

AN ACT

RELATING TO THE IOWA VETERANS HOME AND PROVIDING FOR THE
CONSIDERATION OF CONTRIBUTIONS TO SUPPORT AS REPAYMENT
RECEIPTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 35D.1, subsection 1, Code 2013, is amended to read as follows:

1. The Iowa veterans home, located in Marshalltown, shall be maintained as a long-term health care facility providing multiple nursing and residential levels of care, ~~with attendant health care services,~~ for honorably discharged veterans and their dependent spouses, and for surviving spouses of honorably discharged veterans, and gold star parents. Eligibility requirements for admission to the Iowa veterans home shall coincide with the eligibility requirements for hospitalization care and treatment in a United States department of veterans affairs facility pursuant to 38 U.S.C. § 1710, and regulations promulgated under that section, as amended. For the purposes of this subsection, "gold star parent" means a parent of a deceased member of the United States armed forces who died while serving on active duty during a time of military conflict or who died as a result of such service.

Sec. 2. Section 35D.2, subsection 1, Code 2013, is amended to read as follows:

1. Persons described in section 35D.1 who ~~do not have sufficient means for their own support, or are disabled by disease, wounds injury, or old age, or otherwise~~ and meet the qualifications for nursing or residential care, and are unable to earn a livelihood, and who are residents of the state of Iowa on the date of the application and immediately

preceding the date the application is accepted, may be admitted to the home as members under rules adopted by the commission. The commission shall adopt rules to emphasize the admission of homeless honorably discharged veterans. Eligibility determinations are subject to approval by the commandant.

Sec. 3. Section 35D.4, subsection 2, Code 2013, is amended to read as follows:

2. The cottages may be made available to persons on the staff of the home at a rental rate determined by the ~~commission~~ commandant.

Sec. 4. Section 35D.5, Code 2013, is amended to read as follows:

35D.5 Surviving spouses of veterans.

If a deceased veteran, who would be entitled to admission to the home if the deceased veteran were living, has left a surviving spouse, the spouse is entitled to admission to the home with the same rights, privileges, and benefits as if the veteran were living and a member of the home, if the spouse was married to the veteran for at least one year immediately prior to the veteran's death, is found by the commandant to be disabled, ~~does not have sufficient means for support and maintenance~~ meets the qualifications for nursing or residential level of care, and is a resident of the state of Iowa on the date of the application and immediately preceding the date the application is accepted.

Sec. 5. Section 35D.6, Code 2013, is amended to read as follows:

35D.6 Certificate of eligibility.

Before admission, each applicant shall file with the commandant an affidavit signed by two members of the commission of veteran affairs of the county in which the person resides, stating that the person to the best of their knowledge and belief is a resident of that county and that the person is unable to earn a livelihood and the person's income, ~~exclusive of pension, compensation, war risk insurance payments, or pensions or annuities under the Social Security Act and the Railroad Retirement Acts,~~ is less than is sufficient to provide the type of health care necessary for the person's welfare. The affidavit is conclusive evidence of the residence of the person but is prima facie only in all other matters affecting the eligibility of the applicant and the liability of the county with respect to the expense of the person for which the county may be liable. All records of admission shall show the

residence of the applicant.

Sec. 6. Section 35D.7, Code 2013, is amended to read as follows:

35D.7 Contributing to own support.

1. Except as otherwise provided in chapter 249A and other provisions of this chapter, a member of the home who receives a pension, compensation, or gratuity from the United States government, or income from any source of more than ~~twenty-five~~ one hundred forty dollars per month, shall contribute to the member's own maintenance or support while a member of the home. The amount of the contribution and the method of collection shall be determined by the ~~director~~ commandant, but the amount shall in no case exceed the actual cost of keeping and maintaining the person in the home.

2. Sums paid to and received by the commandant for the support of members of the home shall be ~~paid monthly by the commandant to the treasurer of state and~~ considered repayment receipts as defined in section 8.2 and credited to the ~~general fund of the state~~ Iowa veterans home account referred to in section 35D.18, subsection 3.

3. The commandant may ~~require~~ allow any member of the home to render assistance in the care of the home and its grounds as the member's psychosocial and physical condition permit, as a phase of that member's rehabilitation program. The commandant shall compensate each member who furnishes assistance at rates ~~established~~ approved by the commission.

Sec. 7. Section 35D.10, Code 2013, is amended to read as follows:

35D.10 Payment to ~~dependents~~ spouse.

Except as otherwise provided in chapter 249A and other provisions of this chapter, a member of the home who receives a pension or compensation and who has ~~a child, as defined in section 234.1, or a spouse who is dependent upon employment or others for support~~ shall deposit with the commandant on receipt of the member's pension or compensation check one-half of its amount, which shall be sent by the eighth day of the month or at once if any such pension or compensation is received after the eighth day of the month to the spouse ~~or, if there is no spouse, to the guardian of the child.~~ ~~The commandant, if satisfied that the spouse has deserted the member of the home, may pay the money deposited to the guardian of the child.~~

Sec. 8. Section 35D.11, subsection 1, Code 2013, is amended to read as follows:

1. Pension money deposited with the commandant is not assignable for any purpose except as provided in ~~sections~~ section 35D.10 and 35D.16, or in accordance with subsection 2 of this section.

Sec. 9. Section 35D.12, subsection 1, Code 2013, is amended to read as follows:

1. a. The Iowa veterans home, for the convenience of its members, may maintain a commercial account with a federally insured bank for the individual personal deposits of its members. The account shall be known as the Iowa veterans home membership account. The commandant shall record each member's personal deposits individually and shall deposit the funds in the membership account, where the members' deposits shall be held in the aggregate.

b. The Iowa veterans home may withdraw moneys from the account maintained pursuant to this subsection to establish certificates of deposit for the benefit of all members. The commission shall adopt rules pursuant to chapter 17A for the administration of this paragraph.

Sec. 10. Section 35D.13, subsection 2, Code 2013, is amended to read as follows:

2. The commandant shall be a resident of the state of Iowa who served in the armed forces of the United States and was honorably discharged, ~~and is a licensed nursing home administrator.~~

Sec. 11. Section 35D.15, subsection 2, paragraph a, subparagraph (3), Code 2013, is amended to read as follows:

(3) ~~The member's medical or life skills needs have been met to the extent possible through the services provided by the Iowa veterans home and the member no longer requires a residential or nursing level of care, as determined by the interdisciplinary resident care committee.~~

Sec. 12. Section 35D.15, subsection 2, paragraph g, subparagraph (2), Code 2013, is amended to read as follows:

(2) *"Interdisciplinary resident care committee"* means the member, a social worker, a registered nurse, a dietitian, a medical provider, and a recreation specialist, ~~and other staff, as appropriate~~, who are involved in reviewing a member's assessment data and developing a collaborative care plan for the individual member. For an individual member who is also a patient, the interdisciplinary resident care committee shall also include a mental health treatment staff member.

Sec. 13. Section 35D.18, subsection 2, Code 2013, is amended

to read as follows:

2. The net appropriation made to the Iowa veterans home may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, ~~and for cash flow management,~~ ~~the.~~ The Iowa veterans home may temporarily draw more than the amount appropriated, provided the amount appropriated is not exceeded at the close of the fiscal year.

Sec. 14. REPEAL. Sections 35D.8 and 35D.16, Code 2013, are repealed.

KRAIG PAULSEN
Speaker of the House

PAM JOCHUM
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 544, Eighty-fifth General Assembly.

CARMINE BOAL
Chief Clerk of the House

Approved _____, 2013

TERRY E. BRANSTAD
Governor