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HB 725

2024 Legislature

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 2 An act relating to veterans' long-term care facilities  
 3 admissions; amending s. 296.02, F.S.; revising  
 4 definitions; amending s. 296.03, F.S.; revising  
 5 eligibility for residency in the Veterans' Domiciliary  
 6 Home of Florida to include specified individuals;  
 7 amending s. 296.08, F.S.; adding such individuals to  
 8 the priority of admittance schedule; amending s.  
 9 296.32, F.S.; conforming provisions to changes made by  
 10 the act; amending s. 296.33, F.S.; revising the  
 11 definition of the term "resident"; amending s. 296.36,  
 12 F.S.; revising the admission eligibility for veterans'  
 13 nursing homes to include specified persons; revising  
 14 the priority of admittance to include such persons;  
 15 providing an effective date.

16  
 17 Be It Enacted by the Legislature of the State of Florida:

18  
 19 Section 1. Subsections (1), (4), (8), and (10) of section  
 20 296.02, Florida Statutes, are amended to read:

21 296.02 Definitions.—For the purposes of this part, except  
 22 where the context clearly indicates otherwise:

23 (1) "Applicant" means a veteran with wartime service or  
 24 peacetime service, as defined in this section, or the spouse or  
 25 surviving spouse of such veteran, who is not in need of

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26 hospitalization or nursing home care.

27 (4) "Domiciliary care" means shelter, sustenance, and  
 28 incidental medical care provided on an ambulatory self-care  
 29 basis to assist eligible applicants ~~veterans~~ who are disabled by  
 30 age or disease, but who are not in need of hospitalization or  
 31 nursing home care services.

32 (8) "Resident" means any eligible applicant ~~veteran~~  
 33 admitted to residency in the home.

34 (10) "Veterans' Domiciliary Home of Florida," hereinafter  
 35 referred to as the "home," means a home established by the state  
 36 for veterans who served in wartime service or in peacetime  
 37 service, as defined in this section, or the spouses or surviving  
 38 spouses of such veterans.

39 Section 2. Section 296.03, Florida Statutes, is amended to  
 40 read:

41 296.03 Veterans' Domiciliary Home of Florida.—The  
 42 Veterans' Domiciliary Home of Florida is for veterans who served  
 43 in wartime service or peacetime service, as defined in s.  
 44 296.02, or the spouses or surviving spouses of such veterans,  
 45 and is maintained for the use of those individuals ~~veterans~~ who  
 46 are not in need of hospitalization or nursing home care and who  
 47 can attend to their personal needs, dress themselves, and attend  
 48 a general dining facility, or who are in need of extended  
 49 congregate care.

50 Section 3. Paragraph (e) is added to subsection (1) of

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51 section 296.08, Florida Statutes, to read:

52 296.08 Priority of admittance.—

53 (1) In determining the eligibility of applicants to the  
54 home, the administrator shall give admittance priority in  
55 accordance with the following schedule:

56 (e) The spouses or surviving spouses of veterans described  
57 in this subsection.

58 Section 4. Section 296.32, Florida Statutes, is amended to  
59 read:

60 296.32 Purpose.—The purpose of this part is to provide for  
61 the establishment of basic standards for the operation of  
62 veterans' nursing homes for eligible veterans and the spouses or  
63 surviving spouses of such veterans who are in need of such  
64 services.

65 Section 5. Subsection (5) of section 296.33, Florida  
66 Statutes, is amended to read:

67 296.33 Definitions.—As used in this part, the term:

68 (5) "Resident" means any eligible veteran, or the spouse  
69 or surviving spouse of such veteran, who is admitted to the  
70 home.

71 Section 6. Subsections (1) and (3) of section 296.36,  
72 Florida Statutes, are amended to read:

73 296.36 Eligibility and priority of admittance.—

74 (1) To be eligible for admittance to the home, the person  
75 must be a veteran as provided in s. 1.01(14) or have eligible

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76 | peacetime service as defined in s. 296.02, or be the spouse or  
 77 | surviving spouse of a veteran, and must:

78 |       (a) Be in need of nursing home care.

79 |       (b) Be a resident of the state at the time of application  
 80 | for admission to the home.

81 |       (c) Not owe money to the department for services rendered  
 82 | during any previous stay at a department facility.

83 |       (d) Have applied for all financial assistance reasonably  
 84 | available through governmental sources.

85 |       (e) Have been approved as eligible for care and treatment  
 86 | by the United States Department of Veterans Affairs.

87 |       (3) Admittance priority must be given to eligible persons  
 88 | ~~veterans~~ in the following order of priority:

89 |       (a) An eligible veteran who is a resident of the State of  
 90 | Florida.

91 |       (b) An eligible veteran who has a service-connected  
 92 | disability as determined by the United States Department of  
 93 | Veterans Affairs, or was discharged or released from military  
 94 | service for disability incurred or aggravated in the line of  
 95 | duty and the disability is the condition for which nursing home  
 96 | care is needed.

97 |       (c) An eligible veteran who has a non-service-connected  
 98 | disability and is unable to defray the expense of nursing home  
 99 | care and so states under oath before a notary public or other  
 100 | officer authorized to administer an oath.

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101            (d) The spouse or surviving spouse of a veteran described  
102 in this subsection.

103            Section 7. This act shall take effect July 1, 2024.