



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1262/2
MGG:wlj:jf

DOA:.....Silver, BB0294 - Operation of new veterans home

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

VETERANS AND MILITARY AFFAIRS

Currently, DVA operates two veterans homes in the state, one at King and the other at Union Grove. Operation of veterans homes includes hiring personnel and providing services to the residents of the home. A third home, that has not yet been opened, is to be located in Chippewa Falls. For this third home, in lieu of DVA operating the home, DVA may contract with a private entity to operate the home. The bill also specifically requires the Legislative Audit Bureau, at the request of the governor or the legislature, to conduct one or more financial audits of the operation of the Chippewa Falls home by a private entity.

This bill authorizes DVA to transfer to the veterans trust fund the unencumbered balances from certain appropriations in the general fund that provide funding for the veterans homes operated by DVA.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 13.94 (1) (dp) of the statutes is created to read:

13.94 (1) (dp) In addition to any other audit to be performed under this section relating to veterans homes, perform one or more financial audits of the operation of the Wisconsin Veterans Home at Chippewa Falls by any private entity with which the department of veterans affairs enters into an agreement under s. 45.50 (2m) (c). The audit shall be performed at such time as the governor or legislature directs.

SECTION 2. 16.705 (1p) of the statutes is created to read:

16.705 (1p) Subsection (1) does not apply to an agreement entered into by the department of veterans affairs under s. 45.50 (2m) (c).

SECTION 3. 20.485 (1) (gk) of the statutes is amended to read:

20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the care of the members of the Wisconsin veterans homes under s. 45.50, for the payment of stipends under s. 45.50 ~~(9)~~ (2m) (f), for the transfer of moneys to the appropriation account under s. 20.435 (4) (ky) for payment of the state share of the medical assistance costs related to the provision of stipends under s. 45.50 ~~(9)~~ (2m) (f), for the payment of assistance to indigent veterans under s. 45.43 to allow them to reside at the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the appropriation account under par. (kg), and for the payment of grants under s. 45.82, ~~and for the transfer of moneys under s. 45.03 (20).~~ Not more than 1 percent of the moneys credited to this appropriation account may be used for the payment of assistance to indigent veterans under s. 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and (8) and all moneys received for the care of members under medical assistance, as defined in s. 49.43 (8), shall be credited to this appropriation account.

***NOTE: This is reconciled s. 20.485 (1) (gk). This section is affected by drafts with the following LRB #s: LRB-1185/2 and LRB-1262/1.

SECTION 4. 20.485 (1) (hm) of the statutes is amended to read:

20.485 (1) (hm) *Gifts and grants.* All moneys received from gifts and grants specifically for the purpose of s. 45.50 (1)-(e) (2m) (d), to carry out the purpose of s. 45.50 (1)-(e) (2m) (d).

SECTION 5. 20.485 (1) (j) of the statutes is amended to read:

20.485 (1) (j) *Geriatric program receipts.* All moneys received from program operations by the geriatric evaluation, research, and education program, to carry out the purpose of s. 45.50 (1)-(e) (2m) (d).

SECTION 6. 20.485 (1) (mj) of the statutes is amended to read:

20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal government for the geriatric program at Wisconsin veterans homes, to carry out the purpose of s. 45.50 (1)-(e) (2m) (d).

SECTION 7. 45.03 (20) of the statutes is repealed.

SECTION 8. 45.03 (20m) of the statutes is created to read:

45.03 (20m) **TRANSFER OF FUNDS TO THE VETERANS TRUST FUND.** On June 30 of each fiscal year, the department of veterans affairs may transfer all or part of the unencumbered balance of any of the appropriations under s. 20.485 (1) (g), (gd), (gk), (h), (hm), (i), or (j) from the general fund to the veterans trust fund.

SECTION 9. 45.50 (1) (a) of the statutes is renumbered 45.50 (1) and amended to read:

45.50 (1) VETERANS HOME AT KING. The department shall operate the Wisconsin Veterans Home at King and employ a commandant for the home. ~~The department shall employ a commandant for the Wisconsin Veterans Home at Union Grove and may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls. The department may employ any personnel that are necessary for the proper~~

~~management and operation of veterans homes. In compliance with the compensation plan established pursuant to s. 230.12 (3), a commandant may recommend to the director of personnel charges for meals, living quarters, laundry, and other services furnished to employees and members of the employees' family maintained at veterans homes. The department shall provide complete personal maintenance and medical care, including programs and facilities that promote comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.~~

SECTION 10. 45.50 (1) (b) of the statutes is renumbered 45.50 (2m) (e) and amended to read:

45.50 **(2m)** (e) All moneys received as reimbursement for services to veterans homes employees or as payment for meals served to guests at veterans homes shall be accumulated in an account named "employee maintenance credits" and shall be paid into the general fund within one week after receipt and credited to the appropriation account under s. 20.485 (1) (gk). This paragraph does not apply to any agreement entered into pursuant to par. (c).

