

Title 38A
Subtitle 3
Chapter 21A
(New)
Office of the
Veteran Advocate
§§1-11, 13
C.38A:21A-1 to
38A:21A-12
§12
Note

P.L. 2025, CHAPTER 172, *approved December 19, 2025*
Assembly, No. 4712 (*Second Reprint*)

1 AN ACT establishing the Office of the Veteran Advocate and
2 establishing ombudsman for the Department of Military and
3 Veterans Affairs, supplementing Title 38A of the New Jersey
4 Statutes, and making an appropriation.
5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:
8
9 1. There is established the Office of the Veteran Advocate in
10 the Executive Branch of the State Government. For purposes of
11 complying with Article V, Section IV, paragraph 1 of the New
12 Jersey Constitution, the office is allocated within the Department of
13 Military and Veterans Affairs, but notwithstanding the allocation,
14 the office shall be independent of any supervision or control by the
15 department, or a division, office, or officer thereof, in the
16 performance of its duties. If there is established a Department of
17 Veterans ²**[Services]** Affairs² separate from the Department of
18 Military and Veterans Affairs, the Office of the Veteran Advocate
19 shall be ²established in the Department of Veterans Affairs. If the
20 Department of Veterans Affairs is established after the effective
21 date of this act, then the Office of the Veteran Advocate shall be²
22 transferred to be in, but not of, the Department of Veterans
23 ²**[Services]** Affairs², pursuant to the “State Agency Transfer Act,”
24 P.L.1971, c.375 (C.52:14D-1 et seq.). All references in this act to
25 the department shall mean the Department of Military and Veterans
26 Affairs. If there is established a Department of Veterans
27 ²**[Services]** Affairs², all references to the department in this act
28 shall thereafter mean the Department of Veterans ²**[Services]**
29 Affairs².

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Assembly AMV committee amendments adopted December 12, 2024.
²Assembly amendments adopted in accordance with Governor's recommendations November 24, 2025.

1 2. a. The administrator and chief executive officer of the office
2 shall be the Veteran Advocate. The Veteran Advocate shall be
3 appointed by the Governor, with the advice and consent of the Senate.
4 Any person appointed to the position of Veteran Advocate shall be a
5 veteran. The Veteran Advocate shall be selected without regard to
6 political affiliation and on the basis of integrity. The qualifications of
7 the person selected may include, but need not be limited to, a
8 demonstrated ability in veteran welfare and justice, auditing, law,
9 health care, management analysis, public administration and
10 investigation, or criminal justice administration. Preference may be
11 given to a candidate who is an attorney-at-law of this State, who has
12 experience in veterans' services or has experience in long-term care
13 services.

14 b. The salary of the Veteran Advocate shall not be less than
15 \$150,000 per year.

16 c. The term of ¹**['Office'] office**¹ of the Veteran Advocate shall be
17 five years, but the Veteran Advocate shall serve until the appointment
18 and qualification of the successor. No person shall be appointed as
19 Veteran Advocate for more than two full terms. The Veteran
20 Advocate may appoint, subject to appropriation, such other personnel
21 as the Veteran Advocate deems necessary for the efficient
22 management of the office.

23 d. The entire professional time of the Veteran Advocate shall be
24 devoted to the duties of the position. A vacancy occurring in the
25 position of Veteran Advocate shall be filled in the same manner as the
26 original appointment, except that if the Veteran Advocate dies, resigns,
27 or is removed from office, the Governor shall appoint an acting
28 Veteran Advocate who shall serve until the appointment and
29 qualification of the successor.

30 The Veteran Advocate may be removed from office for cause by
31 the Governor. Such cause may include, but is not limited to,
32 substantial neglect of duty, gross misconduct, or conviction of a crime.
33

34 3. a. The Veteran Advocate shall:

35 (1) administer the work of the Office of the Veteran Advocate;

36 (2) appoint and remove such legal counsel, officers,
37 investigators, stenographic, and clerical assistants, and other
38 personnel, in the career or unclassified service, as may be required
39 for the conduct of the office, subject to the provisions of Title 11A
40 of the New Jersey Statutes, and other applicable statutes and federal
41 regulations, except as provided otherwise herein;

42 (3) formulate and adopt rules and regulations for the efficient
43 conduct of the work and general administration of the office, its
44 officers, and employees, in accordance with the "Administrative
45 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); ¹**['and']**¹

