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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2557

03/03/2014 Authored by Newton; Murphy, M., and Hausman

The bill was read for the first time and referred to the Committee on State Government Finance and Veterans Affairs

1.1 A bill for an act

1.2 relating to veterans; modifying certain county veterans service officer duties;

1.3 modifying certain duties of the commissioner of veterans affairs related to

1.4 federal funding; modifying eligibility for the veterans homes; requiring a report;

1.5 amending Minnesota Statutes 2012, sections 197.603, subdivision 1; 198.003,

1.6 subdivision 4a; 198.01; repealing Minnesota Statutes 2012, section 196.30.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2012, section 197.603, subdivision 1, is amended to read:

1.9 Subdivision 1. **Veterans benefits and assistance.** It shall be the duty of the county

1.10 veterans service officer to aid all residents of the governmental subdivision by which the

1.11 officer is employed in securing benefits provided by law on account of the service of any

1.12 person in the armed forces of the United States, from which the person has a discharge

1.13 other than dishonorable. The county veterans service officer shall aid all veterans who are

1.14 residents of the governmental subdivision by which the officer is employed, regardless of

1.15 the nature of discharge, in securing counseling or treatment concerning alcohol and drug

1.16 dependency and abuse. The county veterans service officer shall encourage all veterans

1.17 covered by this subdivision to participate in MNsure, long-term care insurance, and dental

1.18 insurance. The county veterans service officer shall also assist all veterans covered by this

1.19 subdivision in attaining health insurance, long-term care insurance, and dental insurance

1.20 as necessary.

1.21 Sec. 2. Minnesota Statutes 2012, section 198.003, subdivision 4a, is amended to read:

1.22 Subd. 4a. **Federal funding.** The commissioner is authorized to apply for and accept

1.23 federal funding for purposes of ~~this section~~ operating, maintaining, and making repairs

1.24 for purposes of this section. The commissioner may not apply for federal funds for the

2.1 purpose of new home construction absent express legislative authority if those funds are
 2.2 contingent on a subsequent appropriation of state funds.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.4 Sec. 3. Minnesota Statutes 2012, section 198.01, is amended to read:

2.5 **198.01 VETERANS HOME; ELIGIBILITY OF VETERANS.**

2.6 (a) The Minnesota veterans homes shall provide nursing care and related health
 2.7 and social services for veterans and their spouses who meet eligibility and admission
 2.8 requirements of the Minnesota veterans homes in accordance with paragraph (b). The
 2.9 word "veteran" as used in this section has the meaning provided in section 197.447.

2.10 (b) When determining admissions under section 198.022, the commissioner shall
 2.11 assign priority to applicants based on the following criteria:

2.12 (1) Congressional Medal of Honor recipients, former prisoners of foreign wars,
 2.13 Purple Heart recipients, and veterans with 70 percent or higher service-connected
 2.14 disability shall be given first priority in admission to a state-run veterans home;

2.15 (2) all other veterans shall be given second priority for admission to a state-run
 2.16 veterans home;

2.17 (3) priority under clauses (1) and (2) shall be given to veterans with a documented
 2.18 two-year residency in this state immediately prior to admission, or to those veterans who
 2.19 lived in this state at the time they entered the armed forces;

2.20 (4) spouses of veterans who are over age 65 shall be given third priority for
 2.21 admission to a state-run veterans home;

2.22 (5) priority under clause (4) shall be given to spouses with a documented two-year
 2.23 residency in this state immediately prior to admission, or to those spouses who lived in
 2.24 this state at the time their veteran-spouse entered the armed forces; and

2.25 (6) Gold Star parents, as defined in section 168.1253, subdivision 1, paragraph
 2.26 (c), shall be given fourth priority.

2.27 **EFFECTIVE DATE.** This section is effective July 1, 2014.

2.28 Sec. 4. **REPORT AND STUDY ON RECOMMENDATIONS FROM**
 2.29 **LONG-TERM CARE ADVISORY COMMISSION REPORT.**

2.30 In order to facilitate a legislative review of long-term care for veterans, the
 2.31 commissioner shall review the long-term care recommendations contained in the
 2.32 2007 Minnesota Governor's Long-Term Care Advisory Commission Report created in
 2.33 accordance with executive order 07-02. The commissioner shall indicate which of these

3.1 recommendations have been adopted and which have not, providing explanations for any
3.2 recommendations which were not adopted where possible. The commissioner shall report
3.3 the findings to the house of representatives and senate committees with jurisdiction over
3.4 veterans housing, and to the governor, by February 1, 2015.

3.5 Sec. 5. **REPEALER.**

3.6 Minnesota Statutes 2012, section 196.30, is repealed.

196.30 VETERANS HEALTH CARE ADVISORY COUNCIL.

Subdivision 1. **Creation.** The Veterans Health Care Advisory Council is established to provide the Department of Veterans Affairs with advice and recommendations on providing veterans with quality long-term care and the anticipated future needs of Minnesota veterans.

Subd. 2. **Membership.** (a) The council consists of nine public members appointed by the governor. The council members are:

(1) seven members with extensive expertise in health care delivery, long-term care, and veterans services;

(2) one licensed clinician who may be either a physician, physician's assistant, or a nurse practitioner; and

(3) one additional member.

(b) The governor shall designate a member to serve as the chair.

(c) The commissioner of veterans affairs, or the commissioner's designee, is an ex officio, nonvoting member of the council and shall provide necessary and appropriate administrative and technical support to the council.

(d) Membership terms, removal of members, and the filling of vacancies are as provided in section 15.059, subdivisions 2 and 4. Members shall not receive compensation or per diem payments, but may receive reimbursement for expenses pursuant to section 15.059, subdivision 3.

Subd. 3. **Duties.** The council is an advisory group with the responsibility of providing the commissioner of veterans affairs with information and professional expertise on the delivery of quality long-term care to veterans. The council's duties include:

(1) developing a new vision and strategic plan for the veterans homes that complements the Department of Veterans Affairs overall veterans service programs;

(2) providing recommendations and advice on matters including clinical performance, systemwide quality improvement efforts, culture and working environment of the veterans homes, and other operational and organizational functions of the veterans homes;

(3) studying and reviewing current issues and trends in the long-term care industry and the veterans community;

(4) providing recommendations to the commissioner on alternative options for the delivery of long-term care to veterans so that veterans and their families can determine appropriate services under models similar to those available in the community;

(5) establishing, as appropriate, subcommittees or ad hoc task forces of council members, stakeholders, and other individuals with expertise or experience to address specific issues; and

(6) reviewing and providing advice on any other matter at the request of the commissioner.

Subd. 4. **Expiration.** Notwithstanding section 15.059, subdivision 4, the council expires June 30, 2013.