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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

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

Introduced By: Representatives Cardillo, O'Brien, Vella-Wilkinson, Costantino,
Azzinaro, Corvese, Chippendale, Potter, Fellela, and Craven

Date Introduced: February 24, 2021

Referred To: House Finance

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) Any person who has served in the army, navy, marine corps, coast guard, or air force
5 of the United States for a period of ninety (90) days or more and that period began or ended during
6 any foreign war in which the United States shall have been engaged or in any expedition or
7 campaign for which the United States government issues a campaign medal, and who was
8 honorably discharged from it, and who shall be deemed to be in need of care provided at the Rhode
9 Island veterans' home, may be admitted to that facility subject to such rules and regulations as shall
10 be adopted by the director of human services to govern the admission of applicants to the facility.
11 Any person who has served in the armed forces of the United States designated herein and otherwise
12 qualified, who has served less than the ninety-day (90) period described in this section, and who
13 was honorably discharged from service, and who, as a result of the service, acquired a service-
14 connected disability or disease, may be admitted. No person shall be admitted to the facility unless
15 the person has been accredited to the enlistment or induction quota of the state or has resided in the
16 state for at least two (2) consecutive years next prior to the date of the application for admission to
17 the facility.

18 (b)(1) The director shall, at the end of each fiscal year, determine the net, per-diem

1 expenses of maintenance of residents in the facility and shall assess against each resident who has
2 "net income", as defined in this section, a fee equal to eighty percent (80%) of the resident's net
3 income, provided that fee shall not exceed the actual cost of care and maintenance for the resident;
4 and provided that an amount equal to twenty percent (20%) of the maintenance fee assessed shall
5 be allocated to, and deposited in, the veterans' restricted account. For the purposes of this section,
6 "net income" is defined as gross income minus applicable federal and state taxes and minus:

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

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

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

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

20 (d) Laundry services shall be provided to the residents of the Rhode Island veterans' home
21 at no charge to the residents, with such funds to cover the cost of providing laundry services for
22 residents of the Rhode Island veterans' home derived from monies appropriated to the department
23 of human services.

24 (e) Any resident of the facility due reimbursement of funds resulting from improper billing
25 of maintenance fees under this section or § 30-24-10.1 shall be entitled to a refund of the amount
26 overbilled plus interest at the rate of twelve percent (12%) per annum on the total amount calculated
27 from the date the initial overbilling occurred.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require that any reimbursements to veterans resulting from improper
2 maintenance fees billing would require the addition of interest to the overbilled amount being
3 reimbursed at the rate of twelve percent (12%) per annum on the total amount refunded from the
4 date the overbilling occurred.

5 This act would take effect upon passage.

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