

**801—10.2(35D) Eligibility requirements.** Veterans, spouses of veterans, and Gold Star parents 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 is disabled by reason of disease, injury or old age and meets the qualifications for nursing or residential level of care available at IVH.

*b.* The individual cannot be competitively employed on the day of admission or throughout the individual's residency.

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

*f.* Individuals admitted to the domiciliary level of care must meet DVA criteria stated in Department of Veterans Affairs, State Home Per Diem Program, Veterans Health Administration Directive 1610SH.01(1).

*g.* Homelessness does not disqualify persons otherwise eligible for admission to IVH.

**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, surviving spouses and Gold Star parents 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)** A Gold Star parent shall be eligible for admittance in accordance with the following conditions:

*a.* The parent's child died while serving on active duty in the armed forces of the United States during a time of military conflict or died as a result of such service.

*b.* The individual is disabled by reason of disease, injury or old age and meets the qualifications for nursing or residential level of care available at IVH.

*c.* The individual cannot be competitively employed on the day of admission or throughout the individual's residency.

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

*e.* 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.

*f.* Gold Star parents, 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(4)** 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.

[ARC 9689B, IAB 8/24/11, effective 9/28/11; ARC 1157C, IAB 10/30/13, effective 12/4/13; see Delay note at end of chapter; ARC 5800C, IAB 7/28/21, effective 9/1/21]