

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kelly W. Pease

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act expanding the mission of the Office of the Veteran Advocate.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kelly W. Pease</i>	<i>4th Hampden</i>	<i>1/7/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act expanding the mission of the Office of the Veteran Advocate.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 115B: OFFICE OF THE MILITARY AND VETERAN ADVOCATE

2 Section 1: Definitions

3 Section 1. As used in this chapter, the following words shall, unless the context clearly
4 requires otherwise, have the following meanings:

5 “Active Duty” shall include (1) full time service; and (2) any period of active or inactive
6 duty for training during which the individual was disabled or died.

7 “Armed Forces” shall include army, marine corps, navy, air force, space force, coast
8 guard and any additional military service created by the U.S. Department of Defense including
9 reserve components thereof.

10 [Definition of "Executive agency" effective until May 30, 2023. For text effective May
11 30, 2023, see below.]

12 "Executive agency", a state agency within the office of the governor, including the
13 executive office of education, the executive office of public safety and security, executive office
14 of health and human services, and their constituent agencies, the Massachusetts interagency
15 council on housing and homelessness and the executive office of housing and economic
16 development, and their constituent agencies.

17 [Definition of "Executive agency" as amended by 2023, 7, Sec. 245 effective May 30,
18 2023. See 2023, 7, Sec. 298. For text effective until May 30, 2023, see above.]

19 "Executive agency", a state agency within the office of the governor, including the
20 executive office of education, the executive office of public safety and security, executive office
21 of health and human services, and their constituent agencies, the Massachusetts interagency
22 council on housing and homelessness and the executive office of housing and livable
23 communities, and their constituent agencies.

24 "Nominating committee", the nominating committee established in section 3.

25 "Office", the office of the veteran advocate established in section 2.

26 "Veteran advocate", the veteran advocate appointed under section 3.

27 "Uniformed Services" shall include armed forces, commissioned corps of the public
28 health service and commissioned corps of the national oceanic and atmospheric administration.

29 Section 2: Office of the military and veteran advocate

30 Section 2. There shall be an office of the military and veteran advocate, which shall be
31 independent of any supervision or control by any executive agency. The office shall provide
32 overarching support to the uniformed service and to all veterans and their families and serve as a

33 liaison and advocate on behalf of the servicemember and veteran population residing in the
34 Commonwealth to all relevant federal agencies. The office shall: (i) ensure that veterans and
35 servicemembers in the care of the commonwealth or receiving services under the supervision of
36 an executive agency in any public or private facility receive humane and dignified treatment at
37 all times, with full respect for the veterans' or servicemembers' personal dignity and right to
38 privacy; (ii) ensure that veterans and servicemembers in the care of the commonwealth or
39 receiving services under the supervision of an executive agency in any public or private facility
40 receive timely, safe and effective services; (iii) aid and coordinate with local veterans service
41 agents to ensure veterans receive all available state and federal benefits; (iv) examine, on a
42 system-wide basis, the care and services that executive agencies provide veterans and
43 servicemembers; (v) advise the public and those at the highest levels of state government about
44 how the commonwealth may improve its services to and for veterans, servicemembers, and their
45 families; (vi) develop internal procedures appropriate for the effective performance of the office's
46 duties; (vii) assist in developing procedures for the executive agencies to best serve the veteran
47 and servicemember community;; and (viii) investigate incidents where a veteran suffered a
48 fatality, near fatality or serious bodily or emotional injury while receiving services from an
49 executive agency, or circumstances which result in a reasonable belief that an executive agency
50 or a constituent agency failed in its duty to care for a veteran and, as a result, the veteran was at
51 imminent risk of, or suffered serious bodily or emotional injury or death.

52 Section 3: Military and Veteran advocate; nomination and appointment; term; removal

53 Section 3. The office of the military and veteran advocate shall be under the direction of
54 the military and veteran advocate. The military and veteran advocate shall be the administrative
55 head of the office and shall devote full time to the duties of the office. The military and veteran

56 advocate shall be appointed by a majority vote of the attorney general, the state auditor and the
57 governor from a list of 3 nominees submitted by a nominating committee to recommend a
58 military and veteran advocate. The nominating committee shall consist of: the secretary of health
59 and human services, or a designee, who shall serve as chair; the secretary of veterans' services, or
60 a designee; the secretary of public safety, or a designee; the commissioner of mental health, or a
61 designee; the house and senate chairs of the joint committee on veterans and federal affairs; the
62 adjutant general of the Massachusetts national guard; a representative of the veterans of foreign
63 wars department of Massachusetts; a representative of the American legion department of
64 Massachusetts;

65 the chair of the board of trustees of the veterans' home in the city of Chelsea; and the
66 chair of the board of trustees of the veterans' home in the city of Holyoke. The nominating
67 committee shall submit salary recommendations for the candidates commensurate with the
68 candidates' experience and other similar state positions. The work of the nominating committee
69 shall be coordinated by the executive office of health and human services.

70 Any person appointed to the position of military and veteran advocate shall be selected
71 without regard to political affiliation and on the basis of integrity and demonstrated ability in
72 military culture and veteran welfare, justice, auditing, law, health care, management analysis,
73 public administration and investigation or criminal justice administration. The military and
74 veteran advocate may, subject to appropriation, appoint such other personnel as the military and
75 veteran advocate deems necessary for the efficient management of the office.

76 The military and veteran advocate shall serve for a term of 5 years. In the case of a
77 vacancy in the position of the military and veteran advocate, a successor shall be appointed in the

78 same manner for the remainder of the unexpired term. No person shall be appointed as military
79 and veteran advocate for more than 2 full terms.

80 The military and veteran advocate may be removed from office for cause by a majority
81 vote of the attorney general, the state auditor and the governor. Such cause may include
82 substantial neglect of duty, gross misconduct or conviction of a crime. The cause for removal of
83 the military and veteran advocate shall be stated in writing and shall be sent to the clerks of the
84 senate and house of representatives and to the governor at the time of removal and shall be a
85 public document.

86 Section 4: Annual report

87 Section 4. The military and veteran advocate shall report annually to the governor, the
88 senate president, the speaker of the house of representatives, the senate and the house committees
89 on ways and means, and the joint committee on veterans and federal affairs on the activities of
90 the office, including, but not limited to, an analysis of the delivery of services to veterans,
91 servicemember and their families and recommendations for changes in agency procedures which
92 would enable the commonwealth to better provide services to and for veterans, servicemembers
93 and their families and priorities for implementation of those changes to services. The report shall
94 be made public on the website of the veteran advocate.