

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Health and Human Services

BILL: SB 116

INTRODUCER: Senators Burgess and Collins

SUBJECT: Veterans

DATE: March 4, 2025                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Ingram</u>	<u>Proctor</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>Howard</u>	<u>McKnight</u>	<u>AHS</u>	<b>Pre-meeting</b>
3.	_____	_____	<u>RC</u>	_____

**I. Summary:**

SB 116 amends multiple provisions regarding veterans. Specifically, the bill:

- Reduces the maximum number of nominees the Florida Veterans’ Hall of Fame Council may transmit to the Florida Department of Veterans’ Affairs (FDVA) for submission to the Governor and the Cabinet for induction into the Florida Veterans’ Hall of Fame from 20 to five.
- Requires the FDVA to evaluate the extent to which veterans and their spouses and dependents are aware of programs and services and to also make recommendations on increasing such public awareness.
- Requires the FDVA to ensure coordination to the greatest extent possible with the United States Department of Defense to engage servicemembers relating to reentry into civilian life and authorizes the FDVA to engage county and city veteran service officers for assistance. The FDVA is to include in its annual report the actions taken to implement this engagement.
- Requires the FDVA to submit an evaluation of veterans’ health literacy in this state.
- Requires the Veteran Suicide Prevention Training Pilot Program to include specialized mental health training to recognize indicators of elevated mental health conditions.
- Corrects a reference to United States Code for purposes of veterans’ education and training.
- Expands the duties of Florida is for Veterans, Inc., to include advising the FDVA on problems or needs of veterans and their spouses and dependents.
- Removes an obsolete reference to the Florida Defense Support Task Force.
- Requires the FDVA to develop a statewide plan to establish adult day health care facilities across the state to serve veterans and their families.
- Authorizes that a percentage of the proceeds from the sale of the Gadsden Flag specialty license plate be used for administrative costs.

This bill may have a negative fiscal impact on the FDVA. *See* Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2025.

## II. Present Situation:

### Florida Veterans' Hall of Fame

Administered by the Florida Department of Veterans' Affairs (FDVA), the Florida Veterans' Hall of Fame (FVHF) was established by the Florida Legislature<sup>1</sup> to honor military veterans who, through their works and lives during or after their military service, have made noteworthy contributions to the state.<sup>2</sup> An inductee into the FVHF is commemorated with his or her name placed on a plaque that is displayed in a designated area of the State Capitol Building.<sup>3</sup> During the 2012 Legislative Session, the Florida Veterans' Hall of Fame Council (Council) was created as an advisory council<sup>4</sup> to oversee the FVHF.<sup>5</sup> The Governor, the President of the Senate, the Speaker of the House of Representatives, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, and the executive director of the FDVA each appoint one member to the seven-member Council which is comprised of honorably discharged veterans.<sup>6</sup>

The Council is directed to annually accept nominations and transmit up to 20 nominees to the FDVA for submission to the Governor and the Cabinet, who then select the nominees to be inducted into the FVHF.<sup>7</sup> The Council gives preference to veterans born in Florida or who adopted Florida as their home state and who have made a significant contribution to the state in civic, business, public service, or other pursuits.<sup>8</sup> The Council is authorized to establish criteria and timeframes regarding the nominating process and induction ceremony.<sup>9</sup>

The Council established the following nomination criteria:

- Meet the definition of "Veteran" as defined by s. 1.01, F.S., as determined by the U.S. Department of Defense documentation, such as a DD Form 214, or proof of service from the Florida National Guard with a NGB Form 22.
- Have received an honorable discharge from the U.S. Armed Forces and can provide official documentation verifying discharge status.
- Have exhibited good moral character.<sup>10</sup>

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<sup>1</sup> Ch. 2011-168, s. 1, Laws of Fla.

<sup>2</sup> Florida Veterans Hall of Fame, *Honoring Florida's Veterans*, <https://floridaveteranshalloffame.org/> (last visited February 7, 2025).

<sup>3</sup> Section 265.003(2)(b), F.S.

<sup>4</sup> Under s. 20.03(7), F.S., "council" or "advisory council" is defined as an advisory body created by specific statutory enactment and appointed to function on a continuing basis for the study of the problems arising in a specified functional or program area of state government and to provide recommendations and policy alternatives

<sup>5</sup> Ch. 2012-159, s. 5, Laws of Fla. See also s. 265.003(4)(a), F.S.

<sup>6</sup> Section 265.003(3)(a), F.S.

<sup>7</sup> Section 265.003(4)(a), F.S.

<sup>8</sup> Section 265.003(4)(b), F.S.

