guests*	269	\$237,801
Veteran County Service Officers	211	\$144,952
Peer Service Coordinators	36	\$19,333
Subtotal, State Funded Costs	516	\$402,086
<b>Federally Funded Conference Costs</b>		
TVC Staff	173	\$139,511
Grand Total	689	\$541,597

\* Includes 51 speakers and guests from the VA, other state agencies, and other veteran organizations.

- **Significant staff time devoted to planning annual conference.** The annual conference is an immense production. TVC’s four-member training and event management team spends much of its time planning the annual conference, taking more than five months to bid out the facilities; reserve event space and hotel rooms; and coordinate training curriculum, surveys, and other logistics. The textbox, *Large Scope of 2017 Annual Conference*, illustrates the amount of resources dedicated to conference planning.

**Large Scope of 2017 Annual Conference**

- 689 attendees
- 2,500 hotel room nights
- 90 training classes
- 28 guest speakers
- Four awards sessions
- 522 hours of training team overtime for planning

- **Failure to track detailed conference and other training costs.** TVC does not keep a complete and detailed record of all training costs, making evaluation for oversight or future planning unnecessarily difficult. For example, TVC does not track training material costs or complete speaker and awards costs for the annual conference. Apart from the annual conference, the agency also could not provide complete information for all training for its programs delivered throughout the year. Without this information, TVC’s management cannot effectively oversee cost-drivers or identify opportunities to develop better training methods with a higher return on investment.

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*TVC’s management cannot effectively oversee cost-drivers or identify opportunities to improve training.*

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**TVC does not meet other training needs with little time and resources left after the annual conference.**

With all the emphasis on the annual conference, TVC cannot effectively pursue training focused on better services for Texas veterans. The textbox, *Unmet Training Needs*, provides examples of training gaps identified during the Sunset review. Rather than relying solely on the annual conference, TVC could invest in these more useful, targeted, and cost-effective tools.

**Despite the potential for cost savings and better availability for far-flung staff, TVC has not maximized online training opportunities.**

TVC primarily relies on in-person events for core program training needs. While online classes and other collaboration tools require an initial investment, they reduce travel costs and can be used on demand as TVC hires new staff frequently due to high staff turnover.<sup>2</sup> For example, TVC's claims staff has constant training needs, but TVC has not developed many on-demand training options for these critical staff. Instead, the agency plans to hold a second, costly in-person conference for about 100 claims staff this year.

In 2006, the Sunset Commission directed TVC to reduce the number of training conferences and use more online training.<sup>3</sup> In response, the agency consolidated smaller conferences, but expanded the annual conference to become a bigger and more expensive all-staff event. The agency has slowly created some online training, but these efforts have been limited in scope, such as a course on medical terminology for healthcare advocacy staff and an online case study webinar for veteran county service officers.

**TVC does not effectively target state training resources provided to veteran county service officers.**

Veteran county service officers range in experience, resources, and needs, but TVC pays for all 256 officers to attend the annual conference every year. State law requires TVC to provide initial training to officers but allows for online and other methods and does not require the state to fund conference costs.<sup>4</sup> Getting these county employees trained and accredited to file claims directly with the VA increases the state's capacity to serve veterans. However, even after attending the annual conference at the state's expense, many officers do not complete accreditation or even stay up to date on training, as shown in the textbox, *Training and Experience Levels of Veteran County Service Officers*.

***Unmet Training Needs***

- Limited collaboration methods to help staff regularly share resources, referrals, and best practices outside of conferences.
- No bandwidth to develop curriculum and online training for peer service coordinators, despite requests from the mental health program.
- No comprehensive training module about navigating veteran programs in Texas for new agency staff and many partners to easily cross-train.
- Poor communication to claims staff and veteran county service officers about VA changes outside of annual conference.
- Limited mentorship opportunities for veteran county service officers and other field staff.

***Training and Experience Levels of Veteran County Service Officers***

- 89 accredited by TVC (35 percent)
- 73 with separate national accreditation (29 percent)
- 37 not up to date on continuing education (14 percent)

*Note: Figures not cumulative.*

TVC often duplicates training some officers receive through other organizations such as the National Association of County Veterans Service Officers. In 2017, the Legislature recognized the need for increased flexibility and allowed officers to satisfy TVC's continuing education requirements using approved third-party training instead of only TVC-provided courses.<sup>5</sup> While TVC has proposed rules for accepting third-party training, the agency has not yet developed procedures to ensure it does not pay for duplicative training at the annual conference.

