

SD MI 250: M 668/2005/ July 20

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South Dakota Veterans Commission Meeting Minutes  
Sheraton Hotel 1211 N. West Avenue, Sioux Falls, SD  
July 20, 2005

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The meeting was called to order at 8:00 AM by Chairman Murphy. He led the Pledge of Allegiance and asked for a prayer from Jim Foster. Following that was a welcome to all attending and introductions from everyone.

**Changes to Agenda:** Deb Hillmer from the Department of Motor Vehicles is to be inserted immediately after the Department of Military and Veterans Affairs briefing #5.

**Minutes of April 12-13, 2005 Commission Meeting:** Motion was made by Commissioner Loudner, seconded by Commissioner Locken to approve the minutes from the previous commission meeting. Motion carried.

**Department of Military & Veterans Affairs:** MG Michael Gorman gave a report on the status of the Department of Military and Veterans Affairs.

MG Gorman discussed the Department policy of sending teams to the demob sites (9 teams) and also briefings conducted with family support groups.

MG Gorman stated that there are currently 122 National Guard soldiers in Iraq. He went on to say that 152 National Guard soldiers are undergoing training at Ft. Dix, NJ, in preparation for deployment.

MG Gorman indicated that the Purple Heart Memorial Rededication Ceremony will be held in Pierre on August 7, 2005 in front of the Soldiers and Sailors Building.

MG Gorman said that the State of South Dakota has paid approximately \$1.5 million to date for the bonus.

MG Gorman briefly mentioned the current force structure changes within the National Guard that are underway. These changes are being driven by mission changes within the U.S. Army.

MG Gorman spoke about the Veterans Summit and the intent to coordinate activities and work together.

Commissioner Don Clarke had questions about the National Guard and wanted to know if personnel strength numbers would be reduced as a result of restructuring. MG Gorman answered that numbers would not be reduced.

Commissioner Paul Evenson wanted to know if other states were restructuring Guard Units.  
Answer: Yes

Commissioner Don Loudner thanked MG Gorman for his report.

Commissioner Rollie Benson had questions on BRAC and wondered if the addition of installations to the list would help South Dakota. MG Gorman indicated that the addition of other installations might help South Dakota for the retention of Ellsworth AFB.

**Department of Revenue (Licensing) Deb Hilmer:** Ms. Hilmer spoke about the administrative procedure required to design and introduce a new Veteran Plate. She indicated that a committee would be formed and that she would sit on the committee. The Committee will consist of Director Foell, Chairman, Deb Hilmer, and the State Adjutants of each service organization or respective appointed representative. Ms. Hilmer also spoke about the State of Ohio and the veteran plate they have.

Commissioner Don Loudner spoke about the misuse of the current organizational plate. Commissioner Loudner indicated that the State Highway Patrol told him that anything can be used on the organizational plate. Commissioner Loudner wanted to know why the State of SD is not enforcing the regulation. Ms. Hilmer responded that the Highway Patrol should be enforcing state regulations and that she would speak with the Highway Patrol Headquarters.

Commissioner Locken made a motion, seconded by Commissioner Loudner that the Veterans Commission send a letter to the Highway Patrol requesting that they enforce the regulations that pertain to organizational plates. Motion Passed.

**Special Introduction:** Commissioner Don Loudner introduced Mr. Martin D. Skye, Director, United Sioux Tribes to those in attendance.

**VA Medical Directors' Reports:** Mr. Peter Henry, Director, Black Hills Health Care System gave a detailed report on the status of the BHHCS, (See attachment.) to include information on staffing/FTEE, budget, equipment, doms, Native American Veterans.

Commissioner Evenson had questions concerning the admission of Priority Group #8 Veterans that are suffering from catastrophic illnesses. Director Henry answered that there are provisions to work with patients that have catastrophic illnesses that are Priority Group #8.

Commissioner Locken stated at this time that he actively encourages all veterans to enroll into the VA Healthcare system--even Priority Group #8 Veterans.

