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CS/HB 797

2025 Legislature

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2 An act relating to veteran and spouse nursing home
3 beds; creating s. 296.415, F.S.; authorizing certain
4 licensed skilled nursing facilities to request to
5 designate or alter the designation of certain beds as
6 veteran and spouse nursing home beds if specific
7 criteria are met; authorizing the executive director
8 of the Department of Veterans' Affairs to approve such
9 requests if specific criteria are met; authorizing the
10 department to adopt rules; amending s. 408.036, F.S.;
11 specifying conditions under which certain state
12 veterans' nursing homes or certain licensed skilled
13 nursing facilities are exempt from having to receive a
14 certificate of need from the Agency for Health Care
15 Administration; providing an effective date.

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

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19 Section 1. Section 296.415, Florida Statutes, is created
20 to read:

21 296.415 Veteran and spouse nursing home beds.—

22 (1) A licensed skilled nursing facility located on the
23 campus of a nonprofit retirement community that is exempt from
24 taxation under s. 501(c)(3) of the Internal Revenue Code and
25 provides housing exclusively for veterans, their spouses, and

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26 surviving spouses may request to designate certain beds or alter
27 the designation of certain beds as veteran and spouse nursing
28 home beds if:

29 (a) The residents who will be admitted meet the criteria
30 of s. 296.36.

31 (b) The beds will be operated in accordance with the
32 United States Department of Veteran Affairs Community Nursing
33 Home Program.

34 (2) (a) The director may approve a request to designate or
35 alter the designation of veteran and spouse nursing home beds if
36 the request complies with the requirements of subsection (1) and
37 ss. 296.35, 296.36, 296.37, and 296.41.

38 (b) The department may adopt rules to implement this
39 section.

40 Section 2. Paragraph (f) of subsection (3) of section
41 408.036, Florida Statutes, is amended, and paragraph (n) is
42 added to that section, to read:

43 408.036 Projects subject to review; exemptions.—

44 (3) EXEMPTIONS.—Upon request, the following projects are
45 subject to exemption from subsection (1):

46 (f) For state veterans' nursing homes operated by or on
47 behalf of the Florida Department of Veterans' Affairs in
48 accordance with part II of chapter 296 for which ~~at least 50~~
49 ~~percent of~~ the construction cost is state or federally funded
50 and for which the Federal Government pays a per diem rate not to

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51 exceed one-half of the cost of the veterans' care in such state
52 nursing homes. These beds shall not be included in the nursing
53 home bed inventory.

54 (n) For the consolidation or combination of licensed
55 skilled nursing facilities or the transfer of beds between
56 licensed skilled nursing facilities which are for the sole use
57 of veterans, their spouses, or surviving spouses in accordance
58 with s. 296.415. The original licensed skilled nursing facility
59 must have a shared controlling interest in the receiving
60 licensed skilled nursing facility, and the site of the receiving
61 licensed skilled nursing facility may not be located more than
62 100 miles from the site of the original licensed skilled nursing
63 facility.

64 Section 3. This act shall take effect July 1, 2025.