## Recommendations

### *Management Action*

#### **4.1 Direct TVC to restructure and streamline the scope and expense of its annual conference.**

Under this recommendation, TVC would be directed to rethink the role and limit the size and scope of its resource-intensive annual conference. The agency should only pay for staff and partners who most need training to attend such a conference, instead of making it an annual event for all staff. TVC should prioritize attendance for new field staff, managers, or direct service providers, and rotate which staff attends the annual conference each year. The agency should also ensure field offices remain open, allowing veterans to receive services during the week of the conference.

As part of this recommendation, the agency should only pay annual conference training costs for veteran county service officers who have not yet completed their training requirements through other options. The agency should ensure any officers who have completed national training requirements approved under TVC's proposed rules use that training to satisfy their TVC continuing education hours instead of duplicating the requirement at the annual conference. The agency should also track officers participating in non-TVC trainings and prioritize training assistance to counties with limited resources for veteran county service officers. TVC should continue to allow officers to attend training at their own cost if they do not receive TVC support. These changes would not affect TVC's statutory responsibility to provide initial training to veteran county service officers.

The agency should adjust its conference attendance policy by January 1, 2019, in time for the 2019 conference planning. Reducing conference costs would allow TVC to direct more of its planning time and funds to consistent and more cost-effective year-round training efforts.

#### **4.2 Direct TVC to track and analyze detailed training costs to identify potential savings and improvements.**

TVC should track all training costs, including detail on different types of attendees, funding sources, guest speakers, and awards for the annual conference and all other events. The training program should review and analyze costs regularly to determine potential areas for cost savings and the typical costs for different types of training, including conferences, special in-person trainings, and online classes. Tracking and analyzing training costs would ensure TVC spends its training money on efforts that produce the most return on investment. The agency should begin this process by January 1, 2019.

### 4.3 Direct TVC to prioritize online training and other cost-effective tools to facilitate regular collaboration among staff and partners.

This recommendation would direct TVC to provide more frequent and cost-effective training by increasing the use of online training and year-round opportunities for collaboration between staff and partners. The agency should significantly expand its use of online methods such as webinars for keeping employees and partners up to date with new initiatives and resources throughout the year, rather than waiting until the annual conference to share important information. TVC should also provide and require online cross-training about all of the agency's programs, ensuring all staff and partners serving veterans are well versed in the broad range of services available. Finally, the agency should foster mentorships for TVC staff and veteran county service officers to provide more regular support for field staff and partners.

The agency should implement more year-round and online training and other collaboration tools by January 1, 2019. These changes would help TVC limit training costs while still providing regular, on-demand resources for employees throughout the state and improve the quality of services to veterans overall.

## Fiscal Implication

These recommendations would push the agency from its status quo approach to better use limited resources to deliver a more effective training program without an additional cost to the state. By streamlining the annual conference, TVC would be able to redirect a large portion of its training budget currently spent on travel and event costs to a more impactful purpose.

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<sup>1</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Sections 434.032, 434.033, 434.038, and 434.352, Texas Government Code.

<sup>2</sup> State Auditor's Office, *Classified Employee Turnover for Fiscal Year 2017*, December 2017, accessed February 25, 2018, <http://www.sao.texas.gov/reports/main/18-703.pdf>.

<sup>3</sup> Texas Sunset Advisory Commission, *Texas Veterans Commission and Veterans' Land Board Sunset Staff Report*, November 2006, accessed Feb. 21, 2018, [https://www.sunset.texas.gov/public/uploads/files/reports/Veterans%20Commission\\_Veterans%20Land%20Board%20Staff%20Report%202007%2080%20Leg.pdf](https://www.sunset.texas.gov/public/uploads/files/reports/Veterans%20Commission_Veterans%20Land%20Board%20Staff%20Report%202007%2080%20Leg.pdf).

<sup>4</sup> Section 434.038, Texas Government Code.

<sup>5</sup> Chapter 558 (S.B. 544), Acts of the 85th Texas Legislature, Regular Session, 2017; Chapter 753 (S.B. 1679), Acts of the 85th Texas Legislature, Regular Session, 2017.



# ISSUE 5

## *Texas Has a Continuing Need for the Texas Veterans Commission.*

### Background

As the state's lead veterans affairs agency, the Texas Veterans Commission (TVC) fills many roles, including advocating for veterans and their families and helping veterans navigate the many different governmental and private organizations providing services.<sup>1</sup> The Legislature created TVC's predecessor in 1927 to help veterans with the U.S. Department of Veterans Affairs (VA) benefit claims process, and for nearly eight decades, the agency focused solely on this mission. Beginning in 2005, the Legislature began consolidating existing state veterans programs into the agency and creating new programs as shown in the textbox, *Texas Veterans Commission's Expanding Responsibilities*.

