

VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]

Regulatory Analysis

Notice of Intended Action to be published: 801—Chapter 14
“Veterans Trust Fund”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 35A.5, 35A.13, and Executive Order 10

State or federal law(s) implemented by the rulemaking: Iowa Code section 35A.13 and Executive Order 10

Public Hearing

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

November 18, 2026
3 p.m.

Video call link:
meet.google.com/qeo-yozx-mjg
Or dial: 317.932.0179
Conference ID: 266 575 994#

Public Comment

Any interested person may submit written or oral 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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Legislative Liaison
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Marshalltown, Iowa 50158
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Purpose and Summary

The Department is proposing a revised Chapter 14 to update procedures, bring benefits into alignment with the Iowa Code, and reduce unnecessary text pursuant to Executive Order 10. Relevant content will be streamlined to provide greater clarity for applicants.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

Individuals receiving funds for categories that are proposed to be eliminated from eligibility due to not being specifically authorized in the Iowa Code will bear the costs.

• Classes of persons that will benefit from the proposed rulemaking:

Applicants will benefit because the revised rules will allow for greater clarity on the benefits offered and the requirements to apply for them.

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:**

There are no direct costs associated with the proposed rulemaking.

- **Qualitative description of impact:**

This rulemaking will positively impact applicants by making the requirements and process easier to understand.

3. **Costs to the State:**

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

No costs are expected.

- **Anticipated effect on State revenues:**

No effect on State revenues is expected.

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

The benefit will be an updated chapter revised in compliance with Executive Order 10.

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 viable alternative methods.

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

There are no alternatives because this rulemaking is required by Executive Order 10.

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?

This rulemaking is not anticipated to have an impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 801—Chapter 14 and adopt the following **new** chapter in lieu thereof:

CHAPTER 14
VETERANS TRUST FUND

801—14.1(35A) Purpose. These rules establish the requirements for veterans or their spouses or dependents to receive benefits from the veterans trust fund.

801—14.2(35A) Definition. For purposes of this chapter:

“*Veteran*” means the same as defined in Iowa Code section 35.1 and federal United States Department of Veterans Affairs (VA) regulations.

801—14.3(35A) Eligibility. Veterans, their spouses, their dependents, and unremarried spouses of deceased veterans applying for benefits available under subrules 14.4(1) through 14.4(11) must meet the following threshold requirements. Regarding funding from other sources, applications shall not be approved if the applicant is eligible to receive aid from other sources to meet the purposes authorized in this chapter.

14.3(1) *Income.* The department cannot pay benefits under this chapter if the available liquid assets of a veteran are in excess of \$20,000. For the purposes of this chapter, an applicant’s household income, including VA pension benefits, service-connected disability income, and social security income, shall not exceed 300 percent of the federal poverty guidelines for the number of members living in the primary residence in effect on the date the application is received. Federal poverty guidelines shall be those guidelines established by the department of health and human services for the veteran’s family size. The commission shall adjust the guidelines on July 1 of each year to reflect the most recent federal poverty guidelines.

14.3(2) *Resources.* For the purposes of this chapter, “available liquid assets” means cash on hand, cash in a checking or savings account, stocks, bonds, certificates of deposit, treasury bills, money market funds and other liquid investments owned individually or jointly by the applicant and the applicant’s spouse, unless the applicant and spouse are separated or are in the process of obtaining a divorce, but does not include funds deposited in IRAs, Keogh plans or deferred compensation plans, unless the veteran is eligible to withdraw such funds without incurring a penalty. Cash surrender value of life insurance policies, real property, established burial account, or a personal vehicle shall not be included as available liquid assets.

14.3(3) *Additional requirements and limitations.* Applicants must meet any additional requirements.

801—14.4(35A) Benefits available. Applications may be approved for any of the following purposes. By a majority vote, the commission may suspend some or all of these benefits for payment.

