

**EARL G. JAQUES, JR**  
STATE REPRESENTATIVE  
Twenty - Seventh District



HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19901

COMMITTEES  
Veterans Affairs, Chair  
Education  
Health & Human Development  
Labor  
Transportation, Land Use &  
Infrastructure

**Joint Veterans Affairs Committee**  
Meeting Minutes  
April 28, 2010

Chairman Jaques called the meeting to order at 4:15 p.m. Legislators present included Reps. Outten, Wilson, George, Jaques, Carson, Q. Johnson, Briggs-King, and Kovach. Senators Ennis, Bunting, and Peterson were also in attendance. Members of the Delaware Veterans Affairs Commission as well as members of the Vietnam Veterans of America were also present. For a list of guests, see attached.

Chairman Jaques thanked guests for coming to speak to the committee. However, he deferred to Sen. Peterson with a question for the VA Commission before the presentations were to begin. Sen. Peterson stated that a constituent of hers was told that small American flags could not be placed on memorials at the Veterans Cemetery anymore. When the constituent asked why this was, it was stated that the flags cause weeds to grow. Sen. Peterson wanted to verify if this was new policy of the cemetery and what the rationale was for the rule.

Tony Davila, Director of the Delaware Commission of Veterans Affairs, stated that he did not know if this was a policy. He stated that the cemetery did ban flags for different countries at one point but that this ban never applied to American flags. He stated he would look into the issue, but to the best of his knowledge, small American flags were allowed at memorials.

Rep. Carson asked who Mr. Davila would have to speak with about the situation. Mr. Davila responded that he would check with the staff and administrators on site. He stated he would email Sen. Peterson and the committee with his findings.

Chairman Jaques then deferred to the members of the Vietnam Veterans of America. Mr. Terry Baker spoke on behalf of the VVA Chapter 83 in Delaware in regards to the recent budget cuts that threaten the organization. Mr. Baker stated that in the recent budget cuts, the VVA took a 21% cut, approximately \$11,110. He stated that this cut will result in the closing of their office next year. Mr. Baker stated that they currently service 500 Delaware clients to get the pension and medical services they need. According to Mr. Baker, in 2009 the total grant-in-aid package for veterans was approximately \$45,232,012 and the VVA received \$49,1000 of this amount. However the VVA earned \$2,577,123 in compensation for veterans in 2009, and Mr. Baker believes this \$2 million in revenues is a great benefit to the state. He stated that Chapter 83 has been around for 80 years and

that as a veteran, a veteran service provider, and as an American and a Delawarean it is a right to provide these necessary services.

Mr. Baker also stated that their agency is a grassroots organization and has no way of really generating revenue. He asked the committee to help get their money back from the cuts. Mr. Tom Daws, also from the VVA Ch 83, continued that the VVA did not want to seem unappreciative of the state money. He stated that currently members are using money out of their own pockets and using pencil and paper because they can not afford computers. He stated that the focus of the organization was to provide services to veterans and that the 21% cut is devastating to the organization. And if the organization does not recover the money, the organization will be shut down and many veterans will be left without help or assistance.

Chairman Jaques asked the presenters to be more specific about the type of services they provide. Mr. Baker stated while the organization is called the Vietnam Veterans of America, the organization does service all veterans. The organization assists in filing pension claims and for compensation for disability for many veterans that are homeless or jobless. The organization also helps veterans navigate the medical system in the VA, which many believe to be very complicated. The VVA also assists in state programs for veterans with HIV, Hepatitis C, and Post-traumatic stress disorder (PTSD). Mr. Baker also stated that the organization has addressed women's issues and works with many families. He believes these families and many of the cases his particular organization addresses will fall through the cracks if the organization closes.

Sen. Bunting asked if the organization spoke in front of the JFC committee about this issue. Mr. Baker responded that they tried to speak before the JFC committee, but they unfortunately did not have the opportunity to do so.

Sen. Bunting then asked how the VVA was involved with the Commission of VA. Sen. Bunting knew that the Commission spoke in front of the JFC Committee but wondered if the VVA was considered for a part of the funding that the commission asked for.

Mr. Davila responded that the Commission and the VVA are interconnected. Sen. Bunting suggested that the VVA and the Commission sit down with the Governor to discuss the complexity of veterans' issues and the possibility of changing the cuts. He reflected on some of his personal experiences with veterans care and then introduced Bill Peterson, the new director of Delaware's Veteran Home. He concluded by stating that Delaware should honor the warrior whether one agrees with the war or not.

Sen. Ennis stated that he had advised the VVA to contact the chairs of the JFC committee and that Mr. Davis did just that. Sen. Ennis stated that he believes the VVA is on the right track and that hopefully the committee can offer some help.

Mr. David Skocik and Mr. Davis concluded, stating that the money cut is life or death for their organization. They thanked the committee for their time and stated that any help would be greatly appreciated.

Chairman Jaques thanked the VVA members for speaking to the committee and sharing their issue. The next item on the agenda was in regards to veteran women's health issues. Chairman Jaques referred to Rep. Kovach and Rep. George to introduce their constituents to speak about the issue.