46 (4) institute or cause to be instituted such legal proceedings or
47 processes consistent with the ²provisions of this act and the² Rules
48 Governing the Courts of New Jersey as may be necessary to

properly enforce and give effect to any of the powers or duties of the Veteran Advocate ², except that in any matter where the facts alleged indicate potential criminal activity, the Veteran Advocate shall notify the appropriate law enforcement agency and delay such proceedings until the body responsible for the investigation or prosecution of the criminal activity has concluded the investigation or prosecution or has indicated no objection to the commencement of such legal proceedings by the Veteran Advocate² ¹[.];¹

(5) ensure that veterans in the care of or receiving services under the supervision of the department receive treatment in accordance with the applicable State and federal statutes and regulations at all times, with full respect for the veterans' personal dignity and right to privacy¹, regardless of whether or not the veteran resides in a veterans' facility, as defined by section 4 of P.L. _____, c. (C. _____)(pending before the Legislature as this bill)¹;

(6) ensure that veterans in the care of or receiving services under the supervision of the department receive timely, safe, and effective services, as outlined in the applicable State and federal statutes and regulations¹, regardless of whether or not the veteran resides in a veterans' facility, as defined by section 4 of P.L. _____, c. (C. _____)(pending before the Legislature as this bill)¹;

(7) aid and coordinate with local veterans service officers to ensure veterans receive all available State and federal benefits;

(8) examine, on a system-wide basis, the care and services that the department provides veterans;

(9) advise the public and those at the highest levels of State government about how the department may improve its services to and for veterans and their families;

(10) develop internal procedures appropriate for the effective performance of the office's duties;

(11) act as a liaison to the department to ensure each veteran receives the necessary services and care mandated by the applicable State and federal statutes and regulations;

(12) provide input to the department in developing procedures for the executive agencies to best serve the veteran community;

(13) act as a liaison to the United States Department of Veterans Affairs and all other relevant federal agencies to advocate on behalf of the veterans of the State;

(14) investigate incidents where a veteran suffered a fatality, near fatality, or serious bodily or emotional injury while receiving services from the department, or circumstances which result in a reasonable belief that ¹the¹ department failed in its duty to care for a veteran and, as a result, the veteran was at imminent risk of, or suffered serious bodily or emotional injury or death; ¹**[and]**¹

(15) commence formal investigations on specific matters related to services provided by the department for which subpoenas, pursuant to subsection b. of this section, may be issued¹; and

1 (16) meet regularly, as it may determine, with veteran advocacy
2 groups¹.

3 b. ²**【The】** Except as provided in subsection f. of this section,
4 the² Veteran Advocate may issue subpoenas to compel the
5 attendance and testimony of witnesses or the production of books,
6 papers, and other documents, and administer oaths to witnesses in
7 any matter under the formal investigation of the office pursuant to
8 subparagraphs (14) and (15) of subsection a. of this section. If any
9 person to whom such subpoena is issued fails to appear or, having
10 appeared, refuses to give testimony, or fails to produce the books,
11 papers, or other documents required, the Veteran Advocate may
12 apply to the Superior Court, in accordance with the Rules
13 Governing the Courts of the State of New Jersey, to order the
14 person to appear and give testimony or produce the books, papers,
15 or other documents, as applicable.

16 c. The Veteran Advocate shall disseminate information to the
17 public on the objectives of the office, the services provided by the
18 office, and the methods by which the office may be contacted.

19 d. The Veteran Advocate shall assist the Governor in proposing
20 methods of achieving increased coordination and collaboration with
21 the department to ensure maximum effectiveness and efficiency in
22 the provision of services to veterans.

23 ¹e. As used in this act, P.L. , c. (C.)(pending before the
24 legislature as this bill), ²**【“veteran”】** ‘State agency’ means any
25 principal department, division, board, bureau, office, commission,
26 or other instrumentality within in the Executive Branch of the State
27 Government or created by a principal department, the Legislature of
28 the State, and any office, board, bureau, or commission within or
29 created by the Legislative Branch, and, to the extent consistent with
30 law, any interstate agency to which New Jersey is a party, any
31 independent State authority, commission, instrumentality, or
32 agency, and any political subdivision of the State. ‘Veteran’² means
33 any resident of the State now or hereafter who has been discharged
34 honorably or under general honorable conditions in any branch of
35 the Armed Forces of the United States, or a Reserve component
36 thereof, including members of the National Guard who served on
37 federal active duty.¹