<sup>9</sup> Section 265.003(5), F.S.

<sup>10</sup> Florida Veterans Hall of Fame, Nomination Process, available at [https://floridaveteranshalloffame.org/?page\\_id=3249](https://floridaveteranshalloffame.org/?page_id=3249) (last visited Feb. 13, 2025).

In addition, posthumous nominations are accepted if a veteran's records documenting his or her military service are provided. If the veteran's DD Form 214 or NGB Form 22 is not available, then other documentation including discharge papers, news articles, affidavits, official letters of service from a branch of service, the U.S. Department of Defense, or the Florida National Guard, or other documentation that can be verified may be accepted.<sup>11</sup> Employees of the Governor's staff, all elected or appointed officials in the State of Florida, members of County Veteran Service Offices, and members of the FDVA, its Foundation and the Council are ineligible for induction until two years after they have left their position. The Council may recommend a waiver of the two year requirement for nominees over the age of 70.<sup>12</sup>

### **Department of Veterans' Affairs**

The FDVA was created to provide assistance to all former, present, and future members of the Armed Forces of the United States and their spouses and dependents in preparing claims for and securing compensation, hospitalization, career training, and other benefits or privileges to which they are, or may become entitled to under federal or state law or regulation by reason of their service in the Armed Forces of the United States.<sup>13</sup> There are about 1.4 million veterans living in Florida, making the state's veteran population the third largest nationally.<sup>14</sup>

The FDVA is authorized to apply for and accept funds, grants, gifts, and services from the state, federal government or any of its agencies, or any other public or private source and may use funds derived from these sources to defray clerical and administrative costs as may be necessary for carrying out its duties.<sup>15</sup>

One of the duties of the FDVA is to conduct an ongoing study on the problems and needs of veterans of the Armed Forces of the United States and their spouses and dependents who reside in Florida. The study must include a survey of:

- Existing state and federal programs available for resident veterans and their spouses and dependents that specify the extent to which the programs are being implemented, with recommendations for the improved implementation, extension, or improvement of the programs.
- The needs of resident veterans and their spouses and dependents in the areas of social services, health care, education, and employment, and any other areas of determined need, with recommendations regarding federal, state, and community services that would meet those needs.
- Federal, state, public, and private moneys available that could be used to defray the costs of state or community services needed for resident veterans and their spouses and dependents.<sup>16</sup>

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<sup>11</sup> Florida Veterans Hall of Fame, Nomination Process, available at [https://floridaveteranshalloffame.org/?page\\_id=3249](https://floridaveteranshalloffame.org/?page_id=3249) (last visited Feb. 13, 2025).

<sup>12</sup> *Id.*

<sup>13</sup> Section 292.05(1), F.S.

<sup>14</sup> Florida Dep't of Veterans' Affairs, *Our Veterans*, available at <https://floridavets.org/our-veterans/> (last visited Feb. 13, 2025).

<sup>15</sup> Section 292.05(4), F.S.

<sup>16</sup> Section 292.05(5), F.S.

The FDVA is directed to annually submit a written report to the Governor, the Cabinet, and the Legislature which describes expenses incurred in veteran service work; cases handled by the FDVA and by county and city veteran service officers of the state;<sup>17</sup> benefits obtained for veterans; and information regarding certified veteran service officers.<sup>18</sup> The report must also describe departmental actions taken by the FDVA and include other information and departmental recommendations as it relates to its duties and responsibilities.<sup>19</sup> In addition, the report must also include the current status of the FDVA's domiciliary and nursing homes.<sup>20</sup>

### ***County and City Veteran Service Officers and Agency Claims Examiners***

County and city veteran service officers are responsible for assisting veterans and their dependents in securing all entitled benefits earned through honorable military service and to advocate for veterans' interest in their community.<sup>21</sup> Current law authorizes each board of county commissioners to employ a county veteran service officer.<sup>22</sup> Likewise, the governing body of a city may employ a city veteran service officer.<sup>23</sup> The FDVA's claim examiners, set up to assist veterans with claims, are co-located with the United States Department of Veterans Affairs (VA) Regional Office in Bay Pine, each VA Medical Center, and many VA Outpatient Clinics.<sup>24</sup>

The FDVA provides the training program for county and city veteran service officers.<sup>25</sup> Every county or city veteran service officer must attend the training and successfully complete a test administered by the FDVA. The FDVA is required to further establish periodic training refresher courses, which must be completed as a condition of continued employment.<sup>26</sup>

### ***Transition Assistance***

The FDVA through Florida is for Veterans, Inc., (Veterans Florida) supports servicemembers with the transition into civilian life in many ways including, but not limited to, engaging servicemembers through the SkillBridge program, by hosting job fairs, and by briefing servicemembers while they are participating in the United States Armed Forces' Transition Assistance Programs.<sup>27, 28</sup> SkillBridge is a program under the U.S. Department of Defense that connects transitioning servicemembers to occupational training.<sup>29</sup> The program provides

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<sup>17</sup> Section 292.11, F.S.

