

CHAPTER 2024-250

House Bill No. 725

An act relating to veterans' long-term care facilities admissions; amending s. 296.02, F.S.; revising definitions; amending s. 296.03, F.S.; revising eligibility for residency in the Veterans' Domiciliary Home of Florida to include specified individuals; amending s. 296.08, F.S.; adding such individuals to the priority of admittance schedule; amending s. 296.32, F.S.; conforming provisions to changes made by the act; amending s. 296.33, F.S.; revising the definition of the term "resident"; amending s. 296.36, F.S.; revising the admission eligibility for veterans' nursing homes to include specified persons; revising the priority of admittance to include such persons; providing an effective date.

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

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

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

(1) "Applicant" means a veteran with wartime service or peacetime service, as defined in this section, or the spouse or surviving spouse of such veteran, who is not in need of hospitalization or nursing home care.

(4) "Domiciliary care" means shelter, sustenance, and incidental medical care provided on an ambulatory self-care basis to assist eligible applicants ~~veterans~~ who are disabled by age or disease, but who are not in need of hospitalization or nursing home care services.

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

(10) "Veterans' Domiciliary Home of Florida," hereinafter referred to as the "home," means a home established by the state for veterans who served in wartime service or in peacetime service, as defined in this section, or the spouses or surviving spouses of such veterans.

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

296.03 Veterans' Domiciliary Home of Florida.—The Veterans' Domiciliary Home of Florida is for veterans who served in wartime service or peacetime service, as defined in s. 296.02, or the spouses or surviving spouses of such veterans, and is maintained for the use of those individuals ~~veterans~~ who are not in need of hospitalization or nursing home care and who can attend to their personal needs, dress themselves, and attend a general dining facility, or who are in need of extended congregate care.

Section 3. Paragraph (e) is added to subsection (1) of section 296.08, Florida Statutes, to read:

296.08 Priority of admittance.—

(1) In determining the eligibility of applicants to the home, the administrator shall give admittance priority in accordance with the following schedule:

(e) The spouses or surviving spouses of veterans described in this subsection.

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

296.32 Purpose.—The purpose of this part is to provide for the establishment of basic standards for the operation of veterans' nursing homes for eligible veterans and the spouses or surviving spouses of such veterans who are in need of such services.

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

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

(5) "Resident" means any eligible veteran, or the spouse or surviving spouse of such veteran, who is admitted to the home.

Section 6. Subsections (1) and (3) of section 296.36, Florida Statutes, are amended to read:

296.36 Eligibility and priority of admittance.—

(1) To be eligible for admittance to the home, the person must be a veteran as provided in s. 1.01(14) or have eligible peacetime service as defined in s. 296.02, or be the spouse or surviving spouse of a veteran, and must:

(a) Be in need of nursing home care.

(b) Be a resident of the state at the time of application for admission to the home.

(c) Not owe money to the department for services rendered during any previous stay at a department facility.

(d) Have applied for all financial assistance reasonably available through governmental sources.

(e) Have been approved as eligible for care and treatment by the United States Department of Veterans Affairs.

(3) Admittance priority must be given to eligible persons ~~veterans~~ in the following order of priority:

(a) An eligible veteran who is a resident of the State of Florida.

(b) An eligible veteran who has a service-connected disability as determined by the United States Department of Veterans Affairs, or was discharged or released from military service for disability incurred or aggravated in the line of duty and the disability is the condition for which nursing home care is needed.

(c) An eligible veteran who has a non-service-connected disability and is unable to defray the expense of nursing home care and so states under oath before a notary public or other officer authorized to administer an oath.

(d) The spouse or surviving spouse of a veteran described in this subsection.

Section 7. This act shall take effect July 1, 2024.

Approved by the Governor June 21, 2024.

Filed in Office Secretary of State June 21, 2024.