38 ²f. The Veteran Advocate shall not institute or cause to be
39 instituted any legal proceeding against, nor shall it issue any
40 subpoena to, any State agency, except that the Veteran Advocate
41 may institute a legal proceeding against the department for which
42 the allegations are supported by probable cause, provided that in
43 any matter in which the facts alleged indicate potential criminal
44 activity, the Veteran Advocate shall notify the appropriate law
45 enforcement agency and delay such proceedings until the body
46 responsible for the investigation or prosecution of the criminal
47 activity has concluded the investigation or prosecution or has

1 indicated no objection to the commencement of such legal
2 proceedings by the Veteran Advocate. Such legal proceedings shall
3 be governed by the Rules of Court, including, but not limited to, for
4 the production of any documentary evidence, interrogatories, and
5 depositions. Nothing in this act, P.L. , c. (C.)(pending before the
6 Legislature as this bill) shall be construed as an express or implied
7 waiver of any privileges or immunities.

8 g. The Veteran Advocate shall not be subject to suit by any party
9 whose interests are represented by the Veteran Advocate. Any
10 person whose interests would be represented by the Veteran
11 Advocate may decline to have their interests represented by the
12 Veteran Advocate.²

13 4. a. The Veteran Advocate may:

14 (1) inspect and review the operations, policies, and procedures of
15 veterans' facilities operated by the department;

16 (2) investigate, review, monitor, or evaluate department response
17 to, or disposition of, an allegation of veteran abuse or neglect
18 occurring within a veterans' facility in this State;

19 (3) review, evaluate, report on, and make recommendations
20 concerning the procedures established by the department;

21 (4) hold a public hearing on the subject of studies underway by the
22 office, and receive testimony from agency and program
23 representatives, the public, and other interested parties, as the Veteran
24 Advocate deems appropriate; and

25 (5) establish and maintain a 24-hour toll-free telephone hotline to
26 receive and respond to calls from members of the public referring
27 individual and systemic concerns to the Veteran Advocate.

28 b. In exercising the authority provided in subsection a. of this
29 section, the Veteran Advocate may conduct unannounced site visits to
30 any institution or facility under the supervision of the department, if
31 the Veteran Advocate, prior to conducting an unannounced site visit,
32 has initiated a project or investigation into the response or disposition
33 of an allegation of abuse or neglect and there is a reasonable basis to
34 believe that an unannounced site visit is necessary to carry out the
35 Veteran Advocate's responsibilities under this act, P.L. , c. (C.)
36 (pending before the Legislature as this bill), provided, however, that
37 any unannounced site visit shall be conducted at a reasonable time and
38 in a reasonable manner.

39 c. In exercising the authority provided under subsection a. of this
40 section and section 5 of P.L. , c. (C.) (pending before the
41 Legislature as this bill) the Veteran Advocate may, as appropriate,
42 consult with any appropriate State, county, or municipal agency, or a
43 State-funded private entity providing services to veterans, and may
44 request from any such entity, and the entity is hereby authorized and
45 directed to provide, such cooperation and assistance as will enable the
46 Office of the Veteran Advocate to properly perform its responsibilities
47 under this act.

1 d. Notwithstanding the provisions of section 11 of P.L.1944, c.20
2 (C.52:17A-11) to the contrary, the Veteran Advocate may hire
3 independent counsel on a case-by-case basis to provide competent
4 representation in light of the nature of the case, the services to be
5 performed, the experience of the particular attorney, and other relevant
6 factors.

7 e. As used in this section¹ []:

8 “Veterans’ [] , “veterans’¹ facility” means any home, institution,
9 hospital, or part thereof, the admission to which is under the
10 jurisdiction of the department¹, including Veterans Haven North and
11 Veterans Haven South¹.

12
13 5. The Veteran Advocate shall serve as an ombudsman for
14 veterans and their families by receiving and investigating complaints
15 from veterans and family members of veterans in this State, and
16 issuing reports regarding issues with veteran’s services provided by
17 any State entity or any private entity that receives State funding for
18 providing veteran’s services ¹regardless of whether or not the veteran
19 resides in a veterans’ facility, as defined by section 4 of P.L. , c.
20 (C.)(pending before the Legislature as this bill)¹.

