

Senate File 2 - Introduced

SENATE FILE 2
BY SODDERS

A BILL FOR

1 An Act related to spouse admission eligibility at the Iowa
2 veterans home.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35D.1, subsection 1, Code 2015, is
2 amended to read as follows:

3 1. a. The Iowa veterans home, located in Marshalltown,
4 shall be maintained as a long-term health care facility
5 providing nursing and residential levels of care for honorably
6 discharged veterans and their ~~dependent~~ spouses, surviving
7 spouses of honorably discharged veterans, and gold star
8 parents.

9 b. The combined member population of spouses, surviving
10 spouses, and gold star parents admitted to the Iowa veterans
11 home shall not exceed twenty-five percent of the total member
12 population.

13 c. Eligibility requirements for admission to the Iowa
14 veterans home shall coincide with the eligibility requirements
15 for care and treatment in a United States department of
16 veterans affairs facility pursuant to 38 U.S.C. §1710, and
17 regulations promulgated under that section, as amended.

18 d. For the purposes of this subsection, "*gold star parent*"
19 means a parent of a deceased member of the United States armed
20 forces who died while serving on active duty during a time of
21 military conflict or who died as a result of such service.

22 Sec. 2. Section 35D.5, Code 2015, is amended to read as
23 follows:

24 **35D.5 Surviving spouses and spouses of veterans.**

25 1. If a deceased veteran, who would be entitled to admission
26 to the home if the deceased veteran were living, has left a
27 surviving spouse, the spouse is entitled to admission to the
28 home with the same rights, privileges, and benefits as if the
29 veteran were living and a member of the home, if the spouse
30 was married to the veteran for at least one year immediately
31 prior to the veteran's death, is found by the commandant to be
32 disabled, meets the qualifications for nursing or residential
33 level of care, and is a resident of the state of Iowa on the
34 date of the application and on the date immediately preceding
35 the date the application is accepted.

1 2. If a veteran, as defined in 38 U.S.C. §101, has a spouse
2 who is at least fifty-five years of age, the spouse is entitled
3 to admission to the home with the same rights, privileges,
4 and benefits as if the veteran were a member of the home,
5 if the spouse has been married to the veteran for at least
6 ten years immediately prior to the date the application is
7 accepted, is found by the commandant to be disabled, meets the
8 qualifications for nursing or residential level of care, and is
9 a resident of the state of Iowa on the date of the application
10 and on the date immediately preceding the date the application
11 is accepted.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to spouse admission eligibility at the
16 Iowa veterans home (IVH). Under current law, certain spouses
17 of veteran members of the IVH are eligible for admission to
18 the IVH, as are certain surviving spouses of veterans if the
19 veteran would be eligible for admission, if not for being
20 deceased.

21 The bill provides additional eligibility to spouses
22 of living veterans who are not members of the IVH. To be
23 eligible, such a spouse is required to have been married to
24 the veteran for at least 10 years immediately prior to the
25 date the application is accepted, be disabled, and meet the
26 qualifications for nursing or residential level of care. Under
27 the bill, the spouse is also required to be a resident of the
28 state of Iowa on the date of the application and on the date
29 immediately preceding the date the application is accepted.