

Title 770 - Oklahoma Department of Veterans Affairs
Chapter 15 - Claims and Benefits Division Program
Subchapter 7 - Honorable Interment Of Indigent Veterans Program

Rule Impact Statement

Pursuant to 75 O.S. § 303 (D)of the Oklahoma Administrative Procedures Act, the Oklahoma Department of Veterans Affairs submits the following Rule Impact Statement for its proposed PERMANENT rules regarding Title 770, Chapter 15, Subchapter 7 - Honorable Interment Of Indigent Veterans Program

A. Brief description of the purpose of the rule:

The purpose of this proposed rule is to establish a program to provide assistance for the proper interment or cremation of honorably discharged indigent veterans of the United States Armed Forces. The program shall aid in obtaining any available burial benefits from the United States Department of Veterans Affairs or through private organizations. The program shall provide for a burial grant for any indigent veteran or any person who qualifies for financial assistance as determined by the Oklahoma Department of Veterans Affairs. The proposed rules will establish regulatory guidance and will include but are not limited to: eligibility criteria, procedures for processing claims, and policies and basis for claims; all as the result of SB 398 being adopted by the Legislature and signed by the Governor

B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

Three main classes will be affected by the proposed rule.

(1) Veterans expiring in Oklahoma that meet the criteria for classification as indigent by Oklahoma Statute Section 34 of Title 72.

(2) Proprietors of the cemetery and/or funeral home industry within the state who routinely bear the costs of unpaid burial services for indigent veterans.

(3) Veteran Service Organizations or any private or public entities seeking defrayment of burial costs of unpaid burial services for indigent veterans.

Burial grants will be funded by the revolving funds designated the "Indigent Veteran Burial Revolving Fund" and administered by the Oklahoma Department of Veterans Affairs. All monies accruing to the credit of the fund are appropriated and may be budgeted and expended by the Oklahoma Department of Veterans Affairs to provide reimbursement to a cemetery or funeral home for costs incurred burying an indigent veteran; provided, the maximum reimbursement shall not exceed Five Hundred Dollars (\$500.00) per veteran; all as the result of SB 1134 being adopted by the Legislature and signed by the Governor.

C. A description of the classes of persons who will benefit from the proposed rule:

The same persons or entities identified as impacted (above) will benefit from the proposed rule.

(1) Veterans expiring in Oklahoma that meet the criteria for classification as indigent by Oklahoma Statute Section 34 of Title 72.

(2) Proprietors of the cemetery and/or funeral home industry within the state who routinely bear the costs of unpaid burial services for indigent veterans.

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39 (3) Veteran Service Organizations or any private or public entities seeking defrayment of burial
40 costs of unpaid burial services for indigent veterans.

41 **D. A description of the probable economic impact of the proposed rule upon the affected**
42 **classes of persons or political subdivisions, including a listing of all fee changes and, whenever**
43 **possible, a separate justification for each fee change:**

44 Proprietors of the cemetery and/or funeral home industry, Veteran Service Organizations, or any
45 private or public entities seeking defrayment of burial costs of unpaid burial services will experience a
46 quantifiable benefit through the receipt of monetary assistance not to exceed \$500.00 per indigent veteran
47 to defray the expenses of the veteran's burial. No fees are instituted or changed by the proposed rule(s).

48 **E. The probable costs and benefits to the Agency and to any other agency of the**
49 **implementation and enforcement of the proposed rule, the source of revenue to be used for**
50 **implementation and enforcement of the proposed rule and any anticipated effect on state revenues,**
51 **including a projected net loss or gain in such revenues if it can be projected by the Agency:**

52 There is hereby created in the State Treasury a revolving fund to be designated the "Indigent
53 Veteran Burial Revolving Fund" and administered by the Oklahoma Department of Veterans Affairs. The
54 fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all the monies
55 received pursuant to the provisions of subsection A of this section and any donations received from any
56 individuals or organizations. All monies accruing to the credit of the fund are appropriated and may be
57 budgeted and expended by the Oklahoma Department of Veterans Affairs to provide reimbursement to a
58 cemetery or funeral home for costs incurred burying an indigent veteran; provided, the maximum
59 reimbursement shall not exceed Five Hundred Dollars (\$500.00) per veteran and total reimbursements
60 made in calendar year 2017 shall be limited to Twenty Thousand Dollars (\$20,000.00), all as the result of
61 SB 1134 being adopted by the Legislature and signed by the Governor.

62 **F. A determination whether implementation of the proposed rule will have an impact on any**
63 **political subdivisions or require their cooperation in implementing or enforcing the rule: The**
64 **proposed rules do not have an economic impact on any political subdivision, nor will the**
65 **cooperation of any political subdivisions be required in implementation or enforcement of the rules.**

66 The proposed rules do not have an economic impact on any political subdivision, nor will the
67 cooperation of any political subdivisions be required in implementation or enforcement of the rules.

68 **G. A determination whether implementation of the proposed rule will have an adverse**
69 **economic effect on small business as provided by the Oklahoma Small Business Regulatory**
70 **Flexibility Act:**

71 There are no anticipated adverse effects on small business as provided by the Oklahoma Small
72 Business Regulatory Flexibility Act.

73 **H. An explanation of the measures the agency has taken to minimize compliance costs and a**
74 **determination of whether there are less costly or non-regulatory methods or less intrusive methods**
75 **for achieving the purpose of the proposed rule:**

76 The interment assistance grant program for the indigent honorably discharged veterans of the
77 United States Armed Forces is structured as a reimbursement not to exceed five hundred dollars

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78 (\$500.00). A reimbursement based grant is believed to be the most time and cost effective way to
79 administer the program utilizing (1) straightforward qualification standards, and (2) departmental director
80 (or designee) approval of such applications.

81 The Department knows of no less costly, non-regulatory, or less intrusive methods for achieving
82 the purpose of the proposed rules.

83 **I. A determination of the effect of the proposed rule on the public health, safety and**
84 **environment and, if the proposed rule is designed to reduce significant risks to the public health,**
85 **safety and environment, an explanation of the nature of the risk and to what extent the proposed**
86 **rule will reduce the risk:**

87 The Agency does not anticipate any effect on public health, safety, or environment if the
88 proposed rule is implemented.

89 **J. A determination of any detrimental effect on the public health, safety and environment if**
90 **the proposed rule is not implemented:**

91 There are no anticipated detrimental effects on public health, safety, or environment if the
92 proposed rule is not implemented.

93 **K. The date the rule impact statement was prepared and if modified, the date modified:**

94 The rule impact statement was prepared on the 10th day of January, 2017.

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