

**ASSEMBLY BILL**

**No. 488**

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**Introduced by Assembly Member Cook  
(Principal coauthors: Assembly Members Allen and Chesbro)**

February 15, 2011

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An act to amend Section 1012.3 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 488, as introduced, Cook. Veterans' homes: fees and charges.

Existing law provides for the establishment and operation of the Veterans Home of California at various sites for aged and disabled veterans who meet certain eligibility requirements. Existing law requires members of the homes to pay fees and charges as determined by the department, but prohibit the total of the member's fees and charges for specified types of care for any fiscal year to be greater than a certain percentage of the member's annual income. Existing law also requires nonveteran spouses who become members of the home on or after July 1, 2009, to pay fees and charges based on the level of care, as specified, or an amount equal to the annual amount of federal per diem received for a veteran member in domiciliary care, whichever is greater, as provided.

This bill would instead require nonveteran spouses to pay the same fees and charges as paid by the veteran members of the home, as determined by the department and subject to the same prohibitions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1012.3 of the Military and Veterans Code  
2 is amended to read:

3 1012.3. ~~(a)~~ Members of the home, *including members who*  
4 *are nonveteran spouses*, shall pay fees and charges as determined  
5 by the department, except that the total of the individual member's  
6 fees and charges for any fiscal year shall not be greater than as set  
7 forth in the following schedule:

8 ~~(1)~~  
9 (a) Forty-seven and one-half percent of the member's annual  
10 income for domiciliary care.

11 ~~(2)~~  
12 (b) Fifty-five percent of the member's annual income for  
13 residential care for the elderly or assisted living.

14 ~~(3)~~  
15 (c) Sixty-five percent of the member's annual income for  
16 intermediate care.

17 ~~(4)~~  
18 (d) Seventy percent of the member's annual income for skilled  
19 nursing care.

20 ~~(b) Nonveteran spouses who become members of the home on~~  
21 ~~or after July 1, 2009, shall pay fees and charges based on the level~~  
22 ~~of care, as described in subdivision (a), or an amount equal to the~~  
23 ~~annual amount of federal per diem received for a veteran member~~  
24 ~~in domiciliary care, whichever is greater. If the nonveteran~~  
25 ~~member's income is less than the annual amount of federal per~~  
26 ~~diem for a veteran member in domiciliary care, the nonveteran~~  
27 ~~member shall pay a maximum of 90 percent of his or her annual~~  
28 ~~income.~~

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