14.4(1) *Travel expenses for wounded veterans and their spouses directly related to medical care.* Travel expenses under this subrule include the unreimbursed cost of airfare, lodging, and a \$50 per diem for required medical appointments from the veteran’s home. Spouses may be reimbursed for in-state lodging and a \$50 per diem when visiting a veteran who is in a hospital for medical care related to an injury or disability. The veteran or the veteran’s spouse shall provide such evidence as the commission may require. The maximum amount for travel expense reimbursement shall be \$150 for in-state lodging. The maximum amount of aid payable in a consecutive 12-month period under this subrule is \$1,800.

14.4(2) *Job training or college tuition assistance for job retraining.*

a. The commission may pay a veteran not more than \$5,000 for retraining or postsecondary education and internet connection to enable the veteran to obtain gainful employment. The commission may provide aid under this subrule if all of the following apply:

(1) The veteran is enrolled in a training course in a technical college or school, is enrolled in an accredited postsecondary institution, or is engaged in a structured on-the-job training program.

(2) The veteran is unemployed, is underemployed, or has received a notice of termination of employment.

(3) The commission determines that the veteran’s proposed program, or current program, will provide retraining or initial training that could enable the veteran to find gainful employment. In making its determination, the commission shall consider whether the program provides adequate employment skills and is in an occupation for which favorable employment opportunities are anticipated.

(4) The veteran requesting aid has not received full reimbursement or payment from any other retraining or education scholarship programs and the veteran does not have other assets or income available to meet retraining or initial training expenses. Applicants requesting aid under this subrule will only be granted the unpaid portion of their tuition statement and a monthly internet invoice. Payments will be made directly to the institution and internet provider.

b. The veteran shall provide such evidence as the commission may require to satisfy the requirements of this subrule.

14.4(3) *Unemployment assistance during a period of unemployment due to service connection or disability resulting from military service (must provide a doctor's note stating the person is physically and mentally able to return to work).* The commission may provide subsistence payments to a veteran who has suffered unemployment due to prolonged physical or mental illness resulting from military service or disability resulting from military service. The commission may provide subsistence payments of up to \$500 per month of unemployment to a veteran. A veteran must provide documentation of assistance from Iowa workforce development and vocational rehabilitation. No payment may be made under this subrule if the veteran has other assets or income available to meet basic subsistence needs. A period of unemployment implies that it is possible for the veteran to be employed in the future. A rating from the VA of 100 percent due to individual unemployability (IU) rated permanent and total indicates that a veteran is unemployable and will not qualify for assistance under this subrule. The veteran shall provide such evidence as the commission may require. The maximum amount of aid payable in a consecutive 12-month period under this subrule is \$3,000 and a lifetime maximum of \$6,000.

14.4(4) *Expenses relating to the purchase of durable medical equipment or services to allow veterans to remain in their homes.*

a. The commission may make reimbursement payments to a veteran for the purchase of durable medical equipment that allows veterans to remain in their home with family members or equipment that allows veterans the ability to utilize more of their home.

b. Individuals requesting reimbursement under this subrule will be required to provide verification of the purchase and installation of the equipment and information relating to the need for the equipment. Individuals may also provide a product and installation cost estimate to the commission for approval, with the understanding that the commission will pay no more than the cost estimate to the supplier or installer. Applicants in need of durable equipment as a medical necessity must provide information from a physician. Applicants must provide a denial from other available programs, such as the Home Improvements and Structural Alterations (HISA) benefits program.

c. Assistance under this subrule cannot duplicate assistance from other entities, and the maximum amount that may be paid cannot exceed \$5,000.

14.4(5) *Expenses related to hearing care, dental care, vision care, or prescription drugs.*

a. The commission may provide health care aid to a veteran, to the veteran's spouse or dependents, or to the unremarried spouse of a deceased veteran for dental care, including dentures; vision care, including eyeglass frames and lenses; hearing care, including hearing aids; and prescription drugs that are not covered by the veterans affairs medical center.

b. The maximum amount that may be paid under this subrule for any consecutive 12-month period cannot exceed \$10,000 for dental care, \$1,000 for vision care, \$3,000 per ear for hearing care, and \$1,500 for prescription drugs and prescribed over-the-counter drugs. Lifetime maximum benefit: \$10,000 per eligible family member.

c. The commission shall not provide health care aid under this subrule unless the aid recipient's health care provider agrees to accept, as full payment for the health care provided, the amount of the payment and the amount of the recipient's health insurance or other third-party payments. Payment under this subrule will be provided directly to the health care provider.

d. Applicants for assistance under this subrule will be required to provide the commission with an unpaid bill for service or an estimated cost of service from the health care provider and documentation of the need for the service. For prescription drugs, the applicant must produce

documentation of the need for the prescribed drug and documentation stating whether a generic drug is available or appropriate. The commission payment will not exceed an estimated cost of service by a health care provider.

