

1 296.04 Administrator; duties and qualifications;
2 responsibilities.--

3 (1) The director shall appoint an administrator who
4 shall be responsible for the overall operation ~~serve as the~~
5 ~~chief executive~~ of the home and the care of the residents
6 ~~shall have the immediate custody and control of all property~~
7 ~~used in connection with the home in accordance with chapter~~
8 ~~273.~~

9 (3) The administrator ~~shall be a resident of the state~~
10 ~~at the time of entering into employment in the position.~~ The
11 position shall be assigned to the Selected Exempt Service
12 under part V of chapter 110. The director shall give veterans
13 ~~afford applicants veterans~~ preference in selecting an
14 administrator, as provided ~~appointment in accordance with ss.~~
15 295.07 and 295.085. In addition, the administrator must have
16 at least a 4-year degree from an accredited university or
17 college and 3 years of administrative experience in a health
18 care facility, or any equivalent combination of experience,
19 training, and education totaling 7 years in work relating to
20 administration of a health care facility.

21 (4)(a) ~~The administrator shall forward to the~~
22 ~~department all applications approved by him or her for~~
23 ~~employment with the home.~~

24 (b) All employees who fill authorized and established
25 positions appropriated for the home shall be state employees.
26 The department shall classify such employees in the manner
27 prescribed in chapter 110.

28 Section 2. Subsection (2) of section 296.11, Florida
29 Statutes, is amended to read:

30 296.11 Funds of home and disposition of moneys.--

31

1 (2) The home shall deposit all moneys received
2 pursuant to s. 296.15 ~~and all interest earned on moneys in the~~
3 ~~Residents' Deposits Trust Fund pursuant to s. 296.12~~ into the
4 Grants and Donations Trust Fund. Moneys in the Grants and
5 Donations Trust Fund must be expended for the common benefit
6 of the residents of the home such as improved facilities,
7 recreational equipment, and recreational supplies subject to
8 the requirements of chapter 216.

9 Section 3. Section 296.12, Florida Statutes, is
10 amended to read:

11 296.12 Residents' Deposits Trust Fund.--

12 (1) There is created a Residents' Deposits Trust Fund.
13 All moneys received by the home under this section must be
14 deposited into the Residents' Deposits Trust Fund, a local
15 fund that is administered by the home and is not a part of the
16 State Treasury. The home's financial manager shall account for
17 all moneys deposited and any interest accruing on the trust
18 fund.

19 (2) The residents of the home may voluntarily deposit
20 with the home moneys that the home must receive and keep
21 without charge in the Residents' Deposits Trust Fund. ~~Such~~
22 ~~Moneys voluntarily deposited and interest earned with the home~~
23 ~~by a resident~~ may be withdrawn, in whole or in part, at the
24 will of the resident. Upon the resident's death, any balance
25 that remains and is neither disposed of by will nor paid to
26 his or her heirs at law must be paid to the state in
27 accordance with the provisions of chapter 717.

28 (3) Upon a resident's discharge or voluntary departure
29 from the home, if such moneys are not demanded at the time of
30 discharge or departure, or within a period of 3 years
31 thereafter, or demanded by the heirs, devisees, or legatees in

1 case of the resident's decease after his or her discharge or
2 voluntary departure, the moneys must be paid to the state as
3 provided in chapter 717.

4 ~~(4) All accrued interest on this trust fund must be~~
5 ~~accounted for by the financial manager and deposited to the~~
6 ~~Grants and Donations Trust Fund.~~

7 Section 4. Section 296.32, Florida Statutes, is
8 amended to read:

9 296.32 Purpose.--The purpose of this part is to
10 provide for the establishment of basic standards for the
11 operation of veterans' nursing homes ~~the Veterans' Nursing~~
12 ~~Home of Florida~~ for eligible veterans in need of such
13 services.

14 Section 5. Section 296.33, Florida Statutes, is
15 amended to read:

16 296.33 Definitions.--As ~~When~~ used in this part, ~~unless~~
17 ~~the context clearly indicates otherwise,~~the term:

18 (1) "Administrator" means the licensed person who has
19 been appointed to serve as the chief executive of the home and
20 has the general administrative charge of the facility.

21 (2) "Department" means the Florida Department of
22 Veterans' Affairs.

23 (3) "Director" means the executive director of the
24 Florida Department of Veterans' Affairs.

25 (4) "Home" means a licensed health care facility
26 operated by the department pursuant to part II of chapter 400.