<sup>18</sup> Section 292.05(6)(a), F.S.

<sup>19</sup> *Id.*

<sup>20</sup> Section 292.05(6)(b), F.S.

<sup>21</sup> Leon County Government, Veterans Services, available at <https://cms.leoncountyfl.gov/Home/Departments/Office-of-Human-Services-and-Community-Partnership/Veterans-Services> (last visited Feb. 10, 2025).

<sup>22</sup> Section 292.11(1), F.S.

<sup>23</sup> *Id.*

<sup>24</sup> Veteran Help Group, *Benefits and Services-Claims*, available at <https://www.veteranhelpgroup.com/claims> (last visited Feb. 10, 2025).

<sup>25</sup> Section 292.11(4), F.S.

<sup>26</sup> *Id.*

<sup>27</sup> Florida Dep't of Veterans' Affairs, *Senate Bill 116 Agency Legislative Bill Analysis* (Feb. 10, 2025) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

<sup>28</sup> As established under 10 U.S.C. 1144 (2022), the program furnishes counseling, assistance in identifying employment and training opportunities, help in obtaining such employment and training, and other related information and services to members of the armed forces.

<sup>29</sup> U.S. Department of Defense, *DOD Skillbridge Program Brochure*, available at <https://skillbridge.osd.mil/docs/SkillBridge-Program-Brochure.pdf> (Feb. 10, 2025).

opportunities for a servicemember to participate in industry training programs as he or she prepares to transition back into his or her civilian life.<sup>30</sup>

## **Veteran's Mental Health and Suicide Prevention**

### ***Population and Mental Health***

As of 2023, the VA reported that there were 19.1 million veterans living in the United States and of that about 1,430,000 veterans resided in Florida.<sup>31</sup> Of the Florida veterans:

- 1.1 million are wartime veterans;
- 330,000 are peacetime veterans;
- 11,000 are World War II veterans;
- 75,000 are Korean War veterans;
- 462,000 are Vietnam-era veterans; and
- 421,000 are Gulf War veterans including post-9/11.<sup>32</sup>

The FDVA is responsible for serving the third largest veteran population in the United States.<sup>33</sup>

Veterans are known to have higher levels of mental distress than nonveterans. In a 2014 study, almost 1 in 4 veterans showed symptoms of mental illness.<sup>34</sup> Predominant mental health diagnoses among veterans are:

- Posttraumatic Stress Disorder at a rate of 15 times that of the general population;
- Depression at a rate of five times that of the general population; and
- Traumatic Brain Injury (TBI).<sup>35</sup>

Veterans who have a diagnosable mental health illness are at a much higher risk of suicide than veterans without mental illness. A 2017 study of Veterans Health Administration patients shows a more than double rate of suicide among veterans with a mental health or substance use disorder than persons without these diagnoses.<sup>36</sup>

An estimated 30,177 active duty service members and veterans of the post 9/11 wars have died by suicide, significantly more than the 7,057 service members that died in the post 9/11 war

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<sup>30</sup> U.S. Department of Defense, *DOD Skillbridge Program Brochure*, available at <https://skillbridge.osd.mil/docs/SkillBridge-Program-Brochure.pdf> (Feb. 10, 2025).

<sup>31</sup> Florida Dep't of Veterans' Affairs, *Our Veterans-Fast Facts*, available at <https://www.floridavets.org/our-veterans/profilefast-facts/> (last visited Feb. 12, 2025).

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> National Institute on Mental Illness (NAMI), *Veterans & Active Duty-Mental Health Concerns*, available at <https://www.nami.org/Your-Journey/Veterans-Active-Duty> (last visited Feb. 10, 2025).

