Regulatory Analysis

Notice of Intended Action to be published: 801—Chapter 7
"County Commission of Veteran Affairs Fund and Training Program"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 35A.5, 35A.16, and 35B.6

State or federal law(s) implemented by the rulemaking: Iowa Code sections 35A.5, 35A.16, and 35B.6

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 28, 2025 2:30 p.m.	Video call link: meet.google.com/mtw-zbss-sva Or dial: 361.400.7385 Conference ID: 993 125 828#

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Iowa Department of Veterans Affairs no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Marshalltown, Iowa 50158
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Purpose and Summary

This proposed rulemaking explains the requirements that county veterans service officers (VSOs) must meet in order to be in compliance with State law, as well as requirements counties must meet, to receive funding from the State.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

Counties bear some of the cost, which is partially reimbursed by the State.

- **Classes of persons that will benefit from the proposed rulemaking:**

Veterans and their families will benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The Department is unable to determine the quantitative impact at this time.

- **Qualitative description of impact:**

Better-trained VSOs will result in more successful claims for higher amounts.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no implementation or enforcement costs borne by the Department or any other agency.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

This proposed rulemaking will benefit veterans and their families by mandating that county VSOs achieve and maintain credentials necessary to effectively meet the needs of veterans and their families. This rulemaking also benefits counties by setting forth the requirements that allow them to access State funding.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

There are no alternative methods that were seriously considered by the Department.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind 801—Chapter 7 and adopt the following **new** chapter in lieu thereof:

CHAPTER 7
COUNTY COMMISSION OF VETERAN AFFAIRS FUND AND TRAINING PROGRAM

801—7.1(35A,35B) County commissions of veteran affairs fund.

7.1(1) *Purpose.* The purpose of the county commissions of veteran affairs fund is to assist county commissions of veteran affairs in complying with legislative requirements for employing a county veterans service officer who complies with all directives of the commandant of the Iowa department of veterans affairs regarding the completion of training or certification required for the person's position under applicable state and federal law, maintains an active Personal Identification Verification (PIV) card necessary to access the Veterans Administration's Veterans Benefit Management System, is employed in veterans affairs service for a minimum number of hours, and maintains an office in a location owned or leased by the county.

7.1(2) *County training allocation amounts.* Counties requesting reimbursement from the department in accordance with Iowa Code section 35A.16(4) will make their requests in accordance with state travel policies. Required supporting documentation for eligible expenses shall be submitted during the fiscal year up to the $3,000 annual allocation within 30 days of training completion but no later than June 30 of each fiscal year.

7.1(3) *Allocation report.* Counties shall submit a written report to the department 30 days following the end of the fiscal year in which the allocation was received. The report will include:

a. An assessment of county veteran affairs services, including county population, verification of an office, hours of employment, and number of hours of veterans' services provided by the county veterans service officer.

b. Documentation that the county veterans service officer is performing required duties and maintaining qualifications and credentials pursuant to Iowa Code section 35B.6.

c. A comprehensive summary of county veteran affairs expenditures for the fiscal year in which the allocation was received and the expenditures from the previous fiscal year.

Information provided in this report is used by the department to comply with rule 801—7.3(35A,35B).

7.1(4) *Recovery of funds.* The department is the entity charged with the recovery of county commissions of veteran affairs fund allocations from counties under the following circumstances.

a. Unauthorized use. Counties expending a portion of the allocation on items that do not provide services to veterans pursuant to Iowa Code section 35B.6 will be required to return the unauthorized funds to the state of Iowa.

b. Maintenance of effort. Counties not maintaining their previous fiscal year's spending levels will be considered to have supplanted county funding with state allocation funds. Counties not complying with their maintenance of effort will be required to return the supplanted portion to the state of Iowa pursuant to Iowa Code section 35A.16(3).

c. Noncompliance. Counties that are not in compliance with the requirements of Iowa Code section 35B.6 on June 30 of each fiscal year will be required to return all moneys received during that fiscal year to the county commissions of veteran affairs fund pursuant to Iowa Code section 35A.16(3). Counties that are deemed noncompliant due to the termination or resignation of an employee are not required to return the state allocation if an employee is hired within two months of the previous employee's separation.

801—7.2(35A,35B) County commission of veteran affairs training program. The department provides training for county veterans service officers in accordance with Iowa Code section 35A.5(6).

7.2(1) County veterans service officers shall do the following within one year of appointment or will be subject to removal from office as provided for in Iowa Code section 35B.6(1)*"c"*:

a. Obtain and maintain all certifications that are federally required and provide documentation to the department.

b. Complete training as directed by the commandant of the Iowa department of veterans affairs.

c. Obtain and maintain a PIV card from the United States Department of Veterans Affairs as well as access to the Veterans Benefits Management System and provide the department with documentation. Upon request from a county commission of veteran affairs and based on extenuating circumstances, the commandant may extend the time frame for a veteran service officer to obtain a PIV card prior to being subject to removal from office. The decision of the commandant is final.

Counties shall submit to the department annually by July 30 all documentation required by this rule.

7.2(2) County veterans service officers shall maintain the following on an annual basis or will be subject to removal from office as provided for in Iowa Code section 35B.6(1)*"c"*:

a. Maintain all certifications that are federally required and annually provide documentation to the department.

b. Comply with all directives of the commandant of the Iowa department of veterans affairs regarding the completion of training or certification required for the person's position under applicable state and federal law.

c. Maintain a PIV card from the United States Department of Veterans Affairs as well as access to the Veterans Benefits Management System and provide the department with documentation.

Counties shall submit to the department annually by July 30 all documentation required by this section.

7.2(3) County veterans service officers who fail to comply with subrules 7.2(1) and 7.2(2) shall be removed from their positions. Knowing violation of this provision constitutes noncompliance as provided in paragraph 7.1(4)*"c."*

7.2(4) The annual school of instruction and all associated training materials will be provided at the expense of the department and attendees will not be charged for participation in the training.

7.2(5) Travel, meals, lodging, and miscellaneous expenses incurred while attending the annual school of instruction required by subrules 7.2(1) and 7.2(2) are the responsibility of the respective county.

7.2(6) Any cost of initial training, accreditation, and continuing training that uses state funds shall follow the department's travel policy. The department's travel policy overrides county-specific travel policies.

7.2(7) The department shall maintain documentation regarding any school of instruction required by subrules 7.2(1) and 7.2(2), including but not limited to agendas, presentation dates, attendees, certificate of satisfactory completion of accreditation or continuing education training, and the issuance of certificates of training.

7.2(8) Inquiries regarding an annual school of instruction may be directed to the commandant or designee.

7.2(9) Disputes regarding the annual school of instruction, certificates of training, and related matters are reviewed by the commandant, who will render a decision within ten days of receipt of all relevant facts and supporting materials. The decision of the commandant is final.

801—7.3(35A,35B) Report to the general assembly. To assist the department to prepare its annual report required by Iowa Code section 35A.5(14), each county commission of veteran affairs shall provide information required in Iowa Code section 35A.5(14)*"a"* through *"c."* The department will provide each county executive director or administrator with a form to return to the department by July 30 of each year.

These rules are intended to implement Iowa Code chapters 35A and 35B.