14.4(6) *Individual counseling or family counseling programs.*

a. The commission may make mental health, substance use, and family counseling available to veterans and their families. Individual family members are eligible for counseling.

b. The assistance may include appropriate counseling and treatment programs for veterans and their families.

c. Any assistance provided under this subrule shall not duplicate other services readily available to veterans and their families. Veterans who are eligible for VA mental health services must initially visit their nearest VA medical facility for initial consultation and continued psychiatric treatment. Payment under this subrule will be made for additional services for the veteran in a location closer to the veteran's home and at a greater frequency than the VA medical center can accommodate.

d. The commission may provide up to \$150 per hour and \$75 per half-hour for outpatient counseling visits to providers who will accept as full payment for the counseling services the amount provided. Counseling and substance use services provided in a group setting may be paid up to \$40 per hour. Counseling and substance use services may also be provided in an inpatient setting, subject to the maximum amount eligible under paragraph 14.4(6) "e."

e. The maximum amount that may be paid under this subrule for any consecutive 12-month period shall not exceed \$5,000. Individuals seeking counseling services are eligible for up to \$2,500, individuals seeking substance use treatment and counseling combined are eligible for up to \$3,500, and families seeking counseling services that may also include individual counseling and substance use services are eligible for up to \$5,000.

f. The commission cannot provide counseling under this subrule unless the aid recipient's counseling service provider agrees to accept, as full payment for the counseling services provided, the amount of the payment; the amount of the recipient's health insurance or other third-party payments; and the amount that the commission determines the veteran is capable of paying. The commission will make payment directly to the entity providing counseling and substance use services.

14.4(7) *Family support group programs or programs for children of members of the military.*

a. The commission may award grants to unit family readiness/support groups, family support offices, and other such organizations providing support and programs to families and children of family members.

b. The grant shall be only for projects or programs that are not funded from any other source. The commission shall determine if the applicant's proposed project or program will provide the intended support. In making its determination, the commission shall consider whether the proposed program will provide anticipated favorable results.

14.4(8) *Honor guard services.*

a. The commission may reimburse veterans organizations for providing military funeral honors as follows:

(1) If a single veterans organization provides basic honors, \$100.

(2) If a single veterans organization provides full honors, \$150.

(3) If two or more veterans organizations participate in providing full honors and one of the organizations provides a firing detail, \$100. The organizations may request that the commission split the reimbursement.

(4) If two or more veterans organizations participate in providing basic honors, \$50. Payment shall be to one veterans organization as determined by the commission.

b. Notwithstanding paragraph 14.4(8) "a," the commission shall not reimburse a veterans organization if federal funding is available to reimburse the veterans organization for providing military funeral honors. The veterans organization shall request reimbursement from federal sources. If a veterans organization receives federal funding for providing military funeral honors at

the reimbursement rate of one funeral per day, the department shall reimburse the organization for the provision of military funeral honors at any additional funerals on that day.

c. The maximum amount of aid payable in a calendar year under this subrule to a veterans organization is \$4,000.

d. Veterans service organizations that are not currently providing honor guard services may apply for a \$1,000 up-front grant for the use of creating a new honor guard within their organization. Applicants must present the commission with an estimated cost for purchasing uniforms and firearms for providing military honors and an estimated number of members who will be available to perform honor guard services. Organizations should also provide information regarding how they plan to pay for additional expenses that may occur outside of trust fund assistance. Applicants will be eligible for reimbursements under paragraphs 14.4(8) “a” through “c” 12 months after the receipt of their original \$1,000 grant.

