

2020 -- H 7114

LC003175

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO MILITARY AFFAIRS AND DEFENSE -- RHODE ISLAND VETERANS'
HOME

Introduced By: Representatives Azzinaro, Fellela, Vella-Wilkinson, Casimiro, and
Tobon

Date Introduced: January 15, 2020

Referred To: House Veterans` Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 30-24-10 of the General Laws in Chapter 30-24 entitled "Rhode
2 Island Veterans' Home" is hereby amended to read as follows:

3 **30-24-10. Admissible to home -- Fees.**

4 (a)(1) Any person who has served in the army, navy, marine corps, coast guard, or air
5 force of the United States for a period of ~~ninety (90) days or more and that period began or ended~~
6 ~~during any foreign war in which the United States shall have been engaged or in any expedition~~
7 ~~or campaign for which the United States government issues a campaign medal, and who was~~
8 ~~honorably discharged from it~~ not less than two (2) years, and whose service was honorably
9 discharged, and any persons who are honorably discharged after completion of at least twenty
10 (20) years of service in the Rhode Island National Guard or a reserve component, and who shall
11 be deemed to be in need of care provided at the Rhode Island veterans' home, may be admitted to
12 that facility subject to such rules and regulations as shall be adopted by the director of ~~human~~
13 ~~services~~ the office of veteran affairs to govern the admission of applicants to the facility. Any
14 person who has served in the armed forces of the United States designated herein and otherwise
15 qualified, who has served less than the ~~ninety-day (90)~~ two (2) year period described in this
16 section, and who was honorably discharged from service, and who, as a result of the service,
17 acquired a service-connected disability or disease, may be admitted. For the purpose of
18 computing services under this section, honorable service in the active forces or reserves shall be

1 [considered towards the twenty \(20\) years of National Guard services or a reserve component.](#) No
2 person shall be admitted to the facility unless the person has been accredited to the enlistment or
3 induction quota of the state or has resided in the state for at least two (2) consecutive years next
4 prior to the date of the application for admission to the facility.

5 [\(2\) One year after passage of this subsection, war veterans, defined as any veteran of any](#)
6 [conflict or undeclared war who has earned a campaign ribbon, service medal, or expeditionary](#)
7 [medal for service in either a declared or undeclared war as noted on the veterans' DD-214, shall](#)
8 [be given priority for admission above all other eligible veterans. The director shall maintain two](#)
9 [\(2\) separate waiting lists, one for war veterans and one for non-war veterans. No non-war veteran](#)
10 [may be admitted until the waiting list of war veterans is depleted. Veterans on the waiting list on](#)
11 [the effective date of this subsection shall remain eligible for admission.](#)

12 (b)(1) The director shall, at the end of each fiscal year, determine the net, per-diem
13 expenses of maintenance of residents in the facility and shall assess against each resident who has
14 "net income", as defined in this section, a fee equal to eighty percent (80%) of the resident's net
15 income, provided that fee shall not exceed the actual cost of care and maintenance for the
16 resident; and provided that an amount equal to twenty percent (20%) of the maintenance fee
17 assessed shall be allocated to, and deposited in, the veterans' restricted account. For the purposes
18 of this section, "net income" is defined as gross income minus applicable federal and state taxes
19 and minus:

20 (i) An amount equal to one hundred fifty dollars (\$150) per month of residency and fifty
21 percent (50%) of any sum received due to wounds incurred under battle conditions for which the
22 resident received the purple heart; and

23 (ii) The amount paid by a resident for the support and maintenance of his or her spouse,
24 parent(s), minor child(ren), or child(ren) who is/are blind or permanently and totally disabled as
25 defined in title XVI of the Federal Social Security Act, 42 U.S.C. §§ 1381 -- 1383d, subject to a
26 maximum amount to be determined by rules and regulations as shall be adopted by the director.

27 (2) The fees shall be paid monthly to the home and any failure to make payment when
28 due shall be cause for dismissal from the facility. Prior to dismissal, the resident shall be afforded
29 administrative due process.

30 (c) Admissions to the veterans' home shall be made without discrimination as to race,
31 color, national origin, religion, sex, disability, marital status, age, sexual orientation, gender
32 identity or expression, assets, or income.

33 (d) Laundry services shall be provided to the residents of the Rhode Island veterans'
34 home at no charge to the residents, with such funds to cover the cost of providing laundry

1 services for residents of the Rhode Island veterans' home derived from monies appropriated to the
2 department of human services.

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO MILITARY AFFAIRS AND DEFENSE -- RHODE ISLAND VETERANS'
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1 This act would change the service eligibility requirement for a veteran to be granted
2 admission into the Rhode Island Veterans' Home from ninety (90) days to two (2) years, and one
3 (1) year after passage would place veterans who are defined as war veterans based on their DD-
4 214 on a separate waiting list for admission to the Veterans' Home before non-war veterans.

5 This act would take effect upon passage.

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