Today, Texas has approximately 1.6 million veterans, the second largest veteran population after California, and is projected to become the largest state for veterans within the next 10 years.<sup>2</sup> TVC's primary functions are to help veterans file benefit claims with the VA; provide job-matching assistance to veterans, service members transitioning out of the military, and their families; award grants to organizations that assist veterans; and oversee veterans' education and training programs receiving federal GI Bill funds.

#### ***Texas Veterans Commission's Expanding Responsibilities***

- 2005 — Veterans Employment Program transferred from the Texas Workforce Commission to TVC; grant program created to fund organizations providing direct services to Texas veterans and their families.
- 2006 — Veterans Education Program transferred from the Texas Workforce Commission to TVC by governor designation.
- 2009 — Veterans Cash \$2 scratch-off game created at the Texas Lottery Commission to generate revenue for the TVC grant program.
- 2011 — Veterans Mental Health Program established to provide training and technical assistance to local mental health authorities.
- 2013 — Veteran Entrepreneur Program created to help veterans start and grow their own businesses.
- 2015 — Health Care Advocacy Program created to help veterans resolve issues with VA health care; Women Veterans Program established to better target outreach to women veterans.

### Findings

#### **Texas has a continuing need to help veterans access federal benefits and navigate state services.**

- **Benefit claims assistance.** As long as the lengthy and often confusing federal VA claims process exists, Texas has a continuing need to assist veterans in filing for benefits, fulfilling the state's commitment to those who have risked their lives to serve their country. Since the last Sunset review, the VA has had several scandals related to the backlog of disability claims.<sup>3</sup> Veterans' health issues are becoming more complex, and the demand for TVC's core claims assistance program is on the rise. In fiscal year 2017, the state's investment in claims assistance helped bring in \$4.1 billion for Texas veterans, compared to \$7.4 million in state appropriations for this program.<sup>4</sup>

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*Texas veterans collected \$4.1 billion through the claims process in 2017.*

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While veterans are able to seek assistance in filing claims through a variety of entities, including the VA, no other entity offers the same level of representation that TVC provides. The number and location of TVC's 127 claims counselors have resulted in TVC filing more claims on behalf of veterans than any other state veteran organization in the nation. TVC also provides training and accreditation for veteran county service officers that also access the VA's systems and file claims on behalf of veterans. These county employees serve an especially vital role in rural areas without TVC claims staff or VA facilities.

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*TVC receives \$11 million annually in federal funds.*

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- **Federal programs.** If Texas did not administer a Veterans Employment Program and Veterans Education Approval Program, the state would forfeit \$11 million annually in federal funds to support those programs. Congress created the employment services program in the mid-1930s to assist World War I veterans in finding employment, and the U.S. Department of Labor continues to appropriate funding needed to operate the program, helping today's veterans transition into the workforce. Federal law also authorizes each state to designate a state approving agency for institutions receiving tuition payments using GI Bill benefits. As Texas' designated agency, TVC currently approves 1,453 Texas education facilities to receive GI Bill funds. In fiscal year 2016, Texas veterans and their families used approximately \$1.5 billion in federal education benefits.
- **Coordination role.** TVC also provides a critical navigation role for veterans who can be overwhelmed with where and how to start obtaining services, and potentially miss important benefits. All levels of government — state, federal, and local — have veteran programs, from health care and disability benefits to education, employment, and housing assistance. While there is a potential for duplication among so many programs, Sunset staff found TVC coordinates and communicates well with other state agencies and community organizations that work with veterans. TVC also chairs the Texas Coordinating Council for Veterans Services to coordinate the activities and outreach of state agencies; reduce duplication of veteran services across the state; and facilitate collaborative relationships among state, federal, and local agencies and private organizations to identify and address issues affecting veterans.<sup>5</sup>

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*TVC coordinates well with other state agencies and community organizations.*

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### **Texas has effectively consolidated most veteran services under a single state agency, offering little benefit from further organizational change.**

Over the last 15 years, the Legislature has consistently focused on consolidating veteran services at TVC, creating one of the most robust veterans affairs agencies among states. Sunset staff evaluated the following potential organizational alternatives but determined the current structure is working well and no substantial benefits would result from organizational change.