14.4(9) *Expenses relating to ambulance and emergency room services for veterans who are trauma patients.* Expenses under this subrule are reimbursable for up to 12 months from the date services were provided.

a. The commission may provide assistance to veterans for expenses related to ambulance trips, including air ambulance transportation, emergency lodging for immediate family members, and emergency room visits for emergency care patients or VA health care patients who cannot indicate to emergency personnel that they are to be transported to a VA medical center.

b. Funding through this subrule shall be paid directly to the entity providing the emergency service or transportation after the commission is provided with an unpaid bill. All efforts should be made to utilize all other methods of payment prior to accessing assistance under this subrule.

c. The maximum amount that may be paid under this subrule cannot exceed \$10,000.

14.4(10) *Emergency expenses related to vehicle repair, housing repair, or temporary housing assistance.*

a. The commission may provide assistance to a veteran or to the unremarried spouse of a deceased veteran for emergency vehicle repair, emergency housing repair, and temporary housing.

b. Assistance for vehicle repair is limited to expenses that are required for continued use of the vehicle. This assistance will only be granted in cases where the vehicle is needed for travel to and from work-related activities or substantial hardship will occur. Temporary rental vehicle expenses also qualify. Assistance may be provided in situations where the applicant does not have sufficient means to pay an insurance deductible. Assistance will be paid directly to the entity performing the maintenance or the insurance company owed the deductible. Assistance will not be provided for damage caused during the commission of a crime, for cosmetic needs, for damage resulting in an auto accident when automobile insurance has not been purchased, or for routine maintenance. Assistance cannot exceed \$10,000.

c. Assistance for home repair is limited to repairs that are required to improve the conditions and integrity of the home and are necessary for the safety and security of the residents. Applicants with homeowners insurance may request assistance for payment of a deductible. Assistance may be provided for applicants in disaster situations, home accidents, vandalism, or other situations as determined by the commission. Proof of homeowners insurance is required as well as an insurance claim, if applicable.

d. Assistance for transitional housing may be provided to applicants who are displaced from their home during a period of repairs related to a disaster, vandalism, home accident, or other reason that makes staying in the home hazardous to the health of the residents. Any refunded security deposits paid for under this subrule shall be returned to the Iowa veterans trust fund.

e. The maximum amount that may be paid under this subrule for any consecutive 12-month period cannot exceed \$1,000 for transitional housing. Lifetime maximum benefit for housing repair and vehicle repair: \$10,000 each.

14.4(11) *Expenses related to establishing whether a minor child is a dependent of a deceased veteran.*

a. The commission may provide assistance to the family of veterans who are killed while serving on active federal service and for expenses related to paternity or maternity tests or the cost of procuring additional DNA samples from the deceased veteran. This assistance is available to determine whether a child is eligible for VA war orphan benefits.

b. Applicants are required to provide the results of the paternity or maternity examinations to the commission upon completion of the tests. Where the deceased veteran is not the parent of the child, the applicant will be required to repay the assistance received as provided in rule 801—14.6(35A).

c. The maximum amount that may be paid under this subrule is \$2,500.

14.4(12) *Expenses related to initial screening for any military service-connected traumatic brain injury.* The injury must be sustained while on federal active duty, state active duty, or national guard duty as defined in Iowa Code section 29A.1, or sustained while on federal reserve duty pursuant to orders issued under Tit. 10 of the United States Code for which payment or reimbursement is not otherwise available through any other federal or state program or, if applicable, through a veteran's private insurance or managed care organization. Recipients of funds pursuant to this subrule shall not be subject to an income limit.

14.4(13) *Expenses related to survivor outreach activities supported by the department of public defense.* These funds are for limited purposes and shall be subject to the same requirements as paragraph 14.4(7) "b."

14.4(14) *Rental housing assistance.* Rental housing assistance is authorized for veterans who meet the definition of homeless, as set out in 42 U.S.C. §11302 as effective on [effective date of this rulemaking], for payment of rental application fees needed for obtaining rental housing.