Commissioner Clarke expressed concerns about the changes in the Dom. Where will veterans go that are no longer eligible for the Dom? Nursing homes, assisted living? Director Henry responded there is a possibility for assisted living, residential care or a group home.

Commissioner Loudner questioned a portion of Director Henry's report that spoke about training for TVSO's. Director Henry responded that the report should read, "Tribal Reps" and that TVSO's is incorrect.

Commissioner Loudner had a question about Indian Health Services (IHS) sharing agreements with the VA. Director Henry responded that the BHHCS is working on sharing equipment (mobile CT scan) and doing diagnostic testing for a fee.

Commissioner Loudner then asked if this diagnostic testing was for veterans. Director Henry answered "not necessarily," the testing could be done for anyone.

Commissioner Loudner spoke about IHS and their refusal to provide service to veterans. Commissioner Loudner said a veteran at Sisseton had a heart attack and was refused treatment by the IHS. The VAMC Sioux Falls provided emergency services to the veteran and then sent him back to Sisseton.

Commissioner Loudner asked how much money the Indian Health Service sent to the Veteran Health Administration. Director Henry answered that he did not know.

Mr. Martin Sky spoke and indicated that the United Sioux Tribes are trying to open doors to sharing agreements with the VHA.

Commissioner Locken thanked Mr. Henry for including Priority Group #8 Veterans in his report. He went on to say that South Dakota is impacted in a negative way by the Geographic Means Test used by VHA.

Commissioner Evenson spoke about declining service to Priority Group #8 Veterans. How can the VHA be selling services, if they cannot support/service Priority Group #8 Veterans? Director Henry answered, the money is used to support Priority Group #1 - #7 Veterans.

Commissioner Murphy had questions for Director Henry concerning budget shortfalls in the areas of equipment, FTE' s, etc. How could these shortfalls not be affecting the service to veterans? Director Henry indicated there has been no serious degradation in service to veterans at BHHCS.

Commissioner Murphy asked if the budget for BHHCS will be in the red at the end of the current FY. Director Henry answered that he believes they will "barely scrape by."

Commissioner Murphy questioned why the numbers on Director Henry's report were being switched around from previous reports. Director Henry answered that BHHCS and VAMC Sioux Falls were attempting to use the same report template for uniformity.

Commissioner Murphy had a question about veterans at the Dom being displaced? Director Henry answered that the beds in the Dom will be filled by short term patients and that this action is not being driven by funding.

Commissioner Murphy wanted to know if BHHCS is laying claim to any Ellsworth AFB buildings. Director Henry indicated that BHHCS has looked at Ellsworth AFB buildings and have identified eight (8) buildings for possible future consideration. However, Director Henry went on to say that BHHCS wants the USAF to occupy Ellsworth AFB.

Department American Legion Commander Phil Anderson asked if sharing agreements are geared to panel sizes. Director Henry answered that they are not.

Mr. Wayne Blake wanted to know what the difference was between Priority Group #8 reference education and Priority Group #8 reference healthcare. Commissioner Locken answered that there was no Priority Group #8 for education. Mr. Blake responded, "That is exactly right; there are no priority groups for education and we are talking about the same veteran."

Mr. Joe Dalpiaz, Director, VAMC Sioux Falls gave a detailed report on the status of the VAMC Sioux Falls. (See attachment.) Director Dalpiaz went on to invite the Commission for a tour of the VAMC Sioux Falls and thanked the Commission for being advocates for veterans.

Director Dalpiaz spoke about the budget and the impact of non-VA workload costs, e.g. sending veterans outside of VAMC Sioux Falls for specialized medical care.

Director Dalpiaz said there is a waiting list for dental care and that veterans were being sent to civilian sources for their dental care.

Director Dalpiaz indicated that the VAMC Sioux Falls does not have a Compensated Work Therapy Program, but there are plans to start one in the future.

Commissioner Don Loudner indicated that when VAMC Sioux Falls sets up their CWT program that he would like to come check it out.

Commissioner Loudner wanted to know why a veteran, that was service connected, was in Priority Group #8. Director Dalpiaz stated he was not sure but would check that out.

