

HOUSE BILL NO. HB0216

Veterans skilled nursing center.

Sponsored by: Representative(s) Berger, Barlow, Burkhart, Harvey, Jennings, Kasperik, Patton and Throne and Senator(s) Burns, Coe, Kinskey and Von Flatern

A BILL

for

1 AN ACT relating to veterans; creating a new skilled nursing  
2 center for veterans and their spouses; providing for  
3 nonveterans to be admitted to the center as specified;  
4 providing for administration and operation of the center as  
5 specified; authorizing the receipt and expenditure of funds  
6 as specified; establishing a fund; requiring a report;  
7 providing rulemaking authority; authorizing a position;  
8 providing appropriations; providing for recapture of the  
9 appropriation; and providing for an effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 25-14-101 through 25-14-106 are  
14 created to read:

1

2

CHAPTER 14

3

WYOMING VETERANS' SKILLED NURSING CENTER

4

5

**25-14-101. Purpose; admission of veterans and**

6

**veterans' spouses.**

7

8

(a) Except as provided in W.S. 9-2-106(d) and

9

25-14-102, the veterans' skilled nursing center is created

10

for the care and treatment of:

11

12

(i) Honorably discharged veterans of the armed

13

forces of the United States; and

14

15

(ii) Members of the state national guard

16

disabled while on duty.

17

18

(b) Persons qualifying under subsection (a) of this

19

section shall also be persons who by reason of wounds,

20

disease, old age or other infirmities are in need of

21

skilled nursing care as determined by rules promulgated by

22

the department of health.

23

1           (c) The department of health may admit a spouse of  
2 the persons described in subsection (a) of this section,  
3 and who meet the requirements of subsection (b) of this  
4 section, pursuant to rules promulgated by the department in  
5 accordance with W.S. 9-2-106(d). The rules shall provide  
6 admission requirements which do not jeopardize the center's  
7 or any veteran's qualification to receive federal financial  
8 aid during a veteran's admission to the center.

9

10           **25-14-102. Admission of nonveterans.**

11

12           (a) The department of health may admit persons to the  
13 center who are not veterans or spouses of veterans for care  
14 and treatment if:

15

16           (i) The persons are qualifying dependents or the  
17 parents of United States military personnel who were killed  
18 in the line of duty as provided by statute, rule or  
19 regulation of the United States department of veterans  
20 affairs; and

21

22           (ii) The persons are admitted pursuant to rules  
23 and regulations promulgated in accordance with W.S.

1 9-2-106(d). The rules shall provide admission requirements  
2 which do not jeopardize the center's or any veteran's  
3 qualification to receive federal financial aid during a  
4 veteran's admission to the center.

5

6 **25-14-103. Services for residents; administration.**

7

8 (a) The department of health shall, by contract or  
9 otherwise:

10

11 (i) Provide skilled nursing care in a skilled  
12 nursing facility for residents in accordance with the  
13 federal Social Security Act and the federal medicare and  
14 medicaid regulations;

15

16 (ii) Provide other care as required under  
17 authority of the director pursuant to W.S. 9-2-106(d).

18

19 (b) The department shall contract with a private  
20 nonprofit organization to provide day-to-day operations of  
21 the veterans' skilled nursing center. The contract shall  
22 provide for a monthly management fee as determined by the  
23 department.

1

2 (c) Any contract awarded under this section shall be  
3 awarded on the basis of competitive bids. Selection shall  
4 be based upon costs, background and relevant experience,  
5 expected performance and other criteria as determined by  
6 the department.

7

8 **25-14-104. Charges for care.**

9

10 Residents shall pay for services provided under this  
11 chapter according to rules promulgated by the department of  
12 health. Payments under this section shall be set at  
13 amounts to ensure that appropriate services are provided at  
14 the center, as required by this chapter.

15

16 **25-14-105. Acceptance of donations.**

17

18 The department may accept on behalf of the state donations  
19 of lands, money or other property for the benefit of the  
20 center. The department of health shall consider accepting  
21 a private donation of land to be used for the construction  
22 and maintenance of the veterans' skilled nursing center.

23

1           **25-14-106. Disposition, receipt and expenditure of**  
2 **monies received; reports.**

3

4           (a) The department may accept state, federal, local  
5 and nongovernmental funds for the purposes of this chapter  
6 provided the conditions on receipt of the funds are not  
7 inconsistent with this chapter.

8

9           (b) Notwithstanding W.S. 9-4-303(a), the department  
10 shall deposit all monies and income received and collected  
11 by the Wyoming veterans' skilled nursing center into a  
12 special revenue fund. The department may use monies from  
13 this fund to pay the costs of operating and maintaining the  
14 veterans' skilled nursing center. Monies existing after  
15 costs and maintenance are paid shall be paid with interest  
16 at three percent (3%) per annum to the omnibus permanent  
17 land fund until the total, unreverted, initial legislative  
18 appropriation pursuant to this act is recaptured which  
19 shall not be later than fifteen (15) years from the date of  
20 construction completion of the veterans' skilled nursing  
21 center. However, no payment to the omnibus permanent land  
22 fund in any one (1) year shall be required to exceed an  
23 amount which is equal to the total, unreverted, initial

1 legislative appropriation made pursuant to this act divided  
2 by eight (8). If the veterans' skilled nursing center is  
3 sold, all proceeds shall be deposited in the omnibus  
4 permanent land fund.

