

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 2314

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2022

The Senate Military and Veterans Affairs Committee reports favorably and with committee amendments Senate Bill No. 2314.

This bill requires the Department of Military and Veterans' Affairs (DMVA) to establish a form for veterans to qualify as a discharged veteran with a qualifying condition to receive certain veterans' benefits.

As amended, this bill creates a process for veterans to qualify for various State benefits. DMVA would create a form to determine if a veteran qualifies as a "discharged veteran with a qualifying condition." The term is defined in the bill. The form would be posted on the DMVA website and available in electronic and paper versions. Veterans would request, complete, and return the form to the DMVA. No fee would be charged to the veterans.

The DMVA would create and maintain a database of these forms and establish a consistent and uniform process to determine whether a veteran qualifies as a discharged veteran with a qualifying condition, including, at a minimum, standards for verifying a veteran's status as a discharged veteran with a qualifying condition, and a method of demonstrating eligibility as a discharged veteran with a qualifying condition. Information related to the form would be confidential and not accessible to the public as a government record. However, the number of forms submitted, the number of veterans whose submissions have been approved, and the branch of the Armed Forces, or of the Reserve component thereof, of the veteran would be accessible as a government record.

The Director of the Division of Veterans Services would make the determination of whether the veteran meets the qualifications of a discharged veteran with a qualifying condition. The Adjutant General would adjudicate an appeal from any veteran disputing the decision of the Director of the Division of Veterans Services as to whether such veteran meets the qualifications of a discharged veteran with a qualifying condition. The determination of the Adjutant General would be binding on all parties.

A veteran who is deemed eligible as a discharged veteran with a qualifying condition would be afforded the same rights, privileges, and benefits authorized by State law for veterans who were discharged or released under conditions other than dishonorable, provided all other requirements for such rights, privileges, and benefits are met.

COMMITTEE AMENDMENTS

The committee amended the bill to revise the definition of “discharged veteran with a qualifying condition” from a veteran who was discharged less than honorably to discharged or released under conditions other than honorable.

The amendments also revise the “Qualifying condition” definition by removing “an individual licensed to provide health care services at a United States Department of Veterans Affairs facility” and adding “a licensed health care provider or physician”, as well as adding “a condition as determined by the Adjutant General” to the definition.

In addition, the amendments provide that the Director of the Division of Veterans Services will make the determinations of eligibility instead of the Adjutant General.