



July 6, 2021

Re: New Law Regarding County Veteran Service Officers

Dear Supervisor,

In our effort to professionalize and modernize in support of Mississippi's 187,000 Veterans, Mississippi Veterans Affairs (MSVA), is updating our training and certification process for County and Tribal Veterans' Service Officers (CVSO) so that it aligns with Federal Code.

In compliance with Federal Code, the Mississippi Legislature has passed Senate Bill 2165, which amends §35-3-21, Mississippi Code of 1972, to revise certain qualifications and requirements for County Veterans Service Officers. This went into effect on July 1, 2021.

The primary changes are:

1. CVSOs must be accredited by MSVA pursuant to 38 C.F.R. §14.629.
2. CVSOs must follow the rules and regulations promulgated by MSVA.
3. The Boards of Supervisors of the various counties are authorized and directed to provide necessary office space and communications connectivity for CVSOs.
4. Removes the restriction limiting training to two days per session.

In order for a County Veterans' Service Officer to assist veterans in filing claims for benefits, they must be recommended by a recognized organization, such as MSVA, for accreditation with the U.S. Department of Veterans Affairs, and must meet the following criteria established by the U.S. Department of Veterans Affairs:

1. Be a paid employee of the State of Mississippi, working as a service officer or a paid employee of the county working as a CVSO for no less than 1,000 hours annually.

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2. Successfully complete a course of training and an examination which has been approved by VA Regional Counsel with jurisdiction for the state.
3. Will receive both regular supervision and monitoring as well as mandatory training to assure continued qualification as a representative in the claims process.
4. Is not employed in any civil, military department, or agency of the United States Government.
5. Is of good character and reputation and has demonstrated an ability to represent claimants before the U.S. Department of Veterans Affairs.

For those counties who do not have it in their budget to pay a CVSO for 1000 hours a year, §35-3-21, Mississippi Code of 1972 states:

“Two (2) or more counties may, upon resolution duly adopted by the board of supervisors of each of such counties, agree to establish one (1) veteran service office for all of such counties. When two (2) or more counties enter into such an agreement, each county shall pay such amount mutually agreed upon and duly adopted by resolution of the respective boards of supervisors.”

Our plan is to have all CVSOs accredited by July 2022. We are extending everyone’s certification until that time.

In the process to move toward CVSO accreditation, MSVA has adopted VA’s TRIP (Training, Responsibility, Involvement, and Preparation of Claims) training as a means of accreditation.

We have enclosed a copy of the VA Accreditation Program Standards of Conduct as well as a letter that has already gone out to the CVSOs.

Sincerely,

Stacey E. Pickering
Executive Director
Mississippi Veterans Affairs

enclosures



Mississippi VA

Dear CVSOs and Assistants,

Thank you for your support of Mississippi's 187,000 Veterans. Mississippi Veterans Affairs partnership with each of the state's 82 counties is a relationship that our agency values.

In the process to move toward CVSO accreditation, MSVA has adopted VA's TRIP (Training, Responsibility, Involvement, and Preparation of Claims) training as a means of accreditation. We are happy to announce that as of this date, there are 14 CVSOs and assistants that we can submit for immediate accreditation as a result of completing the training.

This month, all CVSOs will receive an email with the TRIP training link. We encourage you to complete this training as soon as you can. Feedback from the initial group was very positive. Their recommendation is to block off time so that you may complete the training with no distractions.

Once you receive your certificate for completing TRIP training, please mail or email it to Elizabeth Lancaster at elancaster@msva.ms.gov. Once MSVA receives the certificate, we will send you a VA Form 21, Application for Accreditation, to complete and return so that we can submit it for accreditation.

Our plan is to have all CVSOs accredited by July 2022. We are extending everyone's certification until that time.

MSVA understands that any change is difficult. We are committed to support all CVSOs with assistance during this process. Based on communication with VA's Office of General Counsel, we believe that during the transition, CVSOs can continue to function as they always have. However, since we are now back to pre-COVID operations, all paperwork should be sent through our claims office as it was prior to the pandemic.

Sincerely,
Stacey E. Pickering

Executive Director

Mississippi Veterans Affairs

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VA ACCREDITATION PROGRAM

STANDARDS OF CONDUCT FOR VA-ACCREDITED ATTORNEYS, CLAIMS AGENTS, AND VSO REPRESENTATIVES

The standards of conduct in 38 C.F.R. § 14.632 establish the appropriate behavior for VA-accredited attorneys, agents, and representatives.

VA-accredited individuals providing VA claims assistance *shall*:

- Faithfully execute their duties on behalf of a VA claimant;
- Be truthful in their dealings with claimants and VA;
- Provide claimants with competent representation before VA; and
- Act with reasonable diligence and promptness in representing claimants.

See 38 C.F.R. §§ 14.632 (a) & (b).

VA-accredited individuals *shall not*:

- (1) Violate the standards of conduct as described in 38 C.F.R. § 14.632.
- (2) Circumvent the rules of conduct through the actions of another.
- (3) Engage in conduct involving fraud, deceit, misrepresentation, or dishonesty.
- (4) Violate one or more of the provisions of title 38, United States Code, or title 38, Code of Federal Regulations.
- (5) Enter into an agreement for, charge, solicit, or receive a fee that is clearly unreasonable or otherwise prohibited by law or regulation.
- (6) Solicit, receive, or enter into agreements for gifts related to representation provided before an agency of original jurisdiction has issued a decision on a claim or claims and a Notice of Disagreement has been filed with respect to that decision.
- (7) Delay, without good cause, the processing of a claim at any stage of the administrative process.
- (8) Mislead, threaten, coerce, or deceive a claimant regarding benefits or other rights under programs administered by VA.
- (9) Engage in, or counsel or advise a claimant to engage in, acts or behavior prejudicial to the fair and orderly conduct of administrative proceedings before VA.
- (10) Disclose, without the claimant's authorization, any information provided by VA for purposes of representation.
- (11) Engage in any other unlawful or unethical conduct.

*In addition, in providing representation to a claimant before VA, VA-accredited attorneys shall not engage in behavior or activities prohibited by the rules of professional conduct of any jurisdiction in which they are licensed to practice law.

See 38 C.F.R. § 14.632(c) & (d).

If I violate a standard of conduct or engage in any other unlawful or unethical conduct, what will happen? If VA determines that you have violated the standards of conduct, VA may suspend or cancel your accreditation. VA is authorized to report the suspension or cancellation to any bar association, court, or agency to which you are admitted. In addition, VA may collaborate with State and Federal enforcement authorities if it is suspected that your actions may have implications under State or other Federal laws.

For More Information: Visit the VA Office of the General Counsel website at: <http://www.va.gov/ogc/accreditation.asp>