21 The Veteran Advocate shall review, monitor, and report on the
22 performance of State entities and State-funded private entities charged
23 with the care and supervision of veterans by conducting research
24 audits or other studies of case records, policies, procedures, and
25 protocols, as deemed necessary by the Veteran Advocate to assess the
26 performance of the entities.

27
28 6. a. If the Veteran Advocate identifies a systemic problem in
29 how the department¹ [],¹ protects veterans, the Veteran Advocate
30 shall meet with the department to provide a reasonable opportunity
31 to discuss the problem and identify possible responses the agency
32 may consider. Taking into account any information provided
33 during the meeting and discussion, the Veteran Advocate shall
34 provide its findings and recommendations in writing to the
35 department and, except as provided in subsections b. and c. of
36 section ¹[9] ¹11¹ of this act¹, P.L. , c. (C.)(pending before the
37 Legislatre as this bill)¹, make those findings and recommendations
38 available to the public. The recommendations made by the Veteran
39 Advocate shall not conflict with or violate any State or federal
40 statute or regulation, or court order.

41 b. Within 30 days of the receipt of the Veteran Advocate’s
42 findings and recommendations, the department shall develop a
43 corrective action response that addresses the findings and
44 recommendations of the Veteran Advocate and specifies what
45 actions, if any, the department will take in response to the systemic
46 problem identified by the Veteran Advocate, which response may
47 be developed in conjunction with the Veteran Advocate. The

1 corrective actions shall not conflict with or violate any State or
2 federal statute or regulation or court order. If the department does
3 not agree with the assessments made in the Veteran Advocate's
4 findings and recommendations, the department may challenge the
5 assessments within 30 days of the receipt of the findings and
6 recommendations. The challenge made by the department shall be
7 available to the public.

8 c. The department shall submit its corrective action response to
9 the head of the department and simultaneously provide a copy to the
10 Veteran Advocate.

11 d. The Veteran Advocate shall monitor ²[a] ~~the~~² department's
12 implementation of its corrective action response. The department
13 shall provide the Veteran Advocate with periodic reports on the
14 status of the actions taken by the facility pursuant to its corrective
15 action response. The Veteran Advocate shall monitor the
16 department's implementation of its corrective action response for a
17 period of one year, during which time the department shall provide
18 the Veteran Advocate with periodic reports, except that the Veteran
19 Advocate may determine that the monitoring and periodic reports
20 are required for a period of less than one year. The department's
21 obligation to provide periodic reports on the implementation of its
22 corrective action response may exceed a period of one year if the
23 Veteran Advocate and the department jointly agree that an extended
24 reporting period is appropriate. The Veteran Advocate and the
25 department shall jointly develop criteria for the department to meet
26 within one year, or another time period as appropriate, in order for
27 the department to no longer be subject to monitoring by the Veteran
28 Advocate. The criteria shall not conflict with or violate State or
29 federal statute or regulation or court order.

30 e. The Veteran Advocate shall promulgate rules and
31 regulations regarding a timeline for implementation of a corrective
32 action response by the department at a facility and regarding actions
33 the Veteran Advocate may take if the department fails to implement
34 the corrective action response.

35 f. A department shall make public the corrective action
36 responses and periodic status reports required by this section.

37
38 ¹7. To the extent an investigation commenced by the Office of the
39 Veteran Advocate involves a union employee, to the extent not
40 inconsistent with State and federal law, the collective bargaining
41 agreement shall govern the investigatory process and supersede the
42 provisions of this act, P.L. , c. (C.)(pending before the Legislature
43 as this bill).¹
44

45 ¹[7.] ^{8.1} a. In addition to the powers granted in section 4 of
46 this act, the Veteran Advocate may:

(1) intervene in or institute litigation, including appearing in the capacity of an amicus curiae, as appropriate, on any matters within the jurisdiction of the Veteran Advocate set forth in P.L. , c (C.) (pending before the Legislature as this bill), ²and consistent with the provisions thereof, including but not limited to section 3 thereof,² or

