

VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code Supplement section 35A.5 and 2008 Iowa Acts, Senate File 2425, section 4, subsection 3, the Department of Veterans Affairs hereby amends Chapter 12, “County Grant Program for Veterans,” Iowa Administrative Code.

The rules in Chapter 12 are revised to expand usage of the existing grant program and to reflect current legislation that enacts the grant program. Revisions include updates of references to the enacting legislation and removal of outdated language. Furthermore, these amendments provide that grant funds not expended at the end of the fiscal year in which the grant was awarded, funds not spent on services to veterans, and funds that supplant the previous year’s expenditures shall be recovered by the State of Iowa. These amendments eliminate the county match requirement and the requirement that counties increase services over and above those provided in the previous year. These amendments were authorized in the enacting legislation.

In compliance with Iowa Code section 17A.4(2), the Department finds that notice and public participation are contrary to the public interest because of the need to establish the fiscal year 2009 grant program. These amendments establish processes and guidelines that are not present in the existing rules and make changes in accordance with the enacting language that will allow the program to proceed in the new fiscal year.

The Department finds that these amendments confer a benefit upon grant applicants by conforming the rules to newly enacted legislation and by eliminating several restrictive provisions that will allow counties greater flexibility in receiving and spending the grant funds. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

No fiscal impact is anticipated.

These amendments are intended to implement 2008 Iowa Acts, Senate File 2425, section 4, subsection 3.

These amendments became effective on June 10, 2008.

The following amendments are adopted.

Amend 801—Chapter 12 as follows:

CHAPTER 12
COUNTY GRANT PROGRAM FOR VETERANS

801—12.1(82GA, ~~HF909~~ SF2425) Purpose. ~~2007 Iowa Acts, House File 909, section 4, subsection 4~~ 2008 Iowa Acts, Senate File 2425, section 4, subsection 3, enacts the county grant program for veterans. The purpose and legislative intent of this grant program is to improve delivery of services by the various county commissions of veteran affairs to veterans in their respective counties. Grants will be awarded annually to counties pursuant to an appropriation by the general assembly to the Iowa department of veterans affairs to fund this program.

801—12.2(82GA, ~~HF909~~ SF2425) Grant amounts. The Iowa department of veterans affairs shall award grants in amounts up to a maximum of \$10,000 to each county submitting an application that is approved by the department. In order to qualify for a grant, a county must agree to expend ~~an amount of county funds equal to~~ the amount of the approved grant on providing services to living veterans and must agree to maintain its current level of spending. ~~Beginning with the fiscal year 2009 grant program, grant funding will be awarded only for the provision of increased services to veterans over and above the services provided in the previous fiscal year.~~

801—12.3(82GA, ~~HF909~~ SF2425) Application procedure. Counties that wish to apply for a grant shall submit an application provided by the department to the Iowa Department of Veterans Affairs, Camp

Dodge, Building A6A, 7105 NW 70th Avenue, Johnston, Iowa 50131. Applications will be accepted up to May 15 of each year for a June 1 approval. Applications received after May 15 will be approved strictly on an emergency basis in cases in which the applying county has an identified need and distributed funds will be expended before the end of the fiscal year. Once the grant funding appropriated by the general assembly has been expended, the department will compile a list of grant applications, based on the date of receipt, for future approval if supplemental funding is provided. The application shall contain the following:

12.3(1) Application summary. The application summary shall consist of a brief description of the proposed project and the signatures of a member of the board of supervisors and a member of the county veteran affairs commission.

12.3(2) Narrative. The narrative shall explain the proposed project for which the funds will be used. The narrative must address the assessment factors listed in rule 801—12.4(82GA, ~~HF909~~ SF2425). The assessment factors may be addressed in any sequence that is logical for the proposed project, but all factors should be identified and addressed. Any factors that are not addressed in the application may result in a reduced opportunity for funding of the project.