5

6 (c) On or before September 1 of each year, the  
7 department shall report to the joint appropriations interim  
8 committee and joint transportation, highways and military  
9 affairs interim committee the total amounts repaid to the  
10 omnibus permanent land fund under subsection (b) of this  
11 section.

12

13 **Section 2.** W.S. 9-2-106(d), 23-2-207(a)(ii) and  
14 25-1-201(a) by creating a new paragraph (xv) are amended to  
15 read:

16

17 **9-2-106. Duties and powers of director of department.**

18

19 (d) The director may authorize the Wyoming life  
20 resource center, the Wyoming state hospital, the Wyoming  
21 pioneer home, the veterans' home of Wyoming, ~~and~~ the  
22 Wyoming retirement center and the Wyoming veterans' skilled  
23 nursing center to provide services to persons with

1 conditions other than those specified in the provisions  
2 governing those state institutions in title 25 of the  
3 Wyoming statutes when the director determines that there is  
4 a need for such services, that the services can be provided  
5 effectively by the institution, that the services shall be  
6 delivered in a manner that assures the safety of all  
7 individuals served by the institution and the services  
8 provided are statutorily authorized for any of these  
9 institutions, the service needs are similar to those  
10 authorized for any of these institutions or the services  
11 are necessary to protect the public health and safety. The  
12 director shall promulgate rules and regulations and  
13 policies and procedures necessary to implement this  
14 subsection. Nothing in this subsection shall be construed  
15 to authorize the director to eliminate services that are  
16 otherwise required by statute.

17

18 **23-2-207. Special limited fishing permit for**  
19 **hospitalized veterans, residents of state institutions,**  
20 **court placed children and residents of licensed nursing**  
21 **care facilities; students.**

22



1 (a) Upon an appropriate form furnished by the  
2 appropriate institution or facility as prescribed by rule  
3 and regulation of the commission, a special limited fishing  
4 permit may be issued without charge by:

5  
6 (ii) The department of health or the department  
7 of family services to any resident in the veterans' home of  
8 Wyoming, Wyoming veterans' skilled nursing center, Wyoming  
9 state hospital, Wyoming life resource center, Wyoming boys'  
10 school and the Wyoming girls' school, which entitles the  
11 institutionalized resident to fish while under the direct  
12 supervision of the appropriate institution;

13  
14 **25-1-201. Establishment of state institutions.**

15  
16 (a) The following state institutions are established:

17  
18 (xv) The Wyoming veterans' skilled nursing  
19 center.

20  
21 **Section 3.** The department of health is authorized one (1)  
22 additional full-time permanent position for the veterans'  
23 skilled nursing center. The department of health shall

1 include this position authorization and necessary funding  
2 for the position in its 2017-2018 standard budget request.

3

4 **Section 4.**

5

6 (a) There is appropriated three million two hundred  
7 fifty-three thousand two hundred fifty dollars  
8 (\$3,253,250.00) from the omnibus permanent land fund to the  
9 department of administration and information. Of the funds  
10 appropriated under this subsection:

11

12 (i) No more than two million nine hundred three  
13 thousand two hundred fifty dollars (\$2,903,250.00) shall be  
14 expended for the purpose of purchasing land for,  
15 constructing, administering the construction of, furnishing  
16 and equipping, site work for and landscaping of the  
17 veterans' skilled nursing center required by this act;

18

19 (ii) No more than three hundred ninety-five  
20 thousand dollars (\$395,000.00) shall be expended for the  
21 purpose of construction contingency costs for the veterans'  
22 skilled nursing center required by this act.

23

1           (b) For the period beginning with the effective date  
2 of this act through June 30, 2016, there is appropriated up  
3 to seventy-five thousand dollars (\$75,000.00) from the  
4 general fund to the department of health to fund the  
5 full-time permanent position authorized in section 3 of  
6 this act. Notwithstanding any other provision of law, this  
7 appropriation shall not be transferred or expended for any  
8 other purpose. The department shall not fill this position  
9 until three (3) months prior to substantial construction  
10 completion or at such time as required for the receipt of  
11 federal funds, whichever is earlier. Any unobligated,  
12 unexpended funds shall revert as provided by law on June  
13 30, 2016.

14

15           (c) Funds appropriated in subsection (a) of this  
16 section shall not be expended until plans for the  
17 construction of the veterans' skilled nursing center  
18 project have been approved by the state building commission  
19 and the veterans' administration. Notwithstanding any other  
20 provision of law, funds appropriated in subsection (a) of  
21 this section, shall not be transferred or expended for any  
22 other purpose and any unexpended, unobligated funds  
23 remaining from this appropriation shall revert back to the

1 omnibus permanent land fund no later than three (3) months  
2 after construction completion of the veteran's skilled  
3 nursing center.

4

5 (d) The veterans' skilled nursing center project  
6 shall be constructed in accordance with procedures of the  
7 construction management section within the general services  
8 division of the department of administration and  
9 information and approved by the state building commission.

10

11 **Section 5.** This act is effective July 1, 2015.

12

13

(END)