<sup>35</sup> *Id.*

<sup>36</sup> The rate of suicide among Veterans Health Administration patients with mental health illness at the time of the study was 57 patients per 100,000. Rand Corporation, *Suicide Among Veterans/Veterans' Issues in Focus*, (July 15, 2021) available at <https://www.rand.org/pubs/perspectives/PEA1363-1.html> (last visited Feb. 10, 2025).

operations.<sup>37</sup> Identified causes vary. As many as 20 percent of post 9/11 servicemembers have experienced a TBI, many of which have been exposed to repetitive damage.<sup>38</sup>

### ***Federal Programs***

In 2018, the VA implemented a 10-year strategy for preventing veteran suicide.<sup>39</sup> This approach to suicide prevention involves a veteran's family, peers, and community and includes specific outreach to veterans who do not access services of the VA.<sup>40</sup>

VA suicide prevention initiatives include all of the following:

- Enhancing mental health services for veterans who are women.
- Broadening telehealth.
- Developing free-of-charge mobile applications for veterans and their families.
- Improving access to mental health care.
- Assisting families of veterans by telephone.<sup>41</sup>

In implementing a suicide prevention strategy, the VA partners with other government agencies and organizations at both the national and local level to share information and training on suicide prevention.<sup>42</sup> One of the ways the VA has addressed state-level suicide prevention is through the "Governor's Challenge to Prevent Suicide Among Service Members, Veterans, and their Families," the VA's ongoing collaboration with the Substance Abuse and Mental Health Services Administration.<sup>43</sup> The "Mayor's Challenges to Prevent Suicide Among Service Members, Veterans, and their Families" is an analogous collaboration at the local level for communities across the nation.<sup>44</sup> The goal of these initiatives is to expand and implement state-wide best practices for preventing and reducing suicide.<sup>45</sup> All 50 states and five territories are involved in the Governor's Challenge and 14 community teams are still actively engaged in the "Mayor's Challenge."<sup>46</sup>

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<sup>37</sup> Thomas Howard Suitt, III, Watson Institute, International & Public Affairs, Brown University, *High Suicide Rates among United States Service Members and Veterans of the Post-9/11 Wars*, available at [https://watson.brown.edu/costsofwar/files/cow/imce/papers/2021/Suitt\\_Suicides\\_Costs%20of%20War\\_June%2021%202021.pdf](https://watson.brown.edu/costsofwar/files/cow/imce/papers/2021/Suitt_Suicides_Costs%20of%20War_June%2021%202021.pdf) (June 21, 2021) (pgs. 1, 3).

<sup>38</sup> *Id.* at 3-4.

<sup>39</sup> U.S. Dep't of Veterans Affairs, *National Strategy for Preventing Veteran Suicide, 2018-2028*, available at [https://www.mentalhealth.va.gov/suicide\\_prevention/docs/Office-of-Mental-Health-and-Suicide-Prevention-National-Strategy-for-Preventing-Veterans-Suicide.pdf](https://www.mentalhealth.va.gov/suicide_prevention/docs/Office-of-Mental-Health-and-Suicide-Prevention-National-Strategy-for-Preventing-Veterans-Suicide.pdf).

<sup>40</sup> *Id.* at 1.

<sup>41</sup> *Id.* at 11.

<sup>42</sup> *Id.*

<sup>43</sup> U.S. Dep't of Veterans Affairs, Office of Suicide Prevention, *2024 National Veteran Suicide Prevention Report*, available at [https://www.mentalhealth.va.gov/docs/data-sheets/2024/2024-Annual-Report-Part-1-of-2\\_508.pdf](https://www.mentalhealth.va.gov/docs/data-sheets/2024/2024-Annual-Report-Part-1-of-2_508.pdf) (Dec. 2024) (pg. 34).

<sup>44</sup> SAMHSA, Substance Abuse and Mental Health Services Administration, Service Members, Veterans, and their Families Technical Assistance, *Governor's and Mayor's Challenges*, available at <https://www.samhsa.gov/technical-assistance/smfv/challenges> (last visited Feb. 10, 2025).

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

### ***State Programs***

In 2021, the FDVA was authorized to establish the Florida Veterans' Care Coordination (FVCC) Program.<sup>47</sup> To provide services, the FDVA may contract with a nonprofit, accredited entity to provide dedicated behavioral health care referral services, through the state's 211 Network.<sup>48</sup> The FVCC program objectives are to prevent veteran suicide, increase veteran use of programs and services provided by the VA, and to increase veteran usage of community-based programs and services.<sup>49</sup>

The FDVA established the Veteran Suicide Prevention Training Pilot program to offer the FDVA's claims examiner and each county and city veteran service officer specialized training and certification in the prevention of veteran suicide.<sup>50</sup> To provide training curriculum, the FDVA contracts with an organization established in developing and implementing veteran-relevant and evidence-based suicide prevention training.<sup>51</sup>