(2) intervene in or institute administrative proceedings before the department, assert the broad public interest of the State in the welfare of veterans, and protect and promote the rights of veterans. In taking such actions, the Veteran Advocate shall consider whether a veteran may be in need of assistance from the Veteran Advocate or whether there is a systemic issue in the department's provision of services to veterans that should be addressed. The Veteran Advocate shall make a good faith effort to resolve issues or problems, and shall have the authority to commence negotiations, mediation, or alternative dispute resolution in its advocacy efforts prior to, or in lieu of, the initiation of any action brought pursuant to this section. The Veteran Advocate shall not have the authority to negotiate, mediate, or commence any other dispute resolution in matters when such engagement would conflict with any applicable collective bargaining agreements, State contracts, or any State or federal law or court order.

b. The Veteran Advocate shall have discretion to decide whether to intervene in any particular matter within the jurisdiction of the Veteran Advocate set forth in P.L. c. (C.) (pending before the Legislature as this bill), or to represent or refrain from representing the public interest in a proceeding pursuant to subsection a. of this section. The Veteran Advocate shall consider, in exercising the Veteran Advocate's discretion, the resources available, the importance and extent of the public interest involved, and whether that interest would be adequately represented without the action of the office.

¹**[8.]** 9.¹ a. The Veteran Advocate shall seek the approval of a veteran ², the veteran's estate,² or adult guardian, as applicable, or obtain the approval of a court of competent jurisdiction, to conduct an investigation authorized under the provisions of this act, P.L. , c. (C.) (pending before the Legislature as this bill).

b. If court approval is sought, the court, in reviewing an application for approval, shall consider the investigative needs of the Veteran Advocate. Upon consideration of the factors in this subsection, the court may order any alternative methods for obtaining the required information.

¹**[9.** Pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the] 10. The¹ Veteran Advocate shall report annually to the Governor, the Legislature, ¹pursuant to section 2 of P.L.1991, c.164

1 (C.52:14-19.1).¹ and the head of the department on: the activities of
 2 the office; priorities for veteran's services provided by the
 3 department that have been identified by the Veteran Advocate; and
 4 recommendations for improvement or necessary changes
 5 concerning the provision of services by the department. The annual
 6 report shall be made available to the public and posted on the
 7 ¹**department** department's¹ website.

8
 9 ¹**[10.] 11.**¹ a. The Veteran Advocate shall make public its
 10 significant findings of investigation reports or other studies
 11 undertaken by the office, including its significant investigatory
 12 findings to complaints received pursuant to section 4 of this act,
 13 P.L. , c. (C.) (pending before the Legislature as this bill) and
 14 shall forward any publicly reported findings to the Governor, the
 15 Legislature, and the head of the department. The department shall
 16 be permitted to respond to investigation reports and other studies
 17 undertaken by the office and the response shall be made public.

18 b. The Veteran Advocate shall not disclose:

19 (1) any information that would likely endanger the life, safety,
 20 or physical or emotional well-being of a veteran, or the life or
 21 safety of a person who filed a complaint or a department employee,
 22 or which may compromise the integrity of a State or county
 23 department or agency investigation, civil or criminal investigation,
 24 or judicial or administrative proceeding; and

25 (2) the name of or any other information identifying the person
 26 who filed a complaint with, or otherwise provided information to,
 27 the office without the written consent of that person. The
 28 information subject to the provisions of this subsection shall not be
 29 considered a public record pursuant to the provisions of P.L.1963,
 30 c.73 (C.47:1A-1 et seq.) and P.L.2001, c.404 (C.47:1A-5 et al.).

31 c. The Veteran Advocate shall not disclose any information
 32 that may be deemed confidential by State or federal law or by a
 33 court order.

34
 35 ¹**[11.** Pursuant to the "Administrative Procedure Act,"
 36 P.L.1968, c.410 (C.52:14B-1 et seq.), the] **12.** ¹The¹ Veteran
 37 Advocate and the department may adopt any rules and regulations ¹,
 38 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
 39 (C.52:14B-1 et seq.),¹ necessary to effectuate the purposes of this
 40 act, P.L. , c. ¹**[(C.)]**¹ (pending before the Legislature as this
 41 bill).

42
 43 ¹**[12.] 13.**¹ ²a.² There is appropriated from the General Fund to
 44 the Office of the Veteran Advocate established pursuant to section 1
 45 of P.L. , c. (C.) (pending before the Legislature as this bill)
 46 such funds as shall be necessary for the implementation of this act.

¹**[13.] 14.**¹ This act shall take effect immediately.

Establishes Office of Veteran Advocate and ombudsman for DMVA; appropriates funds.