Commissioner Locken asked that Pierre and Winner CBOC be added to BHHCS Report, Item #B.

Director Dennis Foell, SDDVA wanted to know if new veterans would be included in VAMC budgets in the future. Director Dalpiaz answered that they would be included in base budget.

Commissioner Gene Murphy had a question about FTE increase and Budget shortfall increase. Director Dalpiaz answered that the budget shortfall increase has been the direct result of sending veterans outside of VAMC for healthcare. One veteran incurred medical expenses that cost \$520,000.00. At this point Commissioner Murphy asked that future reports contain information about those veterans treated outside of the VAMC system. Commissioner Murphy went on to say that Congress should be put under the VA Healthcare System.

Commissioner Murphy asked if the numbers on "wait time" contained with the report were correct. Director Dalpiaz answered that the numbers were correct.

Commissioner Murphy wanted to know how many veterans were on the general waiting list. Answer: 100-110. How long is the wait time? Answer: 30 days

Commissioner Paul Evenson wanted to know what is being done about the active duty outreach. Answer: Transition Assistance Program (TAP). Also Rob McDivett, VISN-23 stated that they

receive a list from DOD of separating servicemen/women and a letter is sent to the veteran at their home of record.

Commissioner Evenson wanted to know if this list could be provided to SDDVA. Director Dennis Foell, SDDVA said that the National Association of State Directors of Veteran Affairs had in fact requested this list and were promised that it would be provided.

Commissioner Evenson went on to say further that the Governor should make a public service announcement that highlights the benefits available to veterans and where to seek assistance.

Commissioner Loudner asked Director Dalpiaz what alternate office space at VAMC Sioux Falls for the area THS Director means. Director Dalpiaz answered that the IHS person in Aberdeen needed space in the Sioux Falls area.

Commissioner Loudner made a motion, seconded by Commissioner Locken to invite the Director of IHS to future Veterans Commission Meetings. Motion carried.

Commissioner Loudner made a motion, seconded by Commissioner Locken to invite the United Sioux Tribe Director to future Veterans Commission Meetings. Motion carried.

Director Foell, SDDVA stated that he believes the VA is pitting veteran against veteran. Further, Director Foell stated that OIF/OEF veterans are being given, what some would view as, preferential treatment over WWII, Korean, and Vietnam Veterans.

Mr. Jim Foster wanted to know, "Just when is the VA going to understand the budget process?"

Mr. John Smith, Director, Dakota's Regional Offices gave a detailed report about the status of claims processing within the VBA. (See attachment.)

Commissioner Loudner spoke about a veteran receiving disability compensation that he is not entitled to receive. Director Smith indicated that he was not aware of any veteran in that category, but if Commissioner Loudner will provide him with a name he will look into the matter. Director Smith also spoke briefly about fraud investigations that are conducted by the VA IG office.

Director Foell, SDDVA thanked Director Smith for his comprehensive report.

Commissioner Murphy wanted to know about the review of 100% PTSD and IU cases. Director Smith indicated that the Office of the Inspector General (OIG) was looking into this because of the disparity of dollars paid to veterans from state to state.

Commissioner Evenson wanted to know if the VA would look at all cases during a major review.  
Answer: Yes

Commissioner Loudner wanted to know why VBA is not hiring Indian veterans. Were the two VSR's recently hired at VARO Sioux Falls Indians?

Director Smith answered that he is not the hiring authority for VARO Sioux Falls, but he would check into the matter.

Mr. Jerry Lolley asked how much overtime has VARO Sioux Falls paid to employees this year.  
Answer: Approximately \$15,000.00 per quarter.

**VISN-23 Report:** Mr. Rob McDivett, VISN-23 Minneapolis gave a detailed report to the Veterans Commission on workload, MCCCCF, etc. (See attachment.)

Commissioner Loudner wanted to know how many dollars VISN-23 has received from IHS.  
Answer: Does not know.

Commissioner Loudner wanted to know if VISN-23 reads the minutes from the Veterans Commission meetings. Answer: Yes.