- **Veterans' Land Board.** While the Veterans' Land Board (VLB) also plays a key role in providing state benefits to veterans, consolidation is not a



viable option. The VLB, housed in the General Land Office, primarily provides financial, nursing home, and cemetery services funded mostly by loan repayments and investment earnings associated with VLB-issued bonds, compared to TVC's role to deliver discrete federal and state-funded assistance programs. Following recommendations from the last Sunset review, the two agencies have consolidated their call centers, providing one central point of contact for referring and tracking veteran access to state services.<sup>6</sup> With this improvement to coordination, Sunset staff concluded that the focus of each agency is different enough to offer little benefit to further organizational change.

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*TVC and the Veterans' Land Board have consolidated their veteran call centers.*

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Also, the VLB is a constitutional agency, and the public would need to vote on a constitutional amendment to remove the VLB from the oversight of the Land Commissioner.<sup>7</sup> VLB is also not subject to abolishment under the Sunset Act.<sup>8</sup> The Sunset Commission will review the mission and operations of VLB in more detail later this year.

- **Texas Workforce Commission.** Though Texas is the only state separating its Veterans Employment Program from the statewide workforce system, Sunset staff concluded this unique arrangement is producing positive results for Texas. The 2005 transfer of the program from the Texas Workforce Commission to TVC significantly expanded the agency's staff, budget, and responsibilities, and raised concerns during the previous Sunset review.<sup>9</sup> After analyzing performance data and receiving positive feedback from a stakeholder survey and interviews with both agencies' employees, Sunset staff concluded the program is now functioning well and should remain at the Texas Veterans Commission. As shown in the chart below, *State Veterans Employment Program Comparison*, the TVC Veterans Employment Program serves more veterans and performs better than veteran programs in other states with high veteran populations.<sup>10</sup>

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*The veterans employment program is functioning well at TVC.*

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#### **State Veterans Employment Program Comparison, Program Year 2015**

State	Number of Veterans Served	Employment Rate	Employment Retention Rate After Six Months
Texas	34,158	62.6%	83.7%
Florida	15,522	57.7%	83.2%
New York	10,845	56.5%	81.0%
California	9,262	57.8%	79.2%
Pennsylvania	4,867	60.4%	80.7%

- **Other states.** All 50 states have a veterans affairs agency devoted to advocating on behalf of and assisting veterans and their families with accessing federal and state benefits. While organizational approaches vary, all states also administer the federal Veterans Employment Services program and approve educational and training programs affiliated with the federal GI Bill program.

**The commission’s statute does not reflect updated requirements for commission member training.**

The Sunset Commission has developed a set of standard recommendations that it applies to all state agencies reviewed unless an overwhelming reason exists not to do so. These across-the-board recommendations (ATBs) reflect an effort by the Legislature to place policy directives on agencies to prevent problems from occurring, instead of reacting to problems after the fact. ATBs are statutory administrative policies adopted by the Sunset Commission that contain “good government” standards for state agencies. The ATBs reflect review criteria contained in the Sunset Act designed to ensure open, responsive, and effective government.

The commission’s statute does not reflect updated requirements for commission member training. The commission’s statute contains standard language requiring commission members to receive training and information necessary for them to properly discharge their duties. However, statute does not contain a newer requirement that the agency create a training manual for all commission members or specify that the training must include a discussion of the scope of and limitations on the commission’s rulemaking authority.

**The agency has not implemented required policies to encourage purchasing from historically underutilized businesses.**

The Sunset Act requires the Sunset Commission to evaluate the extent to which an agency has complied with state law and applicable rules regarding purchasing guidelines and programs for historically underutilized businesses (HUB).<sup>11</sup> The agency’s HUB spending exceeded the statewide HUB purchasing goals for commodities but fell below the goals for professional and other services in the last three fiscal years. Although TVC’s contracting function makes up less than 1 percent of its total expenditures, the agency is statutorily required to make a good-faith effort to include eligible HUB businesses in contract awards and services and implement policies encouraging HUBs to get involved in the contracting process. However, the agency has not created a required HUB policy and has not required contractors to have HUB subcontracting plans for contracts that exceed \$100,000. All agencies with a biennial budget exceeding \$10 million must designate a HUB coordinator, develop a HUB forum program, and implement a HUB mentor-protégé program, but TVC has also failed to comply with these requirements.

