



Neutral Testimony HB2253

Kansas Council of Chapters offers the following suggestion to improve this bill. The bill lists four types of documents in subsection 3.(c) to establish a disability to a Kansas hiring authority. This list omits several types of disability documentation provided to veterans.

The Department of Veterans Affairs issues summary of benefits letters to veterans with a service-connected disability which include the following narrative:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as housing entitlements, free or reduced state park annual memberships, state or local property or vehicle tax relief, **civil service preference**, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter replaces VA Form 20-5455, and is considered an official record of your VA entitlement. **(emphasis added)**

Respectfully suggest VA Summary of benefits letters be added to the bill language in subsection 3.(c).

A second situation arises when an active duty service member is found unfit for duty through “disability that prevents a Service member from performing the duties of his or her office, grade, rank, or rating.” This type of discharge is codified by Title 10 U.S. Code Chapter 61. DoD policy calls for 45 days plus accrued leave time to effect final discharge once found unfit for duty. Often there is a several month or longer gap from the time of the official evaluation board finding of unfit for duty, separation from active duty, and subsequent issuance of VA benefits. In any event, a military

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member found unfit for duty is disabled and is not required to proceed through VA processes subsequent to discharge.

Respectfully suggest final evaluation board results and discharge orders be added to the bill language in subsection 3.(c).

HB2253 refers to existing K.S.A 73-201. This 73-201 language is problematic for multiple reasons. Among the most egregious are the duty periods in the statute that do not match current Title 38 CFR Part 3 language used to administer federal veterans benefits. Also, the limitation of preference to surviving spouses but only if the deceased veteran was rated 100% or died while in service.

Respectfully suggest the committee deliberate on the archaic and exclusionary language in 73-201, and write corresponding remedial amendments to 73-201 before passage of this bill.

Respectfully submitted,

Mike Kelly

State Legislative Chair
Kansas Council of Chapters