Commissioner Locken spoke about 3<sup>rd</sup> party collections and the fact that VISN-23 is the best in the nation at this. Commissioner Locken asked about the other VISN's and what is going on with them. It would seem that VISN-23 is a victim of their own success.

Commissioner Locken went on to say that he is concerned with the VHA dental care program and the fact that it was not designed to provide a lifetime of dental care.

Commissioner Murphy wanted to know if the proposed CBOC's are now on hold. Answer: Funding is not available at this time. Funding should become available by FY 2007 and maybe sooner.

Commissioner Murphy asked if the budget supplement would be adequate at this time. Answer: Not sure at this point in time.

Commissioner Murphy wanted to know if newspaper articles about the VHA in this area are being sent in to VISN-23 and Central Office. Answer: Yes they are.

**Black Hills National Cemetery Report:** Ms. Vanette Lopez, Asst. Director gave a report on the status of the cemetery and ongoing operations.

Ms. Lopez reported that Director Doug Voorhees had retired and that a new Director should be on board in the next 60 days.

Ms. Lopez said they had been unable to water the cemetery in Hot Springs because of a broken water pump but repairs were currently underway. Ms. Lopez indicated that all flags were flown over Memorial Day weekend and there was some damage to the flags caused by wind. She said that the cremation section at the cemetery was being enlarged. Ms. Lopez also reported that they were working on formulating next year's budget. Ms. Lopez spoke about the CWT program and showed the Commission the small flag case that the CWT's had been making.

Commissioner Locken stated that the National Cemetery needs to keep an eye on the BLM land next to the cemetery and should be looking to take action necessary to acquire some of this land for addition to the cemetery.

**Lunch Break:** 12:00 - 1:00 P.M.

**National Congressional Delegation** - Ms. Amy Bilka-Skilbred, representative for Senator Tim Johnson, gave an update on new and ongoing projects in Senator Johnson's office.

Discussed S33 1-Funding for Veterans Healthcare

Indicated that Senator Johnson supported VA budget allocation for two billion dollars but that bill failed.

Currently co-sponsors are being sought for a Code Talkers Bill.

Commissioner Loudner asked about the status of the Code Talkers Bill. Answer: It is in committee.

Commissioner Murphy asked when the budget supplement will take effect. Answer: Not sure.

Mr. Ben Ready, representative for Senator John Thune, spoke about the BRAC process and Ellsworth AFB.

Commissioners Clarke, Loudner and Locken said they wanted to thank the Senator for his work on behalf of veterans.

Commissioner Murphy asked if S963 can go to the Veterans Affairs Committee. Answer: Currently trying to get Senator Grassly to grant a waiver to move the bill from the Senate Finance Committee.

Commissioner Murphy asked if Senator Thune will sign on to full concurrent receipt. Answer: Will have to check on that.

Mr. Roger Andal, Department Commander, DAV spoke about the problems with some of Senator Thune's proposed legislation and the budget.

Mr. Mark Gerhardt, representative for Congresswoman Herseth, talked about the Veteran Town Hall Meetings that Congresswoman Herseth had conducted over the Memorial Day Weekend. He discussed VA healthcare funding at length and the effect the shortfall is having on programs. Mr. Gerhardt spoke about the disabled veterans' tax and gave a history of the tax. He spoke briefly about Code Talker legislation and indicated that no bills had been introduced in Congress on this subject. He also indicated that HR933 - Federal Charter to the National American Indian Veterans, Inc. was in sub-committee and being worked on.

Commissioner Murphy asked that Congresswoman Herseth help sponsor HR #2962.

Mr. Loren Murren stated that in light of recent events no one can trust the budget numbers from the VA. Mr. Murren went on to say that the VA should be the focus of a Congressional investigation.

**Veteran Center Report:** Dr. Nick Reinhart spoke about the outreach effort to veterans at the demob sites and armories. He indicated that the Vet Center's regional headquarters was moving from Chicago, IL to St. Louis, MO.

Commissioner Clarke asked if the workload at the Vet Center had been constant. Answer: Yes

Commissioner Benson thanked the Vet Center for doing a good job.

