

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Veterans Affairs Act is
5 amended by changing Sections 2.07 and 25 as follows:

6 (20 ILCS 2805/2.07) (from Ch. 126 1/2, par. 67.07)

7 Sec. 2.07. The Department shall employ and maintain
8 sufficient and qualified staff at the veterans' homes (i) to
9 fill all beds, subject to appropriation, and (ii) to fulfill
10 the requirements of this Act. The Department shall report to
11 the General Assembly, by January 1 and July 1 of each year, the
12 number of staff employed in providing direct patient care at
13 their veterans' homes, the compliance or noncompliance with
14 staffing standards established by the United States Department
15 of Veterans Affairs for such care, and in the event of
16 noncompliance with such standards, the number of staff required
17 for compliance. For purposes of this Section, a nurse who has a
18 license application pending with the State shall not be deemed
19 unqualified by the Department if the nurse is in compliance
20 with Section 50-15 of the Nurse Practice Act.

21 All contracts between the State and outside contractors to
22 provide workers to staff and service the Anna Veterans Home
23 shall be canceled in accordance with the terms of those

1 contracts. Upon cancellation, each worker or staff member shall
2 be offered certified employment status under the Illinois
3 Personnel Code with the State of Illinois. To the extent it is
4 reasonably practicable, the position offered to each person
5 shall be at the same facility and shall consist of the same
6 duties and hours as previously existed under the canceled
7 contract or contracts.

8 (Source: P.A. 94-703, eff. 6-1-06; 95-331, eff. 8-21-07;
9 95-639, eff. 10-5-07; 95-876, eff. 8-21-08.)

10 (20 ILCS 2805/25)

11 Sec. 25. Payments to veterans service organizations.

12 (a) In this Section:

13 "Veterans service officer" means an individual employed by
14 a veterans service organization and accredited by the United
15 States Department of Veterans Affairs to process claims and
16 other benefits for veterans and their spouses and
17 beneficiaries.

18 "Veterans service organization" means an organization that
19 meets all of the following criteria:

20 (1) It is formed by and for United States military
21 veterans.

22 (2) It is chartered by the United States Congress and
23 incorporated in the State of Illinois.

24 (3) It maintained a state headquarters office in
25 Illinois for the 10-year period immediately preceding July

1 1, 2006.

2 (4) It maintains at least one office in this State
3 staffed by a veterans service officer.

4 (5) It is capable of preparing a power of attorney for
5 a veteran and processing claims for veterans services.

6 (6) It is not funded by the State of Illinois or by any
7 county in this State.

8 "Veterans services" means the representation of veterans
9 in federal hearings to secure benefits for veterans and their
10 spouses and beneficiaries:

11 (1) Disability compensation benefits.

12 (2) Disability pension benefits.

13 (3) Dependents' indemnity compensation.

14 (4) Widow's death pension.

15 (5) Burial benefits.

16 (6) Confirmed and continued claims.

17 (7) Vocational rehabilitation and education.

18 (8) Waivers of indebtedness.

19 (9) Miscellaneous.

20 (b) The Veterans Service Organization Reimbursement Fund
21 is created as a special fund in the State treasury. Subject to
22 appropriation, the Department shall use moneys appropriated
23 from the Fund to make payments to a veterans service
24 organization for veterans services rendered on behalf of
25 veterans and their spouses and beneficiaries by a veterans
26 service officer employed by the organization. The payment shall

1 be computed at the rate of \$0.010 for each dollar of benefits
2 obtained for veterans or their spouses or beneficiaries
3 residing in Illinois as a result of the efforts of the veterans
4 service officer. There shall be no payment under this Section
5 for the value of health care received in a health care facility
6 under the jurisdiction of the United States Veterans
7 Administration. No more than 10% of the moneys in the fund may
8 be used by the Department for administrative purposes. ~~A~~
9 ~~veterans service organization may receive compensation under~~
10 ~~this Fund or it may apply for grants from the Illinois Veterans~~
11 ~~Assistance Fund, but in no event may a veterans service~~
12 ~~organization receive moneys from both funds during the same~~
13 ~~fiscal year. Funding for each applicant is subject to renewal~~
14 ~~by the Department on an annual basis.~~

15 (c) To be eligible for a payment under this Section, a
16 veterans service organization must document the amount of new
17 moneys obtained for veterans and their spouses and
18 beneficiaries in the form and manner required by the
19 Department. The documentation must include the submission to
20 the Department of a copy of the organization's report or
21 reports to the United States Department of Veterans Affairs
22 stating the amount of new moneys obtained by the organization
23 for veterans and their spouses and beneficiaries in the quarter
24 ~~State fiscal year~~ for which payment under this Section is
25 requested. The organization must submit the copy of the report
26 or reports, and any other documentation required by the

1 Department, to the Department no later than 15 days ~~July 31~~
2 following the end of the quarter ~~State fiscal year~~ for which
3 payment is requested.

4 (d) In addition to the requirement of subsection (b) that
5 the Department use moneys appropriated from the Veterans
6 Service Organization Reimbursement Fund for payments, the
7 Department may transfer up to \$1,000,000 of those appropriated
8 moneys into the Illinois Veterans Assistance Fund for the
9 making of grants to veterans service organizations as described
10 in subsection (b). ~~The Department shall make the payment under~~
11 ~~this Section to a veterans service organization in a single~~
12 ~~annual payment for each State fiscal year, beginning with the~~
13 ~~State fiscal year that begins on July 1, 2007. The Department~~
14 ~~must make the payment for a State fiscal year on or before~~
15 ~~December 31 of the succeeding State fiscal year.~~

16 (e) A veterans service organization shall use moneys
17 received under this Section only for the purpose of paying the
18 salary and expenses of one or more veterans service officers
19 and the organization's related expenses incurred in employing
20 the officer or officers for the processing of claims and other
21 benefits for veterans and their spouses and beneficiaries.

22 (Source: P.A. 95-629, eff. 9-25-07; 95-876, eff. 8-21-08.)

23 Section 99. Effective date. This Act takes effect July 1,
24 2009.