**15 DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT**

**215 BUREAU OF MAINE VETERANS SERVICES**

**Chapter 2: ADMINISTRATION OF THE VETERAN’S EMERGENCY FINANCIAL ASSISTANCE PROGRAM**

**Summary**: This rule describes the administration of the Veteran’s Emergency Financial Assistance Program, established pursuant to Title 37-B: Defense, Veterans and Emergency Management, Chapter 7: Maine Bureau of Veterans’ Services, §505(1-B) & (1-C), enacted by P.L. 2017, chapter 419, §6.

1. **Definitions**
2. **Armed Forces.** “Armed Forces” means the United States Army, Navy, Air Force, Marines, Coast Guard and World War II-era Merchant Mariners.
3. **Bureau.** “Bureau” means the Bureau of Maine Veterans Services of the Maine Department of Defense, Veterans and Emergency Management.
4. **Department.** “Department” means the Maine Department of Defense, Veterans and Emergency Management.
5. **Director.** “Director” means the Director of the Bureau of Maine Veterans Services of the Maine Department of Defense, Veterans and Emergency Management.
6. **Fund.** “Fund” means the “Veterans Temporary Assistance Fund” established pursuant to M.R.S. Title 37-B, section 505, subsections 1-B and 1-C.
7. **Grant.** “Grant” means a monetary award provided to a Veteran from the Fund pursuant to 37-B M.R.S. §505(1-B) & (1-C) and these rules.
8. **Immediate family**. “Immediate family” includes a spouse, domestic partner (as defined in 22 M.R.S. §2710 (2)) and minor children (biological, adopted or step children).
9. **Provider.** “Provider” means a successful bidder contracted by the Department to administer disbursements of monies available from the Fund.
10. **Veteran.** “Veteran” means a person who:

A. Served in the active United States Armed Forces and who:

(i) If discharged, received an honorable discharge or a general discharge under honorable conditions, provided that the discharge was not upgraded through a program of general amnesty; or

B. Served in the Reserve Components of the United States Armed Forces and was entitled to retired pay under 10 *United States Code*, chapter 1223 or would have been entitled to retired pay under chapter 1223 except that the person was under 60 years of age; or

C. Served in the Maine National Guard or United States Armed Forces and is determined by the Director to be eligible for assistance under this program.

1. **Administration of the Fund**
2. Ten percent of the monies allocated by the Legislature will be set aside for administration of the Fund, and the remainder will be available for grants to eligible veterans. Individual grants may not exceed two thousand dollars ($2,000.00) in any twelve month period.
3. The Fund will be administered by the Bureau and one or more providers selected through a procurement process approved by the State of Maine Department of Administration and Financial Services, Division of Procurement Services. The providers will administer the Fund under the guidance and direction of the Bureau and in compliance with this rule.
4. **Eligibility for grants under the Fund**
5. A Veteran who is a resident of this State and has filed a valid claim for a veteran's pension may be eligible for a temporary assistance grant pending notification of the award of such a pension. For purposes of this paragraph, "claim for a veteran's pension" means a claim filed with the United States Department of Veterans Affairs pursuant to 38 United States Code, Chapter 15.
6. A Veteran who is a resident of this State and who has experienced or is experiencing financial hardship due to any of the following conditions may be eligible for a temporary assistance grant:

A. Damage to the Veteran’s place of primary residence due to fire, flood, hurricane, or other natural disaster, or technological or human caused incident that is not fully compensable by the Veteran’s insurance coverage;

1. A sudden or sustained illness of the Veteran or of an immediate family member of the Veteran that is causing financial hardship;
2. Any financial hardship that, in the absence of assistance, would result in the Veteran becoming homeless; or
3. Any other circumstances determined by the Director on a case-by-case basis to demonstrate a need for temporary financial assistance.
4. **Application requirements**

Veterans seeking financial assistance must submit an application on a form developed by the Provider(s) and approved by the Bureau, along with additional documentation as described below.

1. Applicants seeking financial assistance while awaiting the award of a military pension must submit a copy of a completed DD-214 form documenting the Veteran’s discharge from active duty in the Armed Forces.

2. Applicants seeking financial assistance due to physical damage to the Veteran’s primary residence must submit copies of:

A. a property tax bill or rental agreement to establish the veteran’s title, right or interest in the primary residence;

B. any insurance policy for the property and any correspondence from the insurer indicating the amount of coverage awarded for the damage; and

C. estimates from licensed contractors for the cost of repairs.

1. Applicants seeking financial assistance due to the illness of the Veteran or Veteran’s immediate family member must submit:

A. an explanation of how the illness is creating financial hardship;

B. documentation of the diagnosis;

C. copies of medical bills, if applicable;

D. health insurance coverage information, if applicable; and

E. credit card bills and receipts or other documentation of any expenses for which the Veteran is seeking financial assistance related to the illness.

1. Applicants seeking financial assistance to avoid homelessness must submit:

A. an explanation of the circumstances causing the Veteran to be at risk of becoming homeless;

B. supporting documentation, such as a notice of layoff from an employer, or a notice of eviction or foreclosure; and

C. name and address of housing provider to be paid for housing for the Veteran and his or her immediate family.

1. **Disbursement of Funds**
   1. Disbursements from this Fund will be made in a timely and expeditious manner once financial need and eligibility for assistance has been determined by the Provider, or by the Bureau if the Director has determined eligibility pursuant to section 1(9)(c) or section 3(d) of this rule.
   2. The Provider will determine the amount of the award that is suitable to meet the demonstrated need based on review of the Veteran’s application, up to but not exceeding the amount of $2,000.
   3. The assistance amount per Veteran may not exceed $2,000 in any one twelve-month period. The maximum lifetime allocation per Veteran from the Fund shall not exceed $10,000.
   4. Payments for housing or other services, including any debts demonstrating financial need, must be made directly to service provider or creditor and not directly to the Veteran.
2. **Reconsideration**

A Veteran who requests temporary assistance under this Fund and is denied such assistance by the Bureau or one of its Providers may request a reconsideration and review of this decision. Requests for reconsideration must be submitted to the Bureau Director and the Commissioner or Commissioner’s designee. The decision after reconsideration by the Commissioner or Commissioner’s designee shall be final and may not be appealed to a court.

1. **Misuse of Funds**

If the provider or the Bureau discovers evidence that monies disbursed by the Fund have been used for a purpose other than as authorized by the statute or rules governing this program, the Department reserves the right to recover those funds from the Veteran and/or to refer the matter to a law enforcement agency for further investigation and potential prosecution.

STATUTORY AUTHORITY:

37-B M.R.S. §505(1-B) & (1-C).

EFFECTIVE DATE:

September 16, 2019 – filing 2019-165