Pilot program participants must be trained in identifying indicators of elevated suicide risk and providing emergency crisis referrals for veterans in emotional or psychological distress.<sup>52</sup> The FDVA is directed to adopt rules regarding the implementation of the pilot program.<sup>53</sup> The FDVA must also submit an annual report to the Legislature each year that includes information on the program and recommendations on whether changes should be made to increase the effectiveness of the pilot program.<sup>54</sup> The FDVA will recommend whether the pilot program should be continued in its June 30, 2026, report.<sup>55</sup>

### **State Approving Agency for Veterans' Education and Training**

The FDVA is the designated state approving agency for purposes of veteran's education and training in accordance with federal law and the annual contract between the state of Florida and the federal government.<sup>56</sup>

### **Florida is For Veterans, Inc.**

Veterans Florida is a nonprofit corporation within the FDVA created to promote Florida as a veteran-friendly state.<sup>57</sup> Veterans Florida encourages and assists retired and recently separated military personnel to keep or make Florida their permanent residence. Veterans Florida also assists veterans and their spouses with employment opportunities and encourages the hiring of veterans and their spouses by the business community which lends to its mission in assisting

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<sup>47</sup> Chapter 2021-198, Laws of Fla.; s. 394.9087, F.S.

<sup>48</sup> Section 394.9087(1), F.S. The Florida 211 network, established in s. 408.918, F.S., operates as the single point of coordination for information and referral of health and human services (s. 408.918(1), F.S.).

<sup>49</sup> Section 394.9087(2), F.S.

<sup>50</sup> Ch. 2022-39, Laws of Fla. See s. 292.115, F.S.

<sup>51</sup> Section 292.115(2), F.S.

<sup>52</sup> *Id.*

<sup>53</sup> Section 292.115(2), F.S.

<sup>54</sup> Section 292.115(4), F.S.

<sup>55</sup> *Id.*

<sup>56</sup> Ch. 88-29, s. 24, Laws of Fla. See s. 295.124, F.S.

<sup>57</sup> Ch. 2014-1, s. 12, Laws of Fla. See s. 295.21(1) and (2), F.S.

veterans fully transition to civilian life.<sup>58, 59</sup> Veterans Florida also counsels the FDVA on the needs and difficulties of veterans and their spouses.<sup>60</sup>

### **Veterans Employment and Training Services Program**

Created within the FDVA, the Veterans Employment and Training Services (VETS) program assists in connecting servicemembers, veterans, or their spouses in search of employment with businesses seeking to hire dedicated, well-trained workers for employment.<sup>61</sup> The purpose of the program is to meet the workforce demands of businesses in the state by facilitating access to training and education in high-demand fields and to inspire the growth of veteran owned small businesses.<sup>62</sup> Veterans Florida administers the VETS program and performs many functions including, but not limited to:

- Conducting marketing and recruiting efforts.
- Assisting individuals in the target market who reside in or relocate to Florida and who seek employment with the target industry or secondary target industry business.
- Offering skills assessments and assisting in establishing employment goals.
- Assisting Florida target industry and secondary industry businesses in recruiting and hiring individuals in the target market. Veterans Florida provides services to Florida businesses to meet their hiring needs by connecting businesses with suitable applicants for employment. Suitable applicants include veterans or veterans' spouses who have appropriate job skills or may need additional training to meet the specific needs of a business.
- Providing information about the state and federal benefits of hiring veterans.
- Creating a grant program to provide funding to assist individuals in the target market in meeting the workforce-skill needs of target industry and secondary industry businesses seeking to hire, promote, or generally improve specialized skills of veterans, establish criteria for approval of requests for funding, and maximize the use of funding for this program.
- Contracting with entities to administer an entrepreneur initiative program for individuals in the target market in Florida which connects business leaders in the state with such individuals seeking to become entrepreneurs.
- Administering a SkillBridge<sup>63</sup> initiative for target industry and secondary industry businesses in this state and for eligible individuals in the target market who reside in, or who wish to reside in, this state.<sup>64</sup>

Under the VETS program, Veterans Florida may assist state agencies and entities with recruiting veteran talent into their workforces.<sup>65</sup> Veterans Florida may collaborate with other state agencies and entities for outreach, information exchange, marketing, and referrals regarding programs and initiatives.<sup>66</sup> One of the entities that Veterans Florida collaborates with under s. 295.22(5), F.S.,

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<sup>58</sup> Florida is for Veterans, Inc., Candid, available at <https://www.guidestar.org/profile/47-2327385> (last visited Feb. 10, 2025).

<sup>59</sup> Section 295.21(2), F.S.