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*TVC has not written a HUB policy or designated a HUB coordinator.*

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**The commission’s reporting requirements continue to be useful.**

The Sunset Act establishes a process for the Sunset Commission to consider if reporting requirements of agencies under review need to be continued or abolished.<sup>12</sup> The Sunset Commission has interpreted these provisions as applying to reports required by law that are specific to the agency and not general reporting requirements that extend well beyond the scope of the

agency under review. Reporting requirements with deadlines or that have expiration dates are not included, nor are routine notifications or notices, posting requirements, or federally mandated reports. Reports required by rider in the General Appropriations Act are also omitted under the presumption that the appropriations committees have vetted these requirements each biennium. The chart below, *Texas Veterans Commission Reporting Requirements*, lists the agency's statutory reporting requirements, all of which Sunset staff found are useful and should be continued.

### ***Texas Veterans Commission Reporting Requirements***

<b>Report</b>	<b>Legal Authority</b>	<b>Description</b>	<b>Recipient</b>	<b>Sunset Evaluation</b>
1. Texas Coordinating Council for Veteran Services	Section 434.158, Texas Government Code	Needs assessment of veteran services in Texas	Governor, Lieutenant Governor, Speaker of the House, chairs of the affected legislative committees	Continue
2. PARIS Match Report	Section 531.0998(e), Texas Government Code	Cost savings benefit analysis	Governor, Legislature, and Legislative Budget Board	Continue
3. Women Veterans Report	Section 434.212, Texas Government Code	Demographic information about women veterans in Texas and needs of women veterans	Governor, Lieutenant Governor, and Legislature	Continue

### **The agency should continue to implement state cybersecurity requirements and industry best practices.**

The 85th Legislature tasked the Sunset Commission with assessing cybersecurity practices for agencies under review.<sup>13</sup> The assessment of TVC's cybersecurity practices focused on identifying whether the agency complied with state requirements and industry cybersecurity best practices. Sunset staff did not perform technical assessments or testing due to lack of technical expertise, but worked closely with the Department of Information Resources to gather a thorough understanding of the agency's technical infrastructure. Sunset staff found no issues relating to the agency's cybersecurity practices that require action by the Sunset Commission or the Legislature, and communicated the results of this assessment directly to the agency.

## Recommendations

### *Change in Statute*

#### **5.1 Continue the Texas Veterans Commission for 12 years.**

This recommendation would continue the Texas Veterans Commission as the independent agency responsible for administering the state's veterans benefit claims assistance, employment, education, and grants programs for 12 years, until 2031. As part of this recommendation, all of the agency's reporting requirements would also continue since they serve a useful purpose to evaluate veteran needs and available services.

#### **5.2 Update the standard across-the-board requirement related to commission member training.**

This recommendation would require the commission to develop a training manual that each commission member attests to receiving annually, and require existing commission member training to include information about the scope of and limitations on the commission's rulemaking authority. The training should provide clarity that the Legislature sets policy, and agency boards and commissions have rulemaking authority necessary to implement legislative policy.

### *Management Action*

#### **5.3 The commission should implement requirements for encouraging purchasing from historically underutilized businesses.**

This recommendation would direct the agency to comply with statutory HUB requirements by adopting a formal HUB policy, creating HUB subcontracting plans for large contracts, creating a HUB forum, appointing a HUB coordinator, and developing a mentor-protégé program. The agency should have these policies in place by January 1, 2019.

## Fiscal Implication

These recommendations would not have a fiscal impact to the state. Based on fiscal year 2018 appropriations, continuing TVC would require approximately \$42 in million in federal and state funds annually to cover the cost of the agency's current operations.<sup>14</sup>

