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An act relating to veterans; amending ss. 296.04, 296.34, F.S.; revising provisions relating to the state appointment and duties of the veterans' homes' administrators; defining duties of the administrators; eliminating a residency requirement; amending s. 296.11, F.S.; eliminating a requirement that certain interest be deposited into the Grants and Donations Trust Fund; amending s. 296.12, F.S.; requiring an accounting of certain funds in the Residents' Deposits Trust Fund and eliminating a requirement that interest accrued in the fund be deposited into the Grants and Donations Trust Fund; amending s. 296.32, F.S.; authorizing more than one veterans' nursing home; amending s. 296.33, F.S.; revising definitions; amending s. 296.38, F.S.; requiring the accounting of certain funds; eliminating a requirement that interest accrued be deposited in the Grants and Donations Trust Fund; designating the state veterans' nursing home in Bay County as the "Clifford Chester Sims State Veterans' Nursing Home"; designating the state veterans' nursing home in Charlotte County as the "Douglas T. Jacobson State Veterans' Nursing Home"; providing an effective date.

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

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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