

CHAPTER 2025-129

Committee Substitute for House Bill No. 797

An act relating to veteran and spouse nursing home beds; creating s. 296.415, F.S.; authorizing certain licensed skilled nursing facilities to request to designate or alter the designation of certain beds as veteran and spouse nursing home beds if specific criteria are met; authorizing the executive director of the Department of Veterans' Affairs to approve such requests if specific criteria are met; authorizing the department to adopt rules; amending s. 408.036, F.S.; specifying conditions under which certain state veterans' nursing homes or certain licensed skilled nursing facilities are exempt from having to receive a certificate of need from the Agency for Health Care Administration; providing an effective date.

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

Section 1. Section 296.415, Florida Statutes, is created to read:

296.415 Veteran and spouse nursing home beds.—

(1) A licensed skilled nursing facility located on the campus of a nonprofit retirement community that is exempt from taxation under s. 501(c)(3) of the Internal Revenue Code and provides housing exclusively for veterans, their spouses, and surviving spouses may request to designate certain beds or alter the designation of certain beds as veteran and spouse nursing home beds if:

(a) The residents who will be admitted meet the criteria of s. 296.36.

(b) The beds will be operated in accordance with the United States Department of Veteran Affairs Community Nursing Home Program.

(2)(a) The director may approve a request to designate or alter the designation of veteran and spouse nursing home beds if the request complies with the requirements of subsection (1) and ss. 296.35, 296.36, 296.37, and 296.41.

(b) The department may adopt rules to implement this section.

Section 2. Paragraph (f) of subsection (3) of section 408.036, Florida Statutes, is amended, and paragraph (n) is added to that section, to read:

408.036 Projects subject to review; exemptions.—

(3) EXEMPTIONS.—Upon request, the following projects are subject to exemption from subsection (1):

(f) For state veterans' nursing homes operated by or on behalf of the Florida Department of Veterans' Affairs in accordance with part II of

chapter 296 for which ~~at least 50 percent of~~ the construction cost is state or federally funded and for which the Federal Government pays a per diem rate not to exceed one-half of the cost of the veterans' care in such state nursing homes. These beds shall not be included in the nursing home bed inventory.

(n) For the consolidation or combination of licensed skilled nursing facilities or the transfer of beds between licensed skilled nursing facilities which are for the sole use of veterans, their spouses, or surviving spouses in accordance with s. 296.415. The original licensed skilled nursing facility must have a shared controlling interest in the receiving licensed skilled nursing facility, and the site of the receiving licensed skilled nursing facility may not be located more than 100 miles from the site of the original licensed skilled nursing facility.

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 6, 2025.

Filed in Office Secretary of State June 6, 2025.