



Ohio Administrative Code

Rule 5902-1-09 Revocation of certification of county veterans service officers.

Effective: February 14, 2011

- (A) The director of the department of veterans services, at his/her discretion, shall promptly investigate allegations of incompetence, misfeasance, malfeasance, nonfeasance, and unethical behavior on the part of a veterans service officer for purpose of determining whether such officer's certification shall be revoked.
- (B) Such investigation may be performed by the director personally or such other individual as the director may designate.
- (C) At the conclusion of the investigation, the director shall make a determination as to whether the certification of the service officer should be revoked and shall issue a report of that determination. Copies of the report shall be sent to the service officer who was the subject of the investigation and to the veterans service commission of the county where the service officer serves.
- (D) If the director's report indicates that the grounds are insufficient to warrant the revocation of the service officer's certification, the report may also include other findings and recommendations the director may deem appropriate.
- (E) If the director's report indicates that the grounds are sufficient to warrant the revocation of the service officer's certification, the report shall notify the service officer who was the subject of the investigation that he/she may appeal such determination to the veterans advisory committee within thirty days of the issuance of the report.
- (F) In the case of a timely appeal to the veterans advisory committee, the committee chairperson shall appoint a subcommittee of three committee members, all of whom shall be representatives of the state association of county veterans service officers, to hear the appeal, except that if any of the three representatives are from the same county as the individual filing the appeal, the chairperson shall appoint a substitute advisory committee member to the subcommittee who also serves as a county veterans service officer. If the chairperson cannot, for any reason, fill the three positions on



the subcommittee with advisory committee members who are also county veteran service officers, he/she shall contact the state association of county veterans service officers for the purpose of the temporary appointment of one or more association members to the advisory committee for the limited purpose of serving on the appeal subcommittee. The subcommittee shall conduct a hearing and shall make a report and recommendation to the full committee at the next scheduled meeting. The veterans advisory committee shall then vote, by a simple majority of those in attendance at the meeting, either to affirm the director's decision to revoke the service officer's certification or to overrule the director's determination. If the advisory committee votes to overrule the director's determination, the certification shall not be revoked.

(G) If the director's determination that a county veterans service officer's certification shall be revoked is not appealed to the advisory committee, or if appealed, the director's determination is affirmed by the advisory committee, such determination shall be reported to the veterans service commission of the county where the veterans service officer serves and to the United States department of veterans affairs as soon as practical.