

Senate Bill 555

By: Senators Williams of the 25th, Payne of the 54th, Cowser of the 46th, Burns of the 23rd,  
Ginn of the 47th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 2 of Article 2 of Chapter 4 of Title 38 of the Official Code of Georgia  
2 Annotated, relating to war veterans home, so as to authorize the admission of eligible  
3 nonveteran residents to a Georgia War Veterans' Home under certain circumstances; to  
4 provide for definitions; to provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 2 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated,  
9 relating to war veterans home, is amended by revising Code Section 38-4-55, relating to  
10 admissions and discharges, rules and regulations concerning, as follows:

11 "38-4-55.

12 (a) As used in this Code section, the term:

13 (1) 'Eligible nonveteran resident' means a resident who is either a spouse of a veteran or  
14 a parent whose child or children died while serving in the armed forces.

15 (2) 'Georgia War Veterans' Home' means the Georgia War Veterans' Nursing Home, the  
16 Georgia State War Veterans' Home, or any such similarly qualified home as may be  
17 constructed.

18 ~~(a)(b)~~ Admissions to and discharges from ~~any facility of the Georgia State War Veterans'~~  
19 ~~Home~~ a Georgia War Veterans' Home shall be under the control of the governing authority  
20 of the facility concerned under the laws and department rules and regulations in force at  
21 the time application for admission or for discharge is presented; provided, however, that  
22 a war veteran or eligible nonveteran resident shall not be eligible for admission to ~~the~~  
23 ~~Georgia War Veterans' Nursing Home or the Georgia State War Veterans' Home~~ such  
24 home unless such war veteran individual:

25 (1) Has been a resident of this state for a period of at least two years immediately prior  
26 to application for admission; or

27 (2) Is a current resident of this state and has been a resident of this state for at least five  
28 years out of the last 15 years prior to application for admission.

29 (c) War veterans shall retain first priority for admission, waitlisting, and bed assignment.  
30 No eligible nonveteran resident may be admitted if such admission would displace or delay  
31 an otherwise admissible veteran when a veteran appropriate bed is available.

32 (d) The Veterans Service Board or its designee may admit an eligible nonveteran resident  
33 who is a spouse for the limited purpose of maintaining co-residency with the veteran when:

34 (1) Such spouse is admitted or simultaneously applies with the veteran to whom he or  
35 she is legally married; and

36 (2) Co-residency will not reduce veteran bed availability below occupancy targets set by  
37 rules adopted by the Veterans Service Board.

38 (e) The aggregate census of eligible nonveteran residents at any Georgia War Veterans'  
39 Home shall not exceed the lesser of:

40 (1) Twenty-five percent of total operational beds in the facility;

41 (2) Any lower percentage required to maintain Veterans Administration certification or  
 42 per diem; or

43 (3) Any lower percentage provided by rules adopted by the Veterans Service Board.

44 ~~(f) Provided, further, that the~~ The Veterans Service Board may admit and discharge  
 45 veterans to ~~the Georgia State War Veterans' Home~~ a Georgia War Veterans' Home who  
 46 qualify for care and treatment under Title 38, U.S.C., Section 101 (19) and  
 47 Section ~~641~~ 1741.

48 (g) The Veterans Service Board may adopt appropriate rules consistent with accepted  
 49 medical considerations to determine if ~~a war veteran~~ an individual qualifies under this  
 50 ~~subsection~~ Code section.

51 ~~(b)(h)~~ (h) The governing authority of ~~such facility~~ a Georgia War Veterans' Home shall  
 52 exercise appropriate police power and power of restraint over veterans at ~~the Georgia State~~  
 53 ~~War Veterans' Home~~ such facility consistent with policies applied to other patients under  
 54 their care or responsibility.

55 (i) Eligible nonveteran residents shall be private-pay residents unless otherwise eligible  
 56 for third-party coverage under state or federal law.

57 (j) Private-pay rates for eligible nonveteran residents shall be no less than the full cost of  
 58 care, as determined annually by the Department of Veterans Service. When determining  
 59 such rates, the Department of Veterans Service may consider factors, including, but not  
 60 limited to, market adjustments due to acuity level, room type, and specialized services."

61 **SECTION 2.**

62 All laws and parts of laws in conflict with this Act are repealed.