

**801—10.2(35D) Eligibility requirements.** Veterans and spouses of veterans shall be eligible for admission to IVH in accordance with the following:

**10.2(1)** Veterans shall be eligible for admittance to IVH in accordance with the following conditions:

*a.* The individual does not have sufficient means for the individual's support, or the individual is disabled by reason of disease, wounds, old age or otherwise and is in need of one of the multilevels of care available at IVH and is unable to defray the expenses of the necessary care, except as described at paragraph "e."

*b.* The individual cannot be employed on the day of admission.

*c.* The individual shall have met the residency requirements of the state of Iowa on the date of admission to IVH.

*d.* An individual who has been diagnosed by a qualified health care professional as acutely mentally ill, as an acute alcoholic, as addicted to drugs, as continuously disruptive, or as dangerous to self or others shall not be admitted to or retained at IVH.

*e.* Individuals who have sufficient means for their own care but who are otherwise eligible to become members of IVH may, if there is room for individuals described in paragraph "a" above, be admitted and allowed to remain at IVH upon payment of the cost of the individual's care in accordance with rules 10.14(35D) to 10.23(35D).

*f.* The individual must be eligible for care and treatment at a DVA medical center (excluding financial eligibility).

*g.* Individuals admitted to the domiciliary level of care must meet DVA criteria stated in Department of Veterans Affairs, State Veterans Homes, Veterans Health Administration, M-1, Part 1, Chapter 3.11(h) (1), (2), and (3), and have prior DVA approval if the individual's income level exceeds the established cap.

**10.2(2)** Spouses and surviving spouses shall be admitted in accordance with the following:

*a.* The spouse or surviving spouse shall have been married to a veteran for at least one year preceding date of application or date of death of veteran.

*b.* The spouse of a veteran is eligible for admittance to IVH only if the veteran is admitted.

*c.* The surviving spouse of a deceased veteran is eligible for admittance to IVH if the deceased veteran would also be eligible for admittance to IVH if still living.

*d.* Spouses and surviving spouses admitted to IVH shall not exceed more than 25 percent of the total number of members at IVH as provided in U.S.C. Title 38.

**10.2(3)** An individual who was not a member of the United States armed forces may be eligible for admittance in accordance with the limitations described in subrule 10.2(1), if the following conditions are met:

*a.* The individual was a member of the armed services of a nation with which the United States was allied during a time of conflict.

*b.* The individual is eligible for admission to a DVA medical center in accordance with U.S.C. Title 38, Chapter 17, Medical Care, Subchapter 2, Section 1710.