

## 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  
Resolution No. R-180-14

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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and Members, Board of County Commissioners

**DATE:** February 19, 2014

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R. A. Cuevas, Jr.  
County Attorney

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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. R-180-14

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.

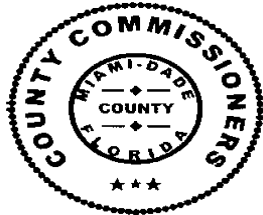
**Section 3.** Directs the County's federal lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2014 Federal Legislative Package.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	aye	
	Lynda Bell, Vice Chair	aye	
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr.	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	absent
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 19<sup>th</sup> 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

MTM

Michael J. Mastrucci