- .....
- <sup>1</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Section 434.007, Texas Government Code.
  - <sup>2</sup> National Center for Veterans Analysis and Statistics, *VetPOP2016 Living Veterans by State, Age Group, Gender, 2015–2016*, accessed February 7, 2018, [https://www.va.gov/vetdata/veteran\\_population.asp](https://www.va.gov/vetdata/veteran_population.asp).
  - <sup>3</sup> Regina Dennis, “Extra workers to help process Texas veterans’ claims backlog,” *Waco Tribune-Herald*, August 1, 2012, [http://www.wacotrib.com/news/extra-workers-to-help-process-texas-veterans-claims-backlog/article\\_05df5b16-4a68-5ca5-ae5f-c87bfda88780.html](http://www.wacotrib.com/news/extra-workers-to-help-process-texas-veterans-claims-backlog/article_05df5b16-4a68-5ca5-ae5f-c87bfda88780.html); Alex Branch, “Texas veterans remain frustrated by disability claims backlog,” *Fort Worth Star-Telegram*, December 27, 2012, <http://www.mcclatchydc.com/news/nation-world/national/article24742240.html>.
  - <sup>4</sup> Article I (H.B. 1), Acts of the 84th Legislature, Regular Session, 2015 (the General Appropriations Act).
  - <sup>5</sup> Section 434.151, Texas Government Code.
  - <sup>6</sup> Texas Sunset Advisory Commission, *Texas Veterans Commission and Veterans’ Land Board Sunset Staff Report*, November 2006, accessed Feb. 21, 2018, [https://www.sunset.texas.gov/public/uploads/files/reports/Veterans%20Commission\\_Veterans%20Land%20Board%20Staff%20Report%202007%2080%20Leg.pdf](https://www.sunset.texas.gov/public/uploads/files/reports/Veterans%20Commission_Veterans%20Land%20Board%20Staff%20Report%202007%2080%20Leg.pdf).
  - <sup>7</sup> Article III, Sec 49-b, Texas Constitution.
  - <sup>8</sup> Section 161.0111, Texas Natural Resources Code.
  - <sup>9</sup> Sunset, *TVC and VLB Staff Report*.
  - <sup>10</sup> “Wagner-Peyser Act Employment Service,” United States Department of Labor, last modified December 2, 2016, [https://www.doleta.gov/performance/results/wagner-peyser\\_act.cfm](https://www.doleta.gov/performance/results/wagner-peyser_act.cfm).
  - <sup>11</sup> Section 325.011(9)(B), Texas Government Code.
  - <sup>12</sup> Section 325.011(13), Texas Government Code.
  - <sup>13</sup> Section 325.011(14), Texas Government Code; Chapter 683 (H.B. 8), Acts of the 85th Texas Legislature, Regular Session, 2017.
  - <sup>14</sup> Article I (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act).



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# APPENDICES





# APPENDIX A

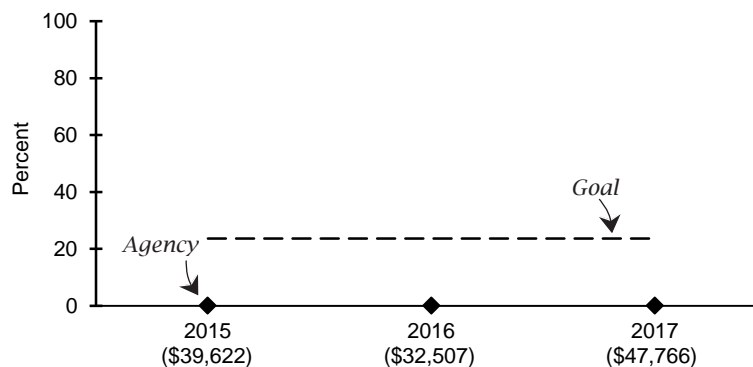
## *Historically Underutilized Businesses Statistics 2015 to 2017*

The Legislature has encouraged state agencies to increase their use of historically underutilized businesses (HUBs) to promote full and equal opportunities for all businesses in state procurement. The Legislature also requires the Sunset Commission to consider agencies' compliance with laws and rules regarding HUB use in its reviews.<sup>1</sup>

The following material shows trend information for the Texas Veterans Commission's (TVC) use of HUBs in purchasing goods and services. The agency maintains and reports this information under guidelines in statute.<sup>2</sup> In the charts, the dashed lines represent the goal for HUB purchasing in each category, as established by the comptroller's office. The diamond lines represent the percentage of agency spending with HUBs in each purchasing category from 2015 to 2017. Finally, the number in parentheses under each year shows the total amount the agency spent in each purchasing category.

The agency's HUB spending exceeded the statewide HUB purchasing goals for commodities but fell below the goals for professional and other services in the last three fiscal years. The agency did not have any spending in the heavy construction, building construction, or special trade categories. The agency has not adopted a formal HUB policy, and has not complied with other HUB-related requirements triggered by the size of its biennial budget and two contracts over \$100,000, as described in Issue 5. These additional requirements include creating subcontracting plans for large contracts, creating a HUB forum, appointing a HUB coordinator, and developing a mentor-protégé program.

