

1 A bill to be entitled
2 An act relating to veterans; amending ss.
3 296.04, 296.34, F.S.; revising provisions
4 relating to the state appointment and duties of
5 the veterans' homes' administrators; defining
6 duties of the administrators; eliminating a
7 residency requirement; amending s. 296.11,
8 F.S.; eliminating a requirement that certain
9 interest be deposited into the Grants and
10 Donations Trust Fund; amending s. 296.12, F.S.;
11 requiring an accounting of certain funds in the
12 Residents' Deposits Trust Fund and eliminating
13 a requirement that interest accrued in the fund
14 be deposited into the Grants and Donations
15 Trust Fund; amending s. 296.32, F.S.;
16 authorizing more than one veterans' nursing
17 home; amending s. 296.33, F.S.; revising
18 definitions; amending s. 296.38, F.S.;
19 requiring the accounting of certain funds;
20 eliminating a requirement that interest accrued
21 be deposited in the Grants and Donations Trust
22 Fund; designating the state veterans' nursing
23 home in Bay County as the "Clifford Chester
24 Sims State Veterans' Nursing Home"; designating
25 the state veterans' nursing home in Charlotte
26 County as the "Douglas T. Jacobson State
27 Veterans' Nursing Home"; providing an effective
28 date.

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30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Subsections (1), (3), and (4) of section
2 296.04, Florida Statutes, are amended to read:

3 296.04 Administrator; duties and qualifications;
4 responsibilities.--

5 (1) The director shall appoint an administrator who
6 shall be responsible for the overall operation ~~serve as the~~
7 ~~chief executive~~ of the home and the care of the residents
8 ~~shall have the immediate custody and control of all property~~
9 ~~used in connection with the home in accordance with chapter~~
10 ~~273.~~

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

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

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

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

1 296.11 Funds of home and disposition of moneys.--
2 (2) The home shall deposit all moneys received
3 pursuant to s. 296.15 ~~and all interest earned on moneys in the~~
4 ~~Residents' Deposits Trust Fund pursuant to s. 296.12~~ into the
5 Grants and Donations Trust Fund. Moneys in the Grants and
6 Donations Trust Fund must be expended for the common benefit
7 of the residents of the home such as improved facilities,
8 recreational equipment, and recreational supplies subject to
9 the requirements of chapter 216.

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

12 296.12 Residents' Deposits Trust Fund.--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (6)~~(5)~~ "Veteran" means a person as defined in s.
31 1.01(14).

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 296.34, Florida Statutes, is
6 amended to read:

7 296.34 Administrator; qualifications, duties, and
8 responsibilities.--

9 (1) The director shall appoint an administrator of
10 each the home who shall be responsible for the overall
11 operation the chief executive of the home and the care of the
12 residents.

13 (2) The position shall be assigned to the Selected
14 Exempt Service under part V of chapter 110. The director
15 shall give veterans preference in selecting an administrator,
16 appointment as provided in ss. 295.07 and 295.085 to
17 ~~applicants for the position of administrator.~~

18 ~~(2)~~ The administrator, at the time of entering
19 employment and at all times while employed as the
20 administrator must, ~~shall:~~

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

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

26 ~~(3) The administrator shall have the immediate custody~~
27 ~~and control of all property used in connection with the home~~
28 ~~in accordance with chapter 273. The administrator shall~~
29 determine the eligibility of applicants for admission to the
30 home in accordance with provisions of this part and, together
31 with the director, shall adopt all rules necessary for the

1 proper administration of the home, including rules for the
2 preservation of order and enforcement of discipline in the
3 home. All rules governing the home shall conform as nearly as
4 possible to the rules and regulations for comparable
5 facilities of the United States Department of Veterans
6 Affairs.

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

10 (4)(b) All employees who fill authorized and
11 established positions appropriated for the home shall be state
12 employees. The department shall classify such employees in
13 the manner prescribed in chapter 110.

14 (5) The administrator shall administer and enforce all
15 rules of the home, including rules of discipline, and shall
16 have the power to dismiss any resident of the home for any
17 infraction of rules, subject to the approval of the director.

18 Section 7. Subsection (3) of section 296.38, Florida
19 Statutes, is amended to read:

20 296.38 Funds of home and disposition of moneys.--

21 (3)(a) There is ~~hereby~~ created a Residents' Deposits
22 Trust Fund. All moneys received by the home pursuant to this
23 subsection shall be deposited into the Residents' Deposits
24 Trust Fund, a local fund administered by the home and which is
25 not a part of the State Treasury. The home's financial manager
26 shall account for all moneys deposited and any interest
27 accruing on the trust fund.

28 (b) The residents of the home may voluntarily deposit
29 moneys with the home, which the home shall receive and keep
30 without charge in the Residents' Deposits Trust Fund. ~~Such~~
31 ~~Moneys voluntarily deposited and interest earned with the home~~

1 ~~by a resident~~ may be withdrawn, in whole or in part, at the
2 will of the resident. Any balance remaining upon the
3 resident's death, undisposed of by will and not paid to his or
4 her heirs at law, shall be paid to the state in accordance
5 with the provisions of chapter 717.

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

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

16 Section 8. The state veterans' nursing home located in
17 Bay County shall be designated as the "Clifford Chester Sims
18 State Veterans' Nursing Home."

19 Section 9. The state veterans' nursing home located in
20 Charlotte County shall be designated as the "Douglas T.
21 Jacobson State Veterans' Nursing Home."

22 Section 10. This act shall take effect July 1, 2002.
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