14.4(15) *Monetary assistance on a one-time basis per recipient to be used to prevent homelessness.* This is in an amount not to exceed \$2,000 per recipient.

The commission may verify the use of these funds.

801—14.5(35A) Application procedure. Applications for benefits from the veterans trust fund may be obtained at any county veterans affairs office. The county director of veterans affairs shall date-stamp the application and submit it to the Iowa Department of Veterans Affairs, Camp Dodge, Bldg. 3465, 7105 NW 70th Avenue, Johnston, Iowa 50131-1824.

14.5(1) *Application process.* A person who wishes to apply shall complete an Application for Veterans Trust Fund form and provide such documentation or other evidence as the commission may require in order to determine the awarding or denial of the benefits available under this chapter.

14.5(2) *Date of application.* The date of the application shall be the date the signed application and written verification are received by the Iowa department of veterans affairs.

14.5(3) *Eligibility determination.*

a. The county director of veterans affairs shall make a recommendation to the Iowa commission of veterans affairs as to whether to approve or deny the application. The commission or three or more commissioners may approve or deny all applications, to include emergency applications. Applications submitted to the commission will be processed at monthly special meetings as set forth in 801—paragraph 1.2(2) "a" or during a conference call for the purpose of voting on a trust fund expenditure. The trust fund administrator of the commission shall notify an applicant within 15 days of the commission's decision. An explanation of the reasons for rejection of an application will accompany denials.

b. Applications for honor guard reimbursements under subrule 14.4(8) shall be processed solely by the Iowa department of veterans affairs and do not need commission approval for expenditure of trust fund interest balance funds for this purpose.

14.5(4) *Waiting list.* After all veterans trust fund moneys have been obligated, the commission shall approve or deny pending applications based on eligibility. Applicants who meet the eligibility requirements and are approved for payment by the commission shall be placed on a waiting list based on the date of approval and then according to the order in which the completed applications and

verification were received by the commission. In the event that more than one application is received at one time, the applicant shall be entered on the waiting list on the basis of the applicant's birthday, the oldest applicant being first on the waiting list.

801—14.6(35A) Recovery of erroneous payments.

14.6(1) *Erroneous payments.* The commission may recover payments made as a grant under this chapter if any of the following apply:

- a. The information provided by the applicant is inaccurate.
- b. The commission incorrectly calculated the grant amount.
- c. The applicant is not entitled to a grant or is entitled to a lower grant amount as a result of a change in circumstances that affects the applicant's eligibility to receive the grant.

14.6(2) *Amount of recovery.* The commission may recover only the portion of the grant to which the applicant would not have been entitled if the correct information had been provided or if the grant had been properly calculated or as a change in circumstances warrants.

14.6(3) *Remedies.* The commission may request repayment of the amount due under subrule 14.6(2). In lieu of a lump sum payment, the commission may enter into an agreement under which the applicant may repay the amount due within a 12-month period. If the applicant fails to repay the amount due within 30 days of a request for repayment or fails to comply with the terms of a repayment agreement, the commission may offset future grants that the applicant may be entitled to under this chapter until the amount due has been recovered. The commission may also suspend other benefits available to the applicant until the amount due has been recovered.

14.6(4) *Waiver.* The commission may temporarily or permanently waive its authority to recover payments under subrule 14.6(1) or suspend benefits under subrule 14.6(3) if the applicant's household income is totally exempt from Iowa garnishment law.

14.6(5) *Appeal.* Any commission decision under this chapter is subject to appeal under rule 801—14.7(35A).

801—14.7(35A) Appeal rights.

14.7(1) *Appeal action.* An applicant may appeal the initial decision to the full Iowa commission of veterans affairs. The applicant shall appeal the decision of the subcommittee to the commission in writing within 30 days of receiving the written denial and shall provide relevant new information to substantiate the appeal.

14.7(2) *Final agency action.* The approval or denial of an application by the commission or by the department shall be the final decision of the agency.

14.7(3) *Judicial review.* Judicial review of the commission's or department's final decisions may be sought in accordance with Iowa Code section 17A.19.

These rules are intended to implement Iowa Code section 35A.13.