Rep. George introduced Mr. Craig Martin, from the law office of Edwards, Angell, Palmer & Dodge and the founder and Chair of the Delaware State Bar Association's Veterans Law Committee. Mr. Martin spoke at the last committee meeting and was in attendance to follow up with some findings on women veterans health issues. Rep. Kovach introduced his constituent, Amy Herrera, a veteran herself and member of the Veteran Owner's Business Alliance. Rep. Kovach stated that it was Ms. Herrera who brought their attention to the lack of treatment options for women at veterans services. He hoped she could provide some insight into the problem for it is imperative to have adequate facilities to address the growing number of women in the service.

Chairman Jaques did note that he invited the head of the VA Hospital but unfortunately he had a commitment in Washington, D.C. However, he asked Mr. Peterson to speak about the services that are currently offered to women.

Mr. Peterson stated that veterans services are generally geared to the geriatric population. He stated that currently only eight women reside in the VA Home and that services of a purely medical nature are provided to these patients. Mr. Peterson acknowledge that the younger population of veterans needs different services and hopes to provide them accordingly.

Ms. Herrera commented on the young veterans population, stating that many young veterans are having trouble with the VA. She stated that in 2006, six cases were brought against the VA alone. She stated that women make up 11% of those in combat and questioned why Delaware does not have a Women's Veterans Association.

Mr. Davila responded that there are 80,000 veterans in Delaware of which 6,200 are women. He stated that the VA has held symposiums for women, luncheons for women veterans and provides booklets about the services available for women on the federal front. He stated that while they do not have a Women's Veterans Association, they have been running programs for women and noted that a women's luncheon would be occurring later this year.

Ms. Herrera questioned what a symposium would do to help her and believed legislation was needed. Mr. Davila responded that he was unaware of her issues or claims and that if her claims were filed with the VA, she could be helped. He also stated that twice in the past twenty years, the VA has tried to establish a women's association but that only four women responded to their initiative. Mr. Davila stated that the commission wants to help but an interest and organization is needed. Ms. Herrera noted that these attempts were before Operation Iraqi Freedom and believed there would be more interest today.

Rep. Kovach asked Ms. Herrera to provide examples of the lack of services for women or for examples of services that are being provided in Pennsylvania or other states. He believed Delaware could possibly model a system after these successful states.

Ms. Herrera responded that Pennsylvania has inclusive clinics that provide pap smears and mammograms. She stated that Pennsylvania will also send a woman to another hospital, if need be, on taxpayers dollars. She also stated that Delaware does not provide OB/GYN services or delivery services.

Ms. Ruth Harden, from the Delaware Commission of Veterans Affairs, stated that she has been in the VA system for the last 21 years, both as a patient and as an employee. She stated that OB/GYN services are provided. She also clarified that the VA now accepts all categories including Category Eight, which is a recent policy change and may be the leading cause of why Ms. Herrera may not have qualified for these services before.

Ms. Herrera stated that if a woman is pregnant on active duty and needs to deliver the baby, the VA sends them to another hospital and does not pay for the child's medical bills. Mr. Davila responded that when on active duty, any issues are addressed with the Department of Defense. Individuals no longer on active duty are referred to the VA for treatment. Mr. Davila continued, referencing a letter from the women's coordinator on the federal level, which stated that the Dover Community Based Out Clinic provides gynecological care, podiatry and mental health care for women.

In reference to the comment on transporting a woman to another hospital, Rep. Briggs-King asked where a Delaware woman would be sent. Mr. Davila stated that the patient would have to go to Elsmere. However, he also stated that traveling for specific medical services was not uncommon. He said the commission is looking into developing roaming doctors to possibly cut down these travels for patients.

Rep. George stated that at the last committee meeting, issues regarding treatment for women with PTSD was mentioned. She asked if Delaware or Elsmere has PTSD services available. Both Ms. Herrera and Mr. Davila responded yes. Mr. Davila even clarified that women counselors are available to focus on sexual assault or sexual trauma issues.

Mr. Martin, introduced earlier by Rep. George, stated that since the last committee meeting he met with Ms. Herrera to discuss some of her issues. He looked into what other states offer in regards to services for women veterans. He stated that Washington State, Wisconsin, Nevada and Ohio all have some type of established women's veterans advisory committee.

Rep. George asked if these advisory committees were federally or state based. Mr. Martin responded that there is a federal level committee which advises department heads on women's issues. However, the four states named before are state based. He stated that the Nevada program is used more as a research point while the Ohio committee works with and advises the state VA Department. Mr. Martin passed around materials regarding the committees in the four states. The information is attached to these minutes.

Mr. Martin concluded that he hopes to start a sub-committee under the Delaware State Bar Association's Veterans Law Committee for women veteran's issues.

Mr. Davila supported the idea of a Women's Veterans Association but believed that the associations of the four states named were run by full-time employees and that Delaware does not have this luxury available. He stated that while much has been done, there can be improvement but that the commission is limited because they rely on volunteers.

Rep. George thanked all the speakers and appreciated their willingness to work together. She asked that the committee look over the provided materials to explore the possibility of Delaware creating an advisory committee.

Chairman Jaques seconded her appreciation and encouraged all parties to continue to communicate. The meeting was adjourned at 5:19 p.m.

Respectfully submitted,

Amy Clark