
TITLE 914 INDIANA DEPARTMENT OF VETERANS' AFFAIRS**Proposed Rule**
LSA Document #21-423

DIGEST

Amends [914 IAC 1-1-12](#) to revise the definition of therapeutic services. Amends [914 IAC 1-2-1](#) to remove and clarify language concerning application requirements. Amends [914 IAC 1-2-2](#) to remove the "shall" provision and redundant language. Amends [914 IAC 1-2-4](#) to redefine the organization's purposes. Amends [914 IAC 1-2-5](#) to update the grant period of performance. Amends [914 IAC 1-3-1](#) to add language regarding the grant period of performance. Amends [914 IAC 1-3-2](#) to create consistency with the Indiana Code. Amends [914 IAC 1-5-1](#) to create monthly or quarterly reporting requirements. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[914 IAC 1-1-12](#); [914 IAC 1-2-1](#); [914 IAC 1-2-2](#); [914 IAC 1-2-4](#); [914 IAC 1-2-5](#); [914 IAC 1-3-1](#); [914 IAC 1-3-2](#); [914 IAC 1-5-1](#)

SECTION 1. [914 IAC 1-1-12](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-1-12](#) "Therapeutic services" defined

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-13.5-4](#)

Sec. 12. "Therapeutic services" means services designed to assist a veteran with physiological, psychological, physical, or relational needs. These services may include, but are not limited to, the following:

- (1) Personal, marital, or family counseling.
- (2) ~~Integration assistance for placement into on-site Substance abuse counseling, which does not provide medication.~~
- (3) Meditation, yoga, and other nontraditional means of counseling ~~that the approved organization already has established in its reintegration programs.~~ **therapy.**
- (4) Mental health counseling and related training.**

(Indiana Department of Veterans' Affairs; [914 IAC 1-1-12](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 2. [914 IAC 1-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-2-1](#) Application procedure

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-13.5-4](#)

Sec. 1. To apply for a grant for veterans' services, an organization must submit a written application on the form prescribed by the department. The application shall include the following:

- (1) The name, address, and contact information, including email address, of the organization.
- (2) The name, address, and contact information of the chief executive officer or the chief financial officer of the organization.
- (3) A detailed explanation of the organization's mission **and** activities. ~~and membership.~~
- (4) A detailed description of all of the services provided to veterans by the organization and a detailed explanation of how those services align with the services described in [IC 10-17-13.5-4\(a\)](#).
- ~~(5) Copies of the organization's articles of incorporation and bylaws.~~
- ~~(6)~~ **(5) Audited financial statements of the organization for the last three (3) years or the life of the organization, whichever is less. If audited financial statements are not available, financial statements of the organization from an independent auditor for the last three (3) years or the life of the organization, whichever is less.**
- ~~(7)~~ **(6) The organization's federal and state tax returns for the last three (3) years or the life of the organization, whichever is less.**
- ~~(8)~~ **(7) A detailed statement, describing the organization's need for a grant, a description of the services in**

section 4 of this rule that the organization will provide to veterans with the grant for veterans' services, and evidence that the organization is capable of addressing the need it intends to address with the grant if awarded a grant.

~~(9)~~ **(8)** A set of performance indicators that the organization will use to measure the effectiveness of the services it will provide using the grant and a detailed description of how those performance indicators will be measured, the data that will be used, and the benchmarks for success.

~~(10)~~ **(9)** A detailed work plan, including the scope of the services offered to veterans and the population of focus for such services.

~~(11)~~ **(10)** A detailed line-item budget proposal describing how any grant funds will be used.

~~(12)~~ **(11)** A letter from the Internal Revenue Service affirming the organization's tax exempt status under Section 501 of the Internal Revenue Code.

~~(13)~~ **(12)** The name, title, and signature of the chief executive officer or chief financial officer of the organization, attesting that all information submitted in the application is true and accurate.

(Indiana Department of Veterans' Affairs; [914 IAC 1-2-1](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 3. [914 IAC 1-2-2](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-2-2](#) Application for a grant for veterans' services; consideration

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-13.5](#)

Sec. 2. An application shall ~~may~~ not be considered until all required documents have been received by the department. The department may deny an incomplete application. ~~if all required documentation is not received within sixty (60) days of the first submission.~~ A qualified entity may submit a new application if a prior application is denied.