27 ~~(5)~~(4) "Resident" means any eligible veteran admitted
28 to the home.

29 ~~(6)~~(5) "Veteran" means a person as defined in s.
30 1.01(14).

31

1 ~~(6) "Veterans' Nursing Home of Florida," hereinafter~~
2 ~~referred to as the "home," means a licensed health care~~
3 ~~facility operated by the department pursuant to the provisions~~
4 ~~of part II of chapter 400.~~

5 Section 6. Section 296.335, Florida Statutes, is
6 created to read:

7 296.335 Veterans' nursing home designation.--The state
8 veterans' nursing home located in Bay County shall be
9 designated as the "Clifford Chester Sims State Veterans'
10 Nursing Home."

11 Section 7. Section 296.34, Florida Statutes, is
12 amended to read:

13 296.34 Administrator; qualifications, duties, and
14 responsibilities.--

15 (1) The director shall appoint an administrator of
16 each the home who shall be responsible for the overall
17 operation the chief executive of the home and the care of the
18 residents.

19 (2) The position shall be assigned to the Selected
20 Exempt Service under part V of chapter 110. The director
21 shall give veterans preference in selecting an administrator,
22 appointment as provided in ss. 295.07 and 295.085 to
23 ~~applicants for the position of administrator.~~

24 ~~(2)~~ The administrator, at the time of entering
25 employment and at all times while employed as the
26 administrator, must shall:

27 ~~(a) Be a resident of the state.~~

28 ~~(b)~~ hold a current valid license as a nursing home
29 administrator under in accordance with the provisions of part
30 II of chapter 468 and the rules promulgated by the Board of
31 Nursing Home Administrators.

1 (3) ~~The administrator shall have the immediate custody~~
2 ~~and control of all property used in connection with the home~~
3 ~~in accordance with chapter 273.~~ The administrator shall
4 determine the eligibility of applicants for admission to the
5 home in accordance with provisions of this part and, together
6 with the director, shall adopt all rules necessary for the
7 proper administration of the home, including rules for the
8 preservation of order and enforcement of discipline in the
9 home. All rules governing the home shall conform as nearly as
10 possible to the rules and regulations for comparable
11 facilities of the United States Department of Veterans
12 Affairs.

13 (4)(a) ~~The administrator shall forward to the~~
14 ~~department all applications approved by him or her for~~
15 ~~employment with the home.~~

16 (b) All employees who fill authorized and established
17 positions appropriated for the home shall be state employees.
18 The department shall classify such employees in the manner
19 prescribed in chapter 110.

20 (5) The administrator shall administer and enforce all
21 rules of the home, including rules of discipline, and shall
22 have the power to dismiss any resident of the home for any
23 infraction of rules, subject to the approval of the director.

24 Section 8. Subsection (3) of section 296.38, Florida
25 Statutes, is amended to read:

26 296.38 Funds of home and disposition of moneys.--

27 (3)(a) There is ~~hereby~~ created a Residents' Deposits
28 Trust Fund. All moneys received by the home pursuant to this
29 subsection shall be deposited into the Residents' Deposits
30 Trust Fund, a local fund administered by the home and which is
31 not a part of the State Treasury. The home's financial manager

1 shall account for all moneys deposited and any interest
2 accruing on the trust fund.

3 (b) The residents of the home may voluntarily deposit
4 moneys with the home, which the home shall receive and keep
5 without charge in the Residents' Deposits Trust Fund. ~~Such~~
6 Moneys voluntarily deposited and interest earned with the home
7 ~~by a resident~~ may be withdrawn, in whole or in part, at the
8 will of the resident. Any balance remaining upon the
9 resident's death, undisposed of by will and not paid to his or
10 her heirs at law, shall be paid to the state in accordance
11 with the provisions of chapter 717.

12 (c) Upon a resident's discharge or voluntary departure
13 from the home, if such moneys are not so demanded at the time
14 of discharge or departure, or within a period of 3 years
15 thereafter, or demanded by the heirs, devisees, or legatees in
16 case of the resident's decease after his or her discharge or
17 voluntary departure, the same shall be paid to the state as
18 provided in chapter 717.

19 ~~(d) All accrued interest on this trust fund shall be~~
20 ~~accounted for by the financial manager and deposited to the~~
21 ~~Grants and Donations Trust Fund.~~

22 Section 9. This act shall take effect July 1, 2002.
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