

MEMORANDUM

Agenda Item No. 11(A)(5)


TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: February 19, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging Congress to
pass the Veterans Care Financial
Protection Act of 2014, s. 1993,
or similar legislation that would
protect elderly veterans from
financial scams and predatory
financial advisers

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

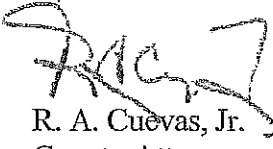


MEMORANDUM

(Revised)

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
2-19-14

RESOLUTION NO. _____

RESOLUTION URGING CONGRESS TO PASS THE
VETERANS CARE FINANCIAL PROTECTION ACT OF 2014,
S. 1993, OR SIMILAR LEGISLATION THAT WOULD
PROTECT ELDERLY VETERANS FROM FINANCIAL
SCAMS AND PREDATORY FINANCIAL ADVISERS

WHEREAS, The Department of Veterans Affairs (VA) offers an Aid and Attendance benefit to help pay for assisted living or in-home personal care for veterans who qualify for a VA pension and who are housebound or require the aid and attendance of another person; and

WHEREAS, scam artists and predatory financial advisers have targeted veterans who qualify for the Aid and Attendance benefit, charging them fees for obtaining the benefit even though the application process is free; and

WHEREAS, these scam artists often take control of the veteran's assets and move them into an irrevocable trust or an annuity, which the elderly veteran often cannot access again for many years, creating significant financial strain; and

WHEREAS, moving assets this way may also disqualify the veteran from other assistance, like Medicaid; and

WHEREAS, a bill entitled the Veterans Care Financial Protection Act of 2014, S. 1993, has been filed for consideration during the 113th Congress by Senators Elizabeth Warren (D – Massachusetts) and Marco Rubio (R – Florida); and

WHEREAS, the Veterans Care Financial Protection Act of 2014 would direct the VA to work with other federal agencies and states to develop and implement standards that protect elderly veterans from financial scams and predatory practices related to the Aid and Attendance benefit; and

WHEREAS, the Veterans Care Financial Protection Act of 2014 would help put an end to these financial scams that waste federal funds and undermine the financial security of our elderly veterans; and

WHEREAS, this Board honors the courageous sacrifices veterans and their families have made for this country, and would like to express its support for the Veterans Care Financial Protection Act of 2014, S. 1993, or similar legislation that would protect elderly veterans from financial scams and predatory financial advisers,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges Congress to pass the Veterans Care Financial Protection Act of 2014, S. 1993, or similar legislation that would protect elderly veterans from financial scams and predatory financial advisers.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to Senator Elizabeth Warren, Senator Marco Rubio, the members of the Florida Congressional Delegation, and the Secretary of the Department of Veterans Affairs.

Section 3. Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 Federal Legislative Package.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of February, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MTM

Michael J. Mastrucci