(Indiana Department of Veterans' Affairs; [914 IAC 1-2-2](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 4. [914 IAC 1-2-4](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-2-4](#) Organization's services to veterans

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-13.5](#)

Sec. 4. The organization must provide one (1) of the following services to veterans:

- (1) A program focused on eliminating homelessness.
- (2) A program focused on preventing near-term homelessness.
- (3) A program focused on providing safe and secure living conditions.
- (4) Assisting veterans in moving from public housing assistance programs, both federal and state, while transitioning toward:
 - (A) home ownership; or
 - (B) stable, long term rental status.
- (5) Assisting veterans in finding and using available federal and state resources.
- (6) Providing therapeutic services. ~~to assist the veteran in achieving long term stability and stable housing.~~
- (7) Providing on-the-job training and job search assistance.

(Indiana Department of Veterans' Affairs; [914 IAC 1-2-4](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 5. [914 IAC 1-2-5](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-2-5](#) Application for a grant for veterans' services; awarding process

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 4-21.5-3](#); [IC 10-17-13.5](#)

Sec. 5. ~~Grants shall be awarded annually in one (1) year increments. The grant year shall run for twelve (12) full months from the time the grant is awarded.~~ **The grant award period shall be prescribed in the grant solicitation. The grant award period will not exceed two (2) years.** The applications for grants for veterans' services process is as follows:

(1) The department shall notify applicants in writing whether the applicant will receive a grant. If an applicant is awarded a grant, the notice shall specify the amount of the grant, the duration of the grant, and the performance indicators that the award recipient shall use to measure the effectiveness of the services provided using the grant. If the department denies an application for a grant award, the notice shall include the department's determination, the reasons the ~~applications~~ **application** was denied, and a description of the applicant's right to appeal the determination.

(2) An applicant whose application for a grant is denied may appeal the decision by filing a written notice of appeal with the department within fifteen (15) days of receiving notice of the denial.

(Indiana Department of Veterans' Affairs; [914 IAC 1-2-5](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 6. [914 IAC 1-3-1](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-3-1](#) Eligibility criteria and organization expectations

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-13.5-4](#)

Sec. 1. To be eligible to receive a grant for veterans' services, an organization must meet the following requirements:

(1) The organization must be exempt from taxation under Section 501 of the Internal Revenue Code.

(2) The organization must be a nonprofit organization.

(3) The organization must provide to veterans services described in [IC 10-17-13.5-4\(a\)](#).

(4) The organization must be financially able to provide the services proposed in its application and must be able to utilize the grant funds during the grant year. **period of performance.**

(5) The organization must be in compliance with all state and federal laws and taxes.

(Indiana Department of Veterans' Affairs; [914 IAC 1-3-1](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 7. [914 IAC 1-3-2](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-3-2](#) Application for a grant for veterans' services; veteran eligibility

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-12-2](#); [IC 10-17-13.5-3](#)

Sec. 2. A grant for veteran services may only be used to provide services to veterans who satisfy all of the following criteria:

(1) The veteran receiving services must reside in the state of Indiana.

(2) The veteran receiving services must have served in any **branch** of the United States armed forces **or their reserves, in the national guard, or in the Indiana National Guard** as defined in [IC 10-17-13.5-3](#).

(3) The veteran receiving services must not have received a dishonorable discharge as evidenced by the veteran's Department of Defense Form 214, National Guard Bureau (NGB) Form 22 as issued by the United States Department of Defense, or other official discharge papers.

(Indiana Department of Veterans' Affairs; [914 IAC 1-3-2](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

SECTION 8. [914 IAC 1-5-1](#) IS AMENDED TO READ AS FOLLOWS:

[914 IAC 1-5-1](#) Department oversight and verification of use of funds received by qualified entities

Authority: [IC 10-17-13.5-5](#)

Affected: [IC 10-17-13.5](#)

Sec. 1. (a) A grantee shall account for all grant funds received under this program using generally accepted accounting principles. A grantee shall track all assets, expenses, cost of goods, and use of funds.

(b) A grantee shall submit **monthly or** quarterly financial reports to the department that detail how grant funds have been spent. A grantee shall also submit a comprehensive financial report of the grant at the end of the grant period. Financial reports shall utilize the department's model report.

(c) The department will create a model for the approved organization to utilize for case management and financial reviews.

(d) As it deems necessary, the department may audit or inspect any and all books, accounting records, or other documents related to the grant at any time. The department may require a grantee, at grantee's expense, to obtain an independent audit from an auditor approved by the department.

(Indiana Department of Veterans' Affairs; [914 IAC 1-5-1](#); filed Aug 21, 2019, 4:08 p.m.: [20190918-IR-914180475FRA](#))

[Notice of Public Hearing](#)

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