<sup>60</sup> Florida Dep't of Veterans' Affairs, *supra* note 27.

<sup>61</sup> Section 295.22(3) and (4), F.S.

<sup>62</sup> Section 295.22(3), F.S.

<sup>63</sup> See U.S. Dep't of Defense, DOD Skillbridge, Program Overview-What is Skillbridge, available at <https://skillbridge.osd.mil/program-overview.htm> (Feb. 10, 2025).

<sup>64</sup> Section 295.22(4), F.S.

<sup>65</sup> Section 295.22(5), F.S.

<sup>66</sup> *Id.*



is the Department of Commerce and efforts of the now defunct Florida Defense Support Task Force which was replaced by a direct-support organization in 2024.<sup>67</sup>

### **Veterans' Adult Day Health Care**

Adult day care centers provide therapeutic services and activities for adults in a noninstitutional setting.<sup>68</sup> Participants may use a variety of services offered during any part of a day totaling less than 24 hours.<sup>69</sup> Basic services provided by adult day care centers include leisure activities, self-care training, nutritional services, and respite care.<sup>70</sup> These facilities are licensed by the Agency for Health Care Administration.<sup>71</sup> However, facilities that operate under the federal government or any agency thereof are exempt from current state law on adult day care centers.<sup>72</sup>

The VA Adult Day Health Care Program (Program) was established with the goal of allowing veterans to have a place during the day for social activities, peer support, companionship, and recreation.<sup>73</sup> The Program is intended for veterans who need help with activities of daily living, those who are isolated, or whose caregiver is experiencing burden.<sup>74</sup> Health services such as care from nurses, therapists, social workers, and others may also be provided.<sup>75</sup> The Program may be provided at VA medical centers, state Veterans Homes, or through community organizations.<sup>76</sup> To receive a federal grant or grant funding for an adult day health care program, a state must meet the following specific federal requirements:

- If an adult day health care program is located within a nursing home, domiciliary, or other care facility, the adult health care program must have its own separate designated space during operational hours.
- The indoor space for the adult day health care program must be at least 100 sq. ft. per participant including office space for staff and must be 60 sq. ft. per participant excluding office space for staff.
- Each program will need to design and partition its space to meet its own needs but must make available certain federally mandated functional areas.<sup>77</sup>
- Furnishings must be available for all participants, including functional furniture suitable to the participants' needs.<sup>78</sup>

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<sup>67</sup> Ch. 2024-234, Laws of Fla.

<sup>68</sup> Section 429.901(3), F.S.

<sup>69</sup> *Id.* and s. 429.905(2), F.S.

<sup>70</sup> Section 429.901(1) and (3), F.S.

<sup>71</sup> Section 429.903, F.S.

<sup>72</sup> Section 429.905, F.S.

<sup>73</sup> U.S. Dep't. of Veterans Affairs, *What is Adult Day Health Care*, available at [https://www.va.gov/geriatrics/pages/Adult\\_Day\\_Health\\_Care.asp](https://www.va.gov/geriatrics/pages/Adult_Day_Health_Care.asp) (last visited Feb. 10, 2025).

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

<sup>77</sup> For the list of federally mandated functional areas, see 38 C.F.R. s. 59.160(c)(1)-(11).

<sup>78</sup> 38 C.F.R. s. 59.160.

The FDVA operates nine State Veterans' Homes, which have 1,102 skilled nursing and assisted living beds, and is in the process of adding a tenth home.<sup>79</sup> In 2023, the Legislature created the Veterans' Adult Day Health Care of Florida Act to provide for the establishment of basic standards for the operation of veterans' adult day health care programs for eligible veterans in need of such services.<sup>80</sup> A program under this act is a licensed facility operated by the FDVA as an adult day care center<sup>81</sup> However, the FDVA does not currently operate or manage any adult day health care facilities in the state.<sup>82</sup>

The FDVA determines the eligibility of applicants for admission to the program. The program is available to a veteran as defined in s. 1.01(14), F.S., or a veteran who served in eligible peacetime service, and who must:

- Be in need of adult day health care;
- Be a resident of the state at the time of application;
- Not owe money to the FDVA for services rendered during a previous stay at a FDVA facility;
- Have applied for all financial assistance reasonably available through governmental resources; and
- Have been approved as eligible for care and treatment by the VA.<sup>83</sup>

The residency requirement may be waived for an applicant only if the veteran is a disaster evacuee of a state under a declared state of emergency and who otherwise qualifies.<sup>84</sup> Admittance priority given to eligible veterans is established in state law.<sup>85</sup>