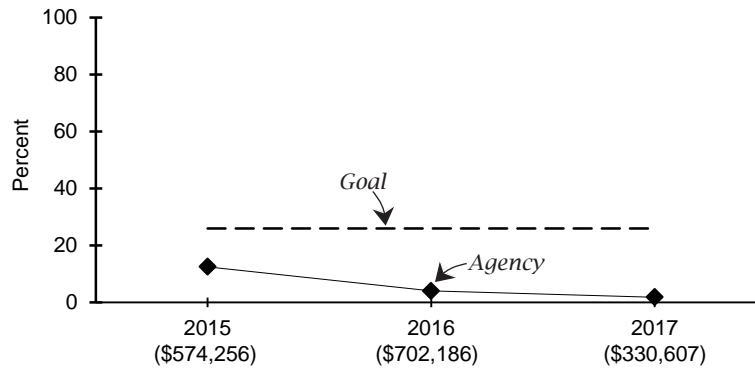
### Professional Services



The agency failed to meet the statewide goal for HUB spending for professional services from 2015 to 2017 but had limited spending in this category.

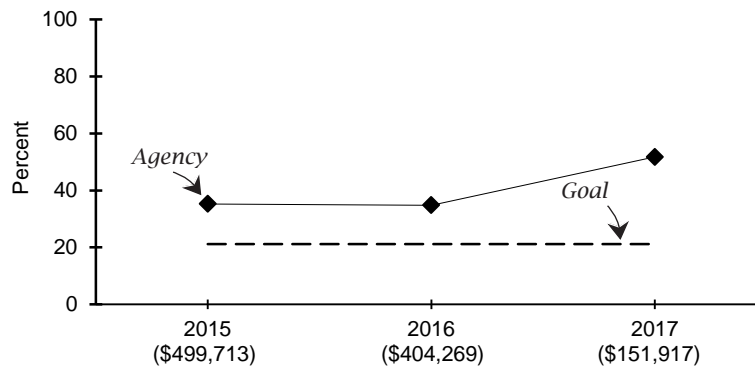
## Appendix A

### Other Services



The agency failed to meet the statewide goal for its other services spending from 2015 to 2017, including publications, freight, building maintenance, computer equipment, and personal property expenses.

### Commodities



The agency exceeded the statewide goal for commodities from 2015 to 2017.

<sup>1</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Section 325.011(9)(B), Texas Government Code.

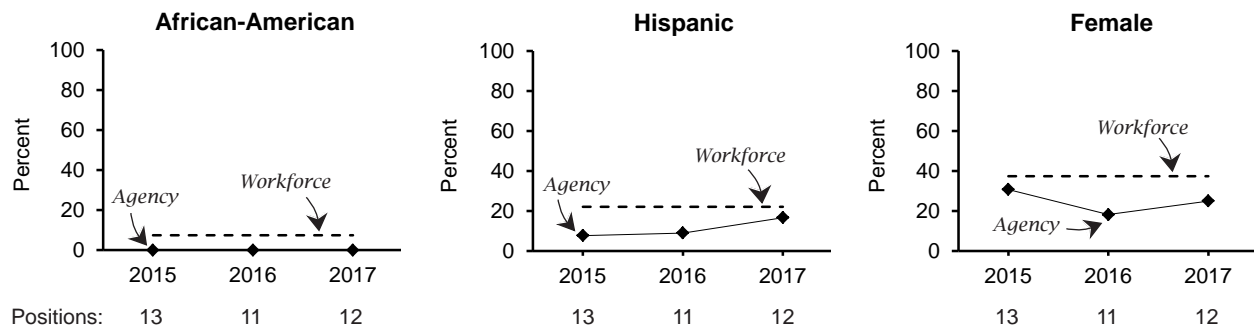
<sup>2</sup> Chapter 2161, Texas Government Code.

