

# WEST VIRGINIA LEGISLATURE

## 2021 REGULAR SESSION

**Introduced**

### **House Bill 2981**

BY DELEGATES REYNOLDS, STEELE, COOPER,  
ROHRBACH, FERRELL, STORCH, CONLEY, ZATEZALO, D.

KELLY AND BARNHART

[Introduced March 08, 2021; Referred to the  
Committee on Veterans' Affairs and Homeland  
Security then Health and Human Resources]

1 A BILL to amend and reenact §9A-1-9 and §9A-1-10 of the Code of West Virginia, 1931, as  
2 amended, relating to providing suicide prevention assistance to veterans in this state.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. DIVISION OF VETERANS' AFFAIRS.**

**§9A-1-9. Duties of department.**

1 The department of veterans' assistance shall:

2 (1) Assist veterans, their widows, widowers, dependents, and orphans within the state, in  
3 properly presenting their claims before the United States Veterans' Administration, its  
4 administrator, or any federal agency, the State of West Virginia, or any of the several states of  
5 the United States, when the claims arise out of service with the armed forces of the United States  
6 as defined in section one of this article;

7 (2) Contact all veterans' organizations in this state through their duly elected or appointive  
8 officers to effectuate the purposes of this article and aid in the efficiency of the operations of the  
9 department;

10 (3) Render all possible and proper advice, assistance and counsel to veterans, their  
11 families, and their widows, dependents and orphans, within the state, and furnish them  
12 information on compensation, allowances, pensions, insurance, rehabilitation, hospitalization,  
13 education, vocational training, or refresher or retraining courses in education or training,  
14 employment, loans or aid for the purchase, acquisition or construction of homes, farms, farm  
15 equipment and business property, preference in the purchase of property and preference in  
16 employment, as provided or may be provided by any federal act, any federal agency, this state or  
17 other states;

18 (4) Make careful inquiry into all claims presented for payment out of the State Treasury  
19 from any appropriation made for the benefit of veterans, their widows, widowers, dependents, and  
20 orphans.

21 (5) Provide veterans within the state with suicide prevention assistance.

**§9A-1-10. Powers and duties of secretary.**

1           The secretary is the executive and administrative head of the department and has the  
2 power and duty, subject to ~~the provisions of §9A-1-4~~ of this code, to:

3           (a) Supervise and put into effect the purposes and provisions of this article and the rules  
4 for the government of the department;

5           (b) Prescribe methods pertaining to investigations and reinvestigations of all claims and  
6 to the rights and interests of all veterans, their widows, widowers, dependents, and orphans:  
7 Provided, That the secretary shall put into effect a program of suicide prevention assistance for  
8 veterans within the state, no later than July 1, 2021;

9           (c) Prescribe uniform methods of keeping all records and case records of the veterans,  
10 their widows, widowers, dependents, and orphans;

11           (d) Sign and execute, in the name of the state by West Virginia Department of Veterans'  
12 Assistance, any contract or agreement with the federal government or its agencies, other states,  
13 subdivisions of this state, corporations, associations, partnerships or individuals;

14           (e) Supervise the fiscal affairs and responsibilities of the department;

15           (f) Organize the department to comply with the requirements of this article and with the  
16 standards required by any federal act or any federal agency;

17           (g) Establish any regional or area offices throughout the state that are necessary to  
18 promote efficiency and economy in administration;

19           (h) Make reports that comply with the requirements of any federal act or federal agency  
20 and the provisions of this article;

21           (i) Cooperate with the federal and state governments for the more effective attainment of  
22 the purposes of this article;

23           (j) Keep a complete and accurate record of all proceedings; record and file all contracts  
24 and agreements and assume responsibility for the custody and preservation of all papers and  
25 documents pertaining to his or her office and the department;

26 (k) Prepare for the Veterans' Council the annual reports to the Governor of the condition,  
27 operation and functioning of the department;

28 (l) Exercise any other powers necessary and proper to standardize the work; to expedite  
29 the service and business; to assure fair consideration of the rights and interests and claims of  
30 veterans, their widows, widowers, dependents, and orphans; to provide resources for a program  
31 which will promote a greater outreach to veterans, and which will advise them of the benefits and  
32 services that are available; and to promote the efficiency of the department;

33 (m) Invoke any legal, equitable or special remedies for the enforcement of his or her orders  
34 or the provisions of this article;

35 (n) Appoint the officers and heads of divisions of the department, and of regional or area  
36 offices, and employ assistants and employees, including case managers and counselors, that are  
37 necessary for the efficient operation of the department;

38 (o) Provide resources and assistance in the development of an Internet website which is  
39 to be used to inform veterans of programs and services available to them through the department  
40 and the state and federal governments;

41 (p) Delegate to all or any of his or her appointees, assistants, or employees all powers  
42 and duties vested in the secretary, except the power to sign and execute contracts and  
43 agreements: *Provided*, That the secretary shall be responsible for the acts of his or her  
44 appointees, assistants, and employees; and

45 (q) Award grants, in his or her discretion, subject to available appropriations, to provide  
46 for the transportation of veterans to veterans' hospitals from the veteran's home or local Veterans'  
47 Assistance offices.

48 (r) Enter into an agreement with the Commissioner of the Department of Agriculture to  
49 transfer without consideration all or part of the approximately seventeen acres of the Department  
50 of Agriculture property in Beckley, West Virginia, located adjacent to the Jackie Withrow Hospital,  
51 which was formerly known as Pinecrest Hospital, for construction of a veterans skilled nursing

52 facility.

NOTE: The purpose of this bill is to provide suicide prevention assistance to veterans in this state veterans within the state.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.