### **Gadsden Flag License Plates**

As of December 2024, there are over 130 specialty license plates approved by the Legislature and of these, 114 are authorized for issuance and 22 are in the presale process.<sup>86</sup> Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.<sup>87</sup> The annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified on the plate's design and designated in statute.<sup>88</sup>

To establish a specialty license plate and after the plate is approved by law, s. 320.08053, F.S., requires the following actions within certain timelines:

<sup>79</sup> Florida Dep't of Veterans Affairs, News, *Governor DeSantis Signs Legislation to Support Florida Veterans and Their Families*, June 4, 2024, available at <https://floridavets.org/governor-desantis-signs-legislation-to-support-florida-veterans-and-their-families/> (last visited Feb. 10, 2025).

<sup>80</sup> Ch. 2023-162, s. 3, Laws of Fla.

<sup>81</sup> Sections 296.44(6) and 429.901(1), F.S.

<sup>82</sup> Florida Dep't of Veterans' Affairs, *supra* note 27.

<sup>83</sup> Section 296.47(1), F.S.

<sup>84</sup> Section 296.47(2), F.S.

<sup>85</sup> Section 296.47(3), F.S., establishes an order of priority given to veterans for admittance into the program.

<sup>86</sup> Dep't of Highway Safety and Motor Vehicle, *HB 49 Agency Legislative Bill Analysis* (Dec. 16, 2024) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

<sup>87</sup> Section 320.08056, F.S.

<sup>88</sup> Section 320.08058, F.S.

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the Department of Highway Safety and Motor Vehicles (DHSMV);
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.<sup>89</sup>

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers. Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.<sup>90</sup>

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.<sup>91</sup> Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.<sup>92</sup>

The 2020 Legislature created the Gadsden Flag specialty license plate.<sup>93</sup> The license plate bears the DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Don’t Tread on Me” appears at the bottom of the plate.<sup>94</sup>

The annual use fees from the specialty license plate are to be distributed to the Florida Veterans Foundation, a direct-support organization of the FDVA and used to benefit veterans. Up to 10 percent of the proceeds may be used for continuing promotion and marketing of the plate.<sup>95</sup>

### **III. Effect of Proposed Changes:**

#### **Florida Veterans’ Hall of Fame**

The bill amends s. 265.003, F.S., to reduce the number of persons the Council may transmit to the Governor and the Cabinet to be considered for induction into the Florida Veterans Hall of Fame (FVHF). Currently up to 20 nominees may be transmitted by the Council. The bill reduces that number to up to five nominees.

#### **Department of Veterans’ Affairs Duties**

The bill amends s. 292.05, F.S, revising the duties of the Florida Department of Veterans’ Affairs (FDVA) by expanding the scope of an ongoing study on the needs of Florida residents who are veterans of the Armed Forces of the United States and their spouses and dependents. The bill

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<sup>89</sup> Chapter 2022-189, Laws of Fla., extended the presale by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but has not recorded 3,000 voucher sales.

<sup>90</sup> Section 320.08053(2)(b), F.S.

<sup>91</sup> Section 320.08056(10)(a), F.S.

<sup>92</sup> Section 320.08062, F.S.

<sup>93</sup> Ch. 2020-181, Laws of Fla.

<sup>94</sup> Section 320.08058(92)(a), F.S.

<sup>95</sup> Section 320.08058(92)(b), F.S.

requires that the survey evaluates the extent to which the resident veterans and their spouses and dependents are aware of existing federal, state, or local programs or services that meet their areas of needs. The bill also requires the FDVA to include recommendations regarding increasing public awareness using administrative or legislative options.

The bill directs the FDVA to ensure coordination with the U.S. Department of Defense to directly engage servicemembers who are returning home to Florida, whether those servicemembers are remaining in or moving to the state, following their service and during reentry into civilian life.<sup>96</sup> Such engagement includes connecting those servicemembers with Veterans Florida and other resources which may support with the reintegration process. The bill authorizes the FDVA to engage county and city veteran service officers<sup>97</sup> for assistance in connecting servicemembers with reintegration resources. The FDVA is directed to include actions taken to implement its engagement with the servicemembers in the annual report to the Governor, the Cabinet, and the Legislature.

In the annual report to the Governor, the Cabinet, and the Legislature, due on December 31, 2025, the FDVA is required to:

- Include its evaluation of health literacy among Florida veterans; and
- Make recommendations to increase veteran knowledge of available programs and services and to maximize veteran use of those resources.

