



Sen. Sally J. Turner

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10200SB1472sam001

LRB102 11250 KTG 24495 a

1 AMENDMENT TO SENATE BILL 1472

2 AMENDMENT NO. _____. Amend Senate Bill 1472 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Veterans' Affairs Act is
5 amended by changing Sections 2.01, 2.03, and 2.04 and by
6 adding Sections 2i and 2.01d as follows:

7 (20 ILCS 2805/2i new)

8 Sec. 2i. The Illinois Veterans' Home of Central Illinois
9 Fund. The Illinois Veterans' Home of Central Illinois Fund is
10 hereby created as a special fund in the State treasury. From
11 appropriations to the Department from the Fund, the Department
12 shall purchase needed equipment and supplies to enhance the
13 lives of the residents at and for the operations of veterans'
14 homes in central Illinois, including capital improvements,
15 building rehabilitation, and repairs.

1 (20 ILCS 2805/2.01) (from Ch. 126 1/2, par. 67.01)

2 Sec. 2.01. Veterans Home admissions.

3 (a) Any honorably discharged veteran is entitled to
4 admission to an Illinois Veterans Home if the applicant meets
5 the requirements of this Section.

6 (b) The veteran must:

7 (1) have served in the armed forces of the United
8 States at least 1 day in World War II, the Korean Conflict,
9 the Viet Nam Campaign, or the Persian Gulf Conflict
10 between the dates recognized by the U.S. Department of
11 Veterans Affairs or between any other present or future
12 dates recognized by the U.S. Department of Veterans
13 Affairs as a war period, or have served in a hostile fire
14 environment and has been awarded a campaign or
15 expeditionary medal signifying his or her service, for
16 purposes of eligibility for domiciliary or nursing home
17 care;

18 (2) have served and been honorably discharged or
19 retired from the armed forces of the United States for a
20 service connected disability or injury, for purposes of
21 eligibility for domiciliary or nursing home care;

22 (3) have served as an enlisted person at least 90 days
23 on active duty in the armed forces of the United States,
24 excluding service on active duty for training purposes
25 only, and entered active duty before September 8, 1980,
26 for purposes of eligibility for domiciliary or nursing

1 home care;

2 (4) have served as an officer at least 90 days on
3 active duty in the armed forces of the United States,
4 excluding service on active duty for training purposes
5 only, and entered active duty before October 17, 1981, for
6 purposes of eligibility for domiciliary or nursing home
7 care;

8 (5) have served on active duty in the armed forces of
9 the United States for 24 months of continuous service or
10 more, excluding active duty for training purposes only,
11 and enlisted after September 7, 1980, for purposes of
12 eligibility for domiciliary or nursing home care;

13 (6) have served as a reservist in the armed forces of
14 the United States or the National Guard and the service
15 included being called to federal active duty, excluding
16 service on active duty for training purposes only, and who
17 completed the term, for purposes of eligibility for
18 domiciliary or nursing home care;

19 (7) have been discharged for reasons of hardship or
20 released from active duty due to a reduction in the United
21 States armed forces prior to the completion of the
22 required period of service, regardless of the actual time
23 served, for purposes of eligibility for domiciliary or
24 nursing home care; or

25 (8) have served in the National Guard or Reserve
26 Forces of the United States and completed 20 years of

1 satisfactory service, be otherwise eligible to receive
2 reserve or active duty retirement benefits, and have been
3 an Illinois resident for at least one year before applying
4 for admission for purposes of eligibility for domiciliary
5 care only.

6 (c) The veteran must have service accredited to the State
7 of Illinois or have been a resident of this State for one year
8 immediately preceding the date of application.

9 (d) For admission to the Illinois Veterans Homes at Anna
10 and Quincy, the veteran must have developed a disability by
11 disease, wounds, or otherwise and because of the disability be
12 incapable of earning a living.

13 (e) For admission to the Illinois Veterans Homes at
14 Chicago, LaSalle, Lincoln, and Manteno, the veteran must have
15 developed a disability by disease, wounds, or otherwise and,
16 for purposes of eligibility for nursing home care, require
17 nursing care because of the disability.

18 (f) An individual who served during a time of conflict as
19 set forth in paragraph (1) of subsection (b) of this Section
20 has preference over all other qualifying candidates, for
21 purposes of eligibility for domiciliary or nursing home care
22 at any Illinois Veterans Home.

23 (g) A veteran or spouse, once admitted to an Illinois
24 Veterans Home facility, is considered a resident for
25 interfacility purposes.

26 (h) A non-veteran spouse shall only have the same priority

1 for admission to a Veterans Home as a veteran if the
2 non-veteran spouse and his or her veteran spouse are admitted
3 at the same time to live together at the Veterans Home.

4 (Source: P.A. 99-143, eff. 7-27-15; 99-314, eff. 8-7-15;
5 99-642, eff. 7-28-16; 100-392, eff. 8-25-17; 100-942, eff.
6 1-1-19.)

7 (20 ILCS 2805/2.01d new)

8 Sec. 2.01d. Illinois Veterans Home at Lincoln. The
9 Illinois Veterans Home at Lincoln is established. The
10 