SECTION 11. 45.50 (1) (c) of the statutes is renumbered 45.50 (2m) (d) and amended to read:

45.50 **(2m)** (d) Veterans homes with a skilled nursing facility shall include a geriatric evaluation, research, and education program. The program staff shall be funded from the appropriations under s. 20.485 (1) (hm), (j), and (mj).

SECTION 12. 45.50 (2) (a) of the statutes is renumbered 45.50 (2b) and amended to read:

45.50 **(2b)** Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may construct or renovate and operate residential, treatment, and nursing care facilities, including a community-based residential facility, to be known

as the Wisconsin Veterans Home at Union Grove. The department shall employ a commandant for the Wisconsin Veterans Home at Union Grove.

SECTION 13. 45.50 (2) (b) of the statutes is renumbered 45.50 (2d) and amended to read:

45.50 (2d) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may develop, construct or renovate, and operate residential, treatment, and nursing care facilities and programs for veterans in northwestern Wisconsin, on the property of the Northern Wisconsin Center for the Developmentally Disabled in Chippewa Falls to be known as the Wisconsin Veterans Home at Chippewa Falls. The programs and facilities may include an assisted living facility, a skilled nursing facility, a medical clinic, an adult day health care center, an activities center, and a veterans assistance program. The department may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls.

SECTION 14. 45.50 (2b) (title) of the statutes is created to read:

45.50 (2b) (title) VETERANS HOME AT UNION GROVE.

SECTION 15. 45.50 (2d) (title) of the statutes is created to read:

45.50 (2d) (title) VETERANS HOME AT CHIPPEWA FALLS.

SECTION 16. 45.50 (2m) (title) of the statutes is created to read:

45.50 (2m) (title) SERVICES; STAFFING OF HOMES.

SECTION 17. 45.50 (2m) (a) of the statutes is created to read:

45.50 (2m) (a) The department shall provide complete personal maintenance and medical care, including programs and facilities that promote comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.

SECTION 18. 45.50 (2m) (b) of the statutes is created to read:

45.50 (2m) (b) The department may employ any personnel that are necessary for the proper management and operation of veterans homes. In compliance with the compensation plan established pursuant to s. 230.12 (3), a commandant may recommend to the director of personnel charges for meals, living quarters, laundry, and other services furnished to employees and members of the employees' family maintained at veterans homes.

SECTION 19. 45.50 (2m) (c) of the statutes is created to read:

45.50 (2m) (c) For the Wisconsin Veterans Home at Chippewa Falls, in lieu of the department employing personnel as authorized under par. (b) and providing the maintenance and medical care as specified in par. (a), the department may enter into an agreement with a private entity to operate the home and perform such management and care using personnel employed by the private entity.

SECTION 20. 45.50 (3) (title) of the statutes is created to read:

45.50 (3) (title) LAND ACQUISITION.

SECTION 21. 45.50 (4) (title) of the statutes is created to read:

45.50 (4) (title) GIFTS AND GRANTS.

SECTION 22. 45.50 (4) of the statutes is renumbered 45.50 (4) (a).

SECTION 23. 45.50 (5) of the statutes is renumbered 45.50 (4) (b).

SECTION 24. 45.50 (6) (title) of the statutes is created to read:

45.50 (6) (title) WATER AND SEWER SERVICES.

SECTION 25. 45.50 (6) (b) of the statutes is amended to read:

45.50 (6) (b) Agreements under this section ~~subsection~~ shall be drafted to hold harmless the department, to require all expense to be paid by the applicant, and to be terminable by the department when other water and sewer services become available to the applicant.

SECTION 26. 45.50 (7) (title) of the statutes is created to read:

45.50 (7) (title) ENFORCEMENT AUTHORITY.

SECTION 27. 45.50 (8) (title) of the statutes is created to read:

45.50 (8) (title) FIRE FIGHTING SERVICES.

SECTION 28. 45.50 (9) of the statutes is renumbered 45.50 (2m) (f) and amended to read:

45.50 (2m) (f) The department may develop a program to provide stipends to individuals to attend school and receive the necessary credentials to become employed at veterans homes. If the department develops a stipend program under this subsection paragraph, the department shall promulgate rules related to the program, including the application process, eligibility criteria, stipend amount, repayment provisions, and other provisions that the department determines are necessary to administer the program.

SECTION 29. 45.50 (10) of the statutes is amended to read:

45.50 (10) HOSPITALS AUTHORIZED. The department may establish a hospital at ~~the a veterans homes~~ home. All hospitals established under this subsection may not have a total approved bed capacity, as defined in s. 150.01 (4m), greater than 16 beds. The approved bed capacity of a skilled nursing facility operated at a veterans home is reduced by one bed for each approved bed at the hospital established under this subsection at that home.

SECTION 30. 150.31 (5m) of the statutes is amended to read:

150.31 (5m) The department shall decrease the statewide bed limit specified in sub. (1) to account for any reduction in the approved bed capacity of a skilled

nursing facility operated by the department of veterans affairs under s. 45.50 ~~(1)~~, as specified in s. 45.50 (10).

(END)