Commissioner Murphy asked that the Veterans Commission go on record for the team leader position at the Sioux Falls Vet Center to be filled ASAP. Motion made by Commissioner Clarke, seconded by Commissioner Evenson that the Veterans Commission urges the VA to fill the position of Team Leader at the Sioux Falls Vet Center ASAP. Motion carried.

**U.S. Department of Labor Report:** Mr. Earl Schultz thanked the American Legion for passing a resolution to reintroduce SMOCTA. Mr. Schultz also thanked MG Gorman and the National Guard for support with the Transition Assistance Program (TAP). Mr. Schultz stated that C/TVSO's need more training about the re-employment rights of veterans, in particular for the OIF/OEF veterans.

Commissioner Evenson wanted to know if there are more complaints being filed by vets. Answer: To some extent but Mr. Schultz tries to remedy the problem before it becomes a formal complaint.

Commissioner Murphy asked how many complaints are received in a month. Answer: 150-180.

**SD Association of C/TVSO's:** Mr. Wayne Vetter, President spoke about a meeting he had with the County Commissioners from South Dakota to explain the duties and responsibilities of a C/TVSO. Mr. Vetter said the commissioners had many questions for him.

Mr. Vetter indicated that his Association is working on a proposal to ask the State of South Dakota to contribute more dollars to the salary supplement for C/TVSO's.

**South Dakota Veterans Home:** Mr. Larry Wilcox, Superintendent gave a detailed report on the status of the Veterans Home. (See attachment.)

Mr. Wilcox spoke about VA funding and indicated that he understands this funding will remain at the same level.

Mr. Wilcox indicated that Canyon Cottage has been completed and that meetings were being held in this facility. He stated that Heroes Park is now 80% completed. Superintendent Wilcox spoke about an upgrade of the water system to improve fire protection.

Commissioner Locken wanted to know, if every resident had his/her own bathroom, would this reduce the size/number of rooms. Answer: No

Mr. Ron Boyd, Department Adjutant, SD American Legion had questions about a proposal being considered to allow non South Dakota residents into the home.

**Reports from South Dakota Division of Veterans Affairs:** Mr. Dave Wherry, Claims Office Supervisor gave a detailed report on the status/operation of the Claims Office. (See attachment.)

Mr. George Summerside, Veterans Education/State Approving Agency gave a report on the status of veteran education programs in the State of South Dakota. (See attachment.)

Mr. Dennis Foell, Director SDDVA spoke about the upcoming Purple Heart Memorial dedication in Pierre on August 7, 2005. Director Foell invited everyone to attend this important event.

Director Foell gave an update on the SD Bonus Program and said to date that 3,471 claims had been filed at a total dollar value of \$1.5 million.

Director Foell spoke about SDDVA participation in the demob briefings, family support briefings, Capitol for a Day, State Fair, and the Veterans Summit.

Director Foell said that the budget process for the next FY starts on August 1, 2005.

Mr. Rick Barg, Department Adjutant, SD VFW asked how many bonus claims were from SD National Guard and Reserve Units. Answer: Unknown

**Veteran Service Organization Reports:** Mr. Gary Knudson, State Commander, SD VFW spoke about the 75<sup>th</sup> Anniversary of the VFW, the Military Assistance Program (MAP), Operation Uplink, and VFW/Auxiliary Volunteers.

Mr. Phil Anderson, State Commander SD American Legion spoke about the Outreach Program, Veteran Forums, Soldier-to-Soldier Program, and the American Legion Baseball Tournament in Rapid City, SD.

Mrs. Marsha Boyd, President SD American Legion Auxiliary spoke about attending the Creative Arts Festival in Denver, supporting the Fischer House, and care packages being sent to Iraq/Afghanistan.

Mr. Dave Jungemann, Vice President, SD TREA Chapter gave a report on the TREA Honor Guard and funeral support provided. Mr. Jungeman indicated that the Rapid City Chapter is the only TREA Chapter in South Dakota.

