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SB-1529 Veterans homes. (2023-2024)

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Senate Bill No. 1529

CHAPTER 140

An act to amend Sections 1010, 1012, and 1012.1 of the Military and Veterans Code, relating to veterans homes.

[Approved by Governor July 15, 2024. Filed with Secretary of State July 15, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1529, Committee on Military and Veterans Affairs. Veterans homes.

Under existing law, veterans homes are for aged or disabled persons who served in the Armed Forces of the United States, who were discharged or released from active duty under conditions other than dishonorable, who are eligible for health care benefits, hospitalization, or domiciliary care in a veterans facility, and who are bona fide residents of this state at the time of application, and for the spouses or domestic partners of those persons, if, among other things, the spouses or domestic partners agree to pay the fees and charges for joint residency, and the joint residency is in the best interests of the home member, as determined by the home administrator.

This bill would, for spouses and domestic partners, instead require that the veteran and the spouse or domestic partner will maintain joint residency in accordance with rules established by the Department of Veterans Affairs.

Existing law prioritizes eligibility for the veterans homes to veterans who are recipients of the Medal of Honor or who were prisoners of war and to veterans who have been rated by the United States Department of Veterans Affairs as being 70% or greater service-connected disabled.

This bill would specify that veterans rated as being 70% or greater service-connected disabled only receive priority over veterans who do not have priority due to receiving the Medal of Honor or having been a prisoner of war.

Under existing law, providing false financial or other information is grounds for financial penalties or denial of admission to, or discharge from, a home.

This bill would make the omission or falsification of financial, criminal, medical, or other information grounds for financial penalties or denial of admission to, or discharge from, a home.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1010 of the Military and Veterans Code is amended to read:

1010. As used in this chapter:

(a) "Home" means any facility operated by the department for the provision of long-term care, assisted living, adult day health, independent living, or other health care services to eligible veterans. The Veterans' Home of California system is comprised of the following subsidiary home locations:

- (1) The Veterans' Home of California, Yountville, in Napa County.
- (2) The Veterans' Home of California, Barstow, in San Bernardino County.
- (3) The Veterans' Home of California, Chula Vista, in San Diego County.
- (4) The Veterans' Home of California, West Los Angeles, in Los Angeles County.
- (5) The Veterans' Home of California, Lancaster, in Los Angeles County.
- (6) The Veterans' Home of California, Ventura, in Ventura County.
- (7) The Veterans' Home of California, Fresno, in Fresno County.
- (8) The Veterans' Home of California, Redding, in Shasta County.

(b) "Administrator" means the senior executive appointed to operate a home.

(c) "Department" means the Department of Veterans Affairs.

(d) "Member" means a veteran or nonveteran spouse or domestic partner who has been admitted to residency at a veterans' home.

(e) "Secretary" means the Secretary of Veterans Affairs.

(f) "Veteran" has the same meaning as defined in Section 101(2) of Title 38 of the United States Code.

(g) "Applicant" means an eligible veteran or nonveteran spouse or domestic partner who is applying for admission to a home.

SEC. 2. Section 1012 of the Military and Veterans Code is amended to read:

1012. (a) Except as provided in Sections 1012.4, 1023, and 1023.1, the homes are for aged or disabled persons who served in the Armed Forces of the United States of America who were discharged or released from active duty under conditions other than dishonorable, who are eligible for health care benefits, hospitalization, or domiciliary care in a veterans' facility in accordance with the rules and regulations of the United States Department of Veterans Affairs, and who are bona fide residents of this state at the time of application; and for the spouses or domestic partners of these persons if all of the following conditions, as are applicable, are satisfied:

(1) Space is available.

(2) The veteran and the spouse or domestic partner will maintain joint residency in accordance with rules established by the department.

(3) The spouse or domestic partner is a bona fide resident of this state at the time of application for admission to the home and either is married to, and has resided with, the veteran applicant for at least one year, or is the surviving spouse or domestic partner of a recipient of the Medal of Honor or a former prisoner of war (POW).

(b) (1) Veterans who qualify for benefits under this chapter who are recipients of the Medal of Honor or who were POWs shall be given priority over all other qualified veterans.

(2) Veterans who qualify for benefits under this chapter who have been rated by the United States Department of Veterans Affairs as being 70 percent or greater service-connected disabled may be given priority over other veterans who do not qualify for prioritization under paragraph (1).

(3) The secretary may establish needs-based criteria for admission to the homes, and any veteran meeting those criteria may be given priority over veterans who do not qualify for prioritization under paragraph (1) or (2) and can afford to provide for their own care elsewhere.

(4) Paragraphs (2) and (3) shall not apply to veterans who, as of January 1, 2018, are on a wait list awaiting admission to a home.

(5) Veterans who qualify for benefits under this chapter due to service during a time of war may be given priority over veterans who qualify due to service during a time of peace.

(c) A member spouse or domestic partner may continue residency after the veteran's death so long as they continue to pay all applicable fees.

(d) The property of the home shall be used for this purpose.

SEC. 3. Section 1012.1 of the Military and Veterans Code is amended to read:

1012.1. (a) Prior to the admission of an applicant, and at any time during which a person is a member of a home, the department may investigate an applicant's or member's financial status or criminal background to determine the applicant's or member's income, assets, and suitability for residency at a home, or to ensure that the applicant or member is unable to pay for necessary hospital or domiciliary care outside of the home. The department may contract with any other state, federal, or private agency to conduct the investigation on its behalf.

(b) Omitting or falsifying financial, criminal, medical, or other information by an applicant or member or nonpayment of fees may be grounds for financial penalties or denial of admission to, or discharge from, a home.