

AMENDED IN SENATE JUNE 14, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1823

Introduced by Assembly Member Yamada
(Coauthors: Assembly Members Norby and Williams)
(Coauthor: Senator Evans)

February 21, 2012

An act to amend Section 1035.6 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 1823, as amended, Yamada. Veterans' homes: accounting for charges.

Under existing law, a member of a veterans' home is required to pay fees and charges as determined by the Department of Veterans Affairs. Existing law requires the administrator of the home to provide each member with a quarterly statement or accounting of all charges for the costs of care rendered to the member in excess of the member fee, as defined.

This bill would require the quarterly statement or accounting of all charges to include information relating to payment of any outstanding charges at the time of the veteran's death, including the use of a deceased veteran's personal property or money for payment of outstanding charges, and ~~the terms and conditions upon which fees and charges can be changed~~ *statement advising the member to seek counsel from a legal expert to protect his or her assets.*

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 1035.6 of the Military and Veterans Code
2 is amended to read:

3 1035.6. (a) The administrator shall provide each member of
4 the home with a quarterly statement or accounting of all charges
5 for the costs of care rendered to the member in excess of the
6 member fee, as defined in subdivision (b). The quarterly statement
7 or accounting of charges shall include, ~~in clear terms~~ *plain,*
8 *straightforward language, avoiding technical terms as much as*
9 *possible and using a coherent and easily readable style,* all of the
10 following:

11 (1) A statement that the charges for the excess costs of care are
12 provided to the member for ~~information~~ *informational* purposes
13 only.

14 (2) A statement that, if the veteran is a resident of the home at
15 the time of death, the home may use his or her money or personal
16 property that is in possession of the home for payment of
17 unreimbursed excess costs of care.

18 (3) A statement that advises the member to seek counsel from
19 a legal expert to protect his or her assets.

20 ~~(4) The terms and conditions upon which the member's fees~~
21 ~~and costs can be changed.~~

22 (b) "Costs of care in excess of the member fee" means all costs
23 that are not covered by the member contribution fee, including,
24 but not limited to, the unreimbursed costs of medical or dental
25 services rendered to the member, either by the home or under
26 contract with the home. The Department of Veterans Affairs shall
27 promulgate regulations specifying the costs that are in excess of
28 the member contribution fee and constitute the unreimbursed costs
29 of care.

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