

By Senator Burgess

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1 A bill to be entitled
2 An act relating to veterans' long term care facilities
3 admissions; amending s. 296.02, F.S.; revising
4 definitions; amending s. 296.03, F.S.; revising
5 eligibility for residency in the Veteran's Domiciliary
6 Home of Florida to include specified individuals;
7 amending s. 296.08, F.S.; adding such individuals to
8 the priority of admittance schedule; amending s.
9 296.32, F.S.; revising the legislative purpose of part
10 II of ch. 296, F.S., to conform to changes made by the
11 act; amending s. 296.33, F.S.; revising the definition
12 of "resident"; amending s. 296.36, F.S.; revising the
13 admission eligibility for veterans' nursing homes to
14 include specified individuals; revising the priority
15 of admissions to include such individuals; providing
16 an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsections (1), (4), (8), and (10) of section
21 296.02, Florida Statutes, are amended to read:

22 296.02 Definitions.—For the purposes of this part, except
23 where the context clearly indicates otherwise:

24 (1) "Applicant" means a veteran with wartime service or
25 peacetime service, as defined in this section, the spouse or
26 surviving spouse of such veteran, or a parent of a child who
27 died while serving in the Armed Forces of the United States, who
28 is not in need of hospitalization or nursing home care.

29 (4) "Domiciliary care" means shelter, sustenance, and

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30 incidental medical care provided on an ambulatory self-care
31 basis to assist eligible applicants ~~veterans~~ who are disabled by
32 age or disease, but who are not in need of hospitalization or
33 nursing home care services.

34 (8) "Resident" means any eligible applicant ~~veteran~~
35 admitted to residency in the home.

36 (10) "Veterans' Domiciliary Home of Florida," hereinafter
37 referred to as the "home," means a home established by the state
38 for veterans who served in wartime service or in peacetime
39 service, as defined in this section, the spouses or surviving
40 spouses of such veterans, or the parents of a child who died
41 while serving in the Armed Forces of the United States.

42 Section 2. Section 296.03, Florida Statutes, is amended to
43 read:

44 296.03 Veterans' Domiciliary Home of Florida.—The Veterans'
45 Domiciliary Home of Florida is for veterans who served in
46 wartime service or peacetime service, as defined in s. 296.02,
47 the spouses or surviving spouses of such veterans, or the
48 parents of a child who died while serving in the Armed Forces of
49 the United States, and is maintained for the use of those
50 individuals ~~veterans~~ who are not in need of hospitalization or
51 nursing home care and who can attend to their personal needs,
52 dress themselves, and attend a general dining facility, or who
53 are in need of extended congregate care.

54 Section 3. Paragraphs (e) and (f) are added to subsection
55 (1) of section 296.08, Florida Statutes, to read:

56 296.08 Priority of admittance.—

57 (1) In determining the eligibility of applicants to the
58 home, the administrator shall give admittance priority in

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59 accordance with the following schedule:

60 (e) Those spouses or surviving spouses of veterans.

61 (f) Those parents of children who died while serving in the
62 Armed Forces of the United States.

63 Section 4. Section 296.32, Florida Statutes, is amended to
64 read:

65 296.32 Purpose.—The purpose of this part is to provide for
66 the establishment of basic standards for the operation of
67 veterans' nursing homes for eligible veterans, the spouses or
68 surviving spouses of such veterans, or the parents of a child
69 who died while serving in the Armed Forces of the United States,
70 who are in need of such services.

71 Section 5. Subsection (5) of section 296.33, Florida
72 Statutes, is amended to read:

73 296.33 Definitions.—As used in this part, the term:

74 (5) "Resident" means any eligible veteran, the spouse or
75 surviving spouse of such veteran, or a parent of a child who
76 died while serving in the Armed Forces of the United States, who
77 is admitted to the home.

78 Section 6. Subsection (1) of section 296.36, Florida
79 Statutes, is amended, and paragraphs (d) and (e) are added to
80 subsection (3) of that section, to read:

81 296.36 Eligibility and priority of admittance.—

82 (1) To be eligible for admittance to the home, the person
83 must be a veteran as provided in s. 1.01(14) or have eligible
84 peacetime service as defined in s. 296.02, or be the spouse or
85 surviving spouse of a veteran, or the parents of a child who
86 died while serving in the Armed Forces of the United States and
87 must:

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- 88 (a) Be in need of nursing home care.
- 89 (b) Be a resident of the state at the time of application
90 for admission to the home.
- 91 (c) Not owe money to the department for services rendered
92 during any previous stay at a department facility.
- 93 (d) Have applied for all financial assistance reasonably
94 available through governmental sources.
- 95 (e) Have been approved as eligible for care and treatment
96 by the United States Department of Veterans Affairs.
- 97 (3) Admittance priority must be given to eligible veterans
98 in the following order of priority:
- 99 (d) A spouse or a surviving spouse of such veteran as
100 described in this subsection.
- 101 (e) A parent of a child who died while serving in the Armed
102 Forces of the United States.
- 103 Section 7. This act shall take effect July 1, 2024.