

ASSEMBLY BILL

No. 614

Introduced by Assembly Member Chávez

February 20, 2013

An act to amend Section 1012 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 614, as introduced, Chávez. Veterans' homes of California: priority admission.

Existing law establishes a Veterans' Home of California at specified sites for aged and disabled veterans who served in the United States Armed Forces. Existing law requires veterans who served during a time of war to be given priority admission over those who served in a time of peace, and requires highest priority to be given to Medal of Honor recipients and former prisoners of war.

This bill would instead require, on and after January 1, 2014, priority admission to be given first to Medal of Honor recipients and former prisoners of war, then to veterans whose financial status makes them unable to pay for necessary hospital or domiciliary care, and then to veterans who served during a time of war.

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

1 1012. (a) Except as provided in Section 1012.4, the home is
 2 for aged and disabled persons who served in the Armed Forces of
 3 the United States of America who were discharged or released
 4 from active duty under honorable conditions from service, who
 5 are eligible for hospitalization or domiciliary care in a veterans'
 6 facility in accordance with the rules and regulations of the United
 7 States Department of Veterans Affairs, and who are bona fide
 8 residents of this state at the time of application; and for the spouses
 9 of these persons if all of the following conditions, as are applicable,
 10 are satisfied:

- 11 (1) Space is available.
- 12 (2) Joint residency will be in the best interests of the home
 13 member, as determined by the administrator.
- 14 (3) The spouse is a bona fide resident of this state at the time
 15 of application for admission to the home and either is married to,
 16 and has resided with, the home member for at least one year, or is
 17 the widow or widower of a recipient of the Medal of Honor or a
 18 former prisoner of war (POW).
- 19 (4) The home member and spouse agree to pay the fees and
 20 charges for joint residency, or for a widow or widower, for the
 21 residency, that the administrator may establish.

22 (b) (1) Veterans who qualify for benefits under this chapter due
 23 to service during a time of war shall be given priority over veterans
 24 who qualify due to service during a time of peace.

25 (2) Veterans who qualify for benefits under this chapter who
 26 are recipients of the Medal of Honor or who were prisoners of war
 27 (POWs) shall be given priority over all other qualified veterans,
 28 regardless of the level of care required.

29 (3) *This subdivision shall apply to veterans admitted to the home*
 30 *prior to January 1, 2014.*

31 (c) (1) *Priority admission shall be given to veterans who qualify*
 32 *for benefits under this chapter in the following order:*

33 (A) *First, to veterans who are recipients of the Medal of Honor*
 34 *or who were POWs.*

35 (B) *Second, to veterans whose financial status makes them*
 36 *unable to pay for necessary hospital or domiciliary care.*

37 (C) *Third, to veterans who served during a time of war.*

38 (2) *This subdivision shall apply to veterans admitted to the home*
 39 *on and after January 1, 2014.*

40 (e)

- 1 *(d)* A resident spouse may continue residence after the veteran's
- 2 death.
- 3 ~~*(d)*~~
- 4 *(e)* The property of the home shall be used for this purpose.

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