12.3(3) Proposed budget. The budget for the project shall be developed for the fiscal year in which the grant will be received. ~~Funds carried forward from the fiscal year 2007 grant program shall be included in the fiscal year 2008 proposed budget.~~ Beginning with the fiscal year 2008 grant program, recipients must expend grant funds during the fiscal year in which the grant was received. Funding for subsequent years shall be dependent upon future legislative appropriations. Beginning with the fiscal year 2009 grant program, grants may be awarded to supplement county spending on veterans affairs, but shall not supplant the previous year's expenditures. County maintenance of effort will be required, and the application should include the county commission of veteran affairs' budget and actual spending for the previous fiscal year, along with the proposed budget for the fiscal year in which the grant application is being made. Grant funding received from the Iowa department of veterans affairs shall not be included in the county's previous fiscal year expenditures for maintenance of effort purposes. For example, a county with a commission of veteran affairs budget of \$20,000 and actual expenditures of \$17,000 in fiscal year 2008 will be required to spend \$17,000 in fiscal year 2009 in order to meet the maintenance of effort requirement.

12.3(4) Letters of intent. If the proposed project involves additional funding from other sources, letters of intent to support the project are required from those additional sources.

801—12.4(82GA, ~~HF909~~ SF2425) Assessment of applications. The Iowa department of veterans affairs will make decisions on applications based upon the following factors:

12.4(1) Need. The needs of the local veteran population that currently are not being addressed or that are not being addressed adequately are clearly identified.

12.4(2) Goals. The goals of the project are clearly outlined, and the sources of the services to be provided are clearly identified.

12.4(3) Results. A tentative time line for the delivery of the proposed services is included along with clearly identified quantitative measurements that will be used to determine the success of the grant in addressing the identified needs.

12.4(4) Innovation. The project addresses the implementation of new practices and methods for addressing the needs of the veteran community and improvement of delivery of services.

12.4(5) Accountability and project monitoring. The application demonstrates financial accountability and provides mechanisms to ensure proper evaluation of the project.

801—12.5(82GA, ~~HF909~~ SF2425) Application decision. The director of the Iowa department of veterans affairs shall notify each county that submits an application of the department's decision regarding the county's application. An explanation of the reasons for the rejection of a project application and suggestions for improvement shall accompany application denials.

801—12.6(82GA,~~HF909~~ SF2425) Grant agreement. Each county that is awarded a grant will be required to enter into an agreement with the Iowa department of veterans affairs that specifies the reporting requirements. A written report shall be submitted to the department and shall be due 30 days following the end of the fiscal year in which the grant was received. The report shall provide an assessment of the project, including measurable outcomes such as increased opportunities to publicize veterans' benefits, the number of outreach visits conducted to allow veterans to apply for benefits, the number of applications for benefits filed as a direct result of the project, and increased opportunities for veteran involvement in local veterans' organizations. The report should also contain a final report on county spending for the fiscal year in which the grant was awarded.

801—12.7(82GA,~~HF909~~ SF2425) Appeals. Applicants that are dissatisfied with the decision of the Iowa department of veterans affairs may file an appeal with the Iowa commission of veterans affairs. The written appeal must be received within 15 working days of the date of the notice of decision; must be based on a contention that the process was conducted outside of statutory authority, violated state or federal law, policy or rules, did not provide adequate public notice, was altered without adequate public notice, or involved conflicts of interest by staff; and must include a request that the commission review the decision and the reasons for the appeal.

The Iowa commission of veterans affairs shall review the appeal at its next regularly scheduled meeting and shall issue a final decision.

801—12.8(82GA,SF2425) Recovery of funds. The treasurer of the state of Iowa shall be the entity charged with the recovery of grant funding from counties in the following circumstances:

12.8(1) Unspent funds. Counties not expending the entire amount of the grant by the end of the fiscal year in which the grant was received will be required to return the unspent portion to the state of Iowa.

12.8(2) Unauthorized use. Counties expending a portion of the grant on items that do not provide services to living veterans, or the immediate family of a veteran, will be required to return the unauthorized funds to the state of Iowa.

12.8(3) Maintenance of effort. Counties not maintaining their previous fiscal year's spending levels will have been seen as supplanting county funding with state grant funds. Counties not complying with their maintenance of effort will be required to return the supplanted portion to the state of Iowa.

These rules are intended to implement 2007 Iowa Acts, House File 909, section 4, subsection 4 2008 Iowa Acts, Senate File 2425, section 4, subsection 3.

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