# APPENDIX B

## Equal Employment Opportunity Statistics 2015 to 2017

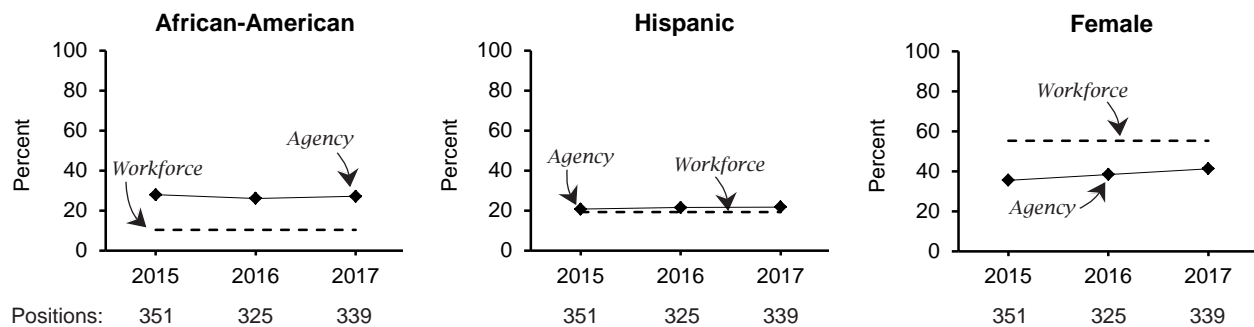
In accordance with the requirements of the Sunset Act, the following material shows trend information for the employment of minorities and females in all applicable categories by the Texas Veterans Commission (TVC).<sup>1</sup> The agency maintains and reports this information under guidelines established by the Texas Workforce Commission.<sup>2</sup> In the charts, the dashed lines represent the percentages of the statewide civilian workforce for African-Americans, Hispanics, and females in each job category.<sup>3</sup> These percentages provide a yardstick for measuring agencies' performance in employing persons in each of these groups. The diamond lines represent the agency's actual employment percentages in each job category from 2015 to 2017. The agency has no employees in the technical, service/maintenance, and skilled craft categories.

### Administration



The agency fell below the civilian workforce percentages for African-Americans, Hispanics, and females in the last three fiscal years. However, the agency has increased its percentage for Hispanics and has few employees in this category.

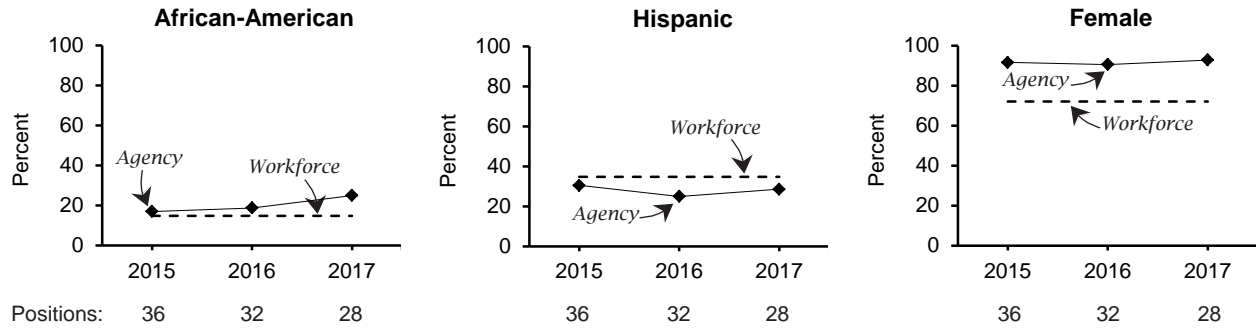
### Professional



The agency exceeded the civilian workforce percentages for African-Americans and Hispanics in the last three fiscal years in its largest job category. The agency slightly improved its percentage of females employed in this category in fiscal year 2017 but still fell below the statewide percentage in all three years.

## Appendix B

### Administrative Support



The agency exceeded the civilian workforce percentages for African-Americans and females in the last three fiscal years but fell below the percentage for Hispanics.

<sup>1</sup> All citations to Texas statutes are as they appear on <http://www.statutes.legis.texas.gov/>. Section 325.011(9)(A), Texas Government Code.

<sup>2</sup> Section 21.501, Texas Labor Code.

<sup>3</sup> Based on the most recent statewide civilian workforce percentages published by the Texas Workforce Commission.

# APPENDIX C

## ***Staff Review Activities***

During the review of the Texas Veterans Commission (TVC), Sunset staff engaged in the following activities that are standard to all Sunset reviews. Sunset staff worked extensively with agency personnel; attended commission and advisory committee meetings; conducted interviews and solicited written comments from interest groups and the public; reviewed agency documents and reports, state statutes, legislative reports, previous legislation, and literature; researched the organization and function of similar state agencies in other states; and performed background and comparative research.

In addition, Sunset staff also performed the following activities unique to the Texas Veterans Commission:

- Toured three U.S. Department of Veterans Affairs facilities
- Observed and interviewed TVC claims counselors in three field offices
- Observed and interviewed TVC employment staff located in one workforce development board and one military base
- Attended a veterans education compliance visit
- Attended a grant compliance visit
- Attended Texas Coordinating Council for Veterans Services workgroup meetings
- Interviewed TVC grant recipients
- Interviewed a veterans mental health peer service coordinator
- Interviewed several veteran county service officers
- Conducted a stakeholder survey to gather feedback on the agency's performance and evaluated the 168 responses



# Sunset Staff Review of the *Texas Veterans Commission*

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