### **Veteran Suicide Prevention Training Pilot Program**

The bill amends s. 292.115, F.S., expanding the type of training to be provided to the FDVA claims examiners and county and city veteran service officers<sup>98</sup> under the Veteran Suicide Prevention Training Pilot Program. The bill requires that participants in the pilot program be trained to recognize indicators of elevated mental health conditions.

The bill requires the FDVA to contract with an organization with a proven practice of veteran-relevant mental health training to develop the curriculum for the training under the pilot program.

### **State Approving Agency for Veterans' Education and Training**

The bill amends s. 295.124, F.S., to update the federal law reference for the designation of the state approving agency for purposes of veterans' education and training. The updated reference is 38 U.S.C. s. 3671.<sup>99</sup>

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<sup>96</sup> The Florida Dep't of Veterans' Affairs currently connects transitioning servicemembers with the U.S. Dep't of Defense through programs like SkillBridge, utilizing Florida is for Veterans, Inc., as a means for this engagement. See Florida Dep't of Veterans Affairs, *supra* note 27, at 2 and 5.

<sup>97</sup> Section 292.11, F.S., describes county and city veteran service officers.

<sup>98</sup> Section 292.11, F.S.

<sup>99</sup> 38 U.S.C. s. 3671 (2021). See United States Code available at <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title38-section1771&num=0&edition=prelim> (last visited Feb. 9, 2025).

**Florida is for Veterans, Inc.**

The bill amends s. 295.21, F.S., expanding the duties of Veterans Florida to include advising the FDVA on the difficulties or needs of retired or recently separated military personnel and their spouses which Veterans Florida has knowledge of and which may be within the purview of the FDVA.<sup>100</sup>

**Florida Defense Support**

The bill amends s. 295.22, F.S., removing obsolete language by correcting a provisional cross-reference. The bill removes the reference to the Florida Defense Support Task Force and revises Veterans Florida's collaborators of the Veterans Employment and Training Services Program<sup>101</sup> to include the direct-support organization established by the Department of Commerce.<sup>102</sup>

**Veterans' Adult Day Health Care**

The bill amends s. 296.43, F.S., requiring the FDVA to develop a statewide plan to establish adult day health care facilities across Florida to serve veterans and their families. The bill requires the FDVA to include in the plan:

- Recommendations for locations that will have the greatest impact on veteran populations. In making such recommendations, the FDVA must provide an evaluation of data, including, but not limited to, veteran population and veteran population demographics, in addition to providing an assessment of anticipated veteran needs.
- Potential state and federal participation.
- Estimates for the daily cost of running the facilities.
- Estimates for the daily cost of maintenance and general upkeep of the facilities.
- Location of existing potential infrastructure.
- Potential construction costs.

The bill directs the FDVA to provide a report detailing the plan to the President of the Senate and the Speaker of the House of Representatives by November 1, 2025.

**Gadsden Flag License Plate**

The bill amends s. 320.08058, F.S., to authorize that up to 10 percent of the proceeds from the sale of the Gadsden Flag license plate may be used by the Florida Veterans Foundation for administrative costs in addition to the promotion and marketing of the specialty license plate.

The bill takes effect July 1, 2025.

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<sup>100</sup> See s. 295.21 (2), F.S. According to the Florida Dep't of Veterans' Affairs, the bill codifies into law the Florida is for Veterans, Inc., advisory role, *supra* note 29 at 2.

<sup>101</sup> See s. 292.22(1), F.S.

<sup>102</sup> Section 288.987, F.S.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None Identified.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

The Florida Department of Veterans Affairs (FDVA) estimates that expanding the scope of the survey of the needs of veterans and their spouses and dependents in the areas of social services, health care, education, and employment, and any other areas of determined need by evaluating the extent to which such persons are aware of existing federal, state, or community programs or services that meet their areas of need may require an additional \$50,000 in funding.<sup>103</sup>

The FDVA estimates that continuing to implement the Veteran Suicide Prevention Training Pilot Program, with specialized mental health training to recognize indicators of elevated mental health conditions, will require \$300,000 in annual funding.<sup>104</sup>

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<sup>103</sup> Email from Roy Clark, Director of Cabinet and Legislative Affairs, Florida Dep't of Veterans' Affairs, to Jay Howard, Appropriations Subcommittee on Health and Human Services, Florida Senate (February 12, 2025)(on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

<sup>104</sup> Id.

If the state decides to establish adult day health care facilities, it would have a significant negative fiscal impact on state expenditures. The federal government does not currently provide matching funds for adult day health care facilities.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 265.003, 292.05, 292.115, 295.124, 295.21, 295.22, 296.43, and 320.08058.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.