Mr. Roger Andal, State Commander, SD Disabled American Veterans gave a detailed report on the DAV Transportation Program.

Mr. Joel Niemeyer, Executive Director, SD Paralyzed Veterans of America brought greetings and commended the VAMC Sioux Falls for starting the SCI Clinic. Mr. Niemeyer also said that the PVA has a new website: [www.ncpva.org](http://www.ncpva.org)

**Future Meeting Dates:** Oct 12 - 13, 2005 Ft. Meade, SD  
Feb 6 - 7, 2006 Pierre, SD  
Apr 5 - 6, 2006 Hot Springs, SD (SD Veterans Home)

**Adjourn:** Motion made by Commissioner Rollie Benson, seconded by Commissioner Bill Locken to adjourn. Motion carried.



Director, SD Division of Veterans Affairs



Recording Secretary

8-18-05

Date

Attendees for the July 20, 2005 SD Veterans Commission Meeting  
 Sheraton Hotel, 1211 N. West Avenue, Sioux Falls, SD

<b>Name</b>	<b>Representing/From</b>
Michael Gorman	Secretary, Dept of Military & Veteran Affairs, Rapid City
Dennis Foell	Director, SDDVA Pierre
Donald Clarke	Commissioner, Wessington
Paul Evenson	Commissioner, Renner
Gene Murphy	Commissioner, Sioux Falls
Don Loudner	Commissioner, Mitchell
Bill Locken	Commissioner, Spearfish
Roland A. Benson	Commissioner, Ft. Pierre
David J. Wherry	Claims Office Supervisor, Sioux Falls
LTC Marshall Michels	SD National Guard, Rapid City
Julie Stern	Claims Office, Sioux Falls
Chaun Brison	Claims Office, Sioux Falls
Dennis Erdahl	Claims Office, Sioux Falls
Delbert "Jim" Foster	President, SD Veterans Council, Sioux Falls
Loren Murren	Sr VP DAV, Rapid City
Hal Weber	Sec'y/Treas SD Veterans Council, Rapid City
Dave Jungemann	TREA, VP SD Veterans Council, Rapid City
Marsha Boyd	President, American Legion Auxiliary, Watertown
Ron Boyd	Dept. Adjutant SD American Legion, Watertown
Phil Anderson	Dept Commander SD American Legion, Piedmont
Wayne Vetter	President, C/TVSO Assn., Faulkton
Warren L. Aas	DSO, SD American Legion, Watertown
Deb Hillmer	SD Department of Motor Vehicles, Pierre
George Summerside	SDDVA, Pierre
Steve Oliva	SDDVA, Pierre
Andy Gerlach	Dept of Military & Veterans Affairs, Pierre
Larry Wilcox	Superintendent, SD Veterans Home, Hot Springs
Earl Schultz	US Department of Labor, Aberdeen
Wayne Blake	VVA Chapter #959, Sioux Falls
Martin D. Skye	United Sioux Tribes
Vanette Lopez	Black Hills National Cemetery, Sturgis
Joseph Dalpiaz	Director, VAMC, Sioux Falls
John Smith	Director, Dakotas Regional Office, Sioux Falls
Peter Henry	Director, Black Hills Health Care System, Ft Meade, SD
Stephen R. DiStasio	Asst. Director, Black Hills Health Care System, Ft Meade
Gerald Gun Hammer	Rosebud Tribal Veteran Affairs, Rosebud, SD
Rob McDivett	VISN-23, Minneapolis
Gary Knudson	Dept Commander, SD VFW, Pierre, SD
Rick Barg	Department Adjutant, VFW, Sioux Falls
Roger Andal	Dept Commander, DAV, Brandon, SD
Joel Niemeyer	Executive Director, NC Chapter, PVA, Sioux Falls
Amy Bilka-Skilbred	Representative for Senator Tim Johnson's Office

**Name**

Ben Ready

Mark Gerhardt

Dr. Nick Reinhart

**Representing/From**

Representative for Senator John Thune's Office

Representative for Representative Stephanie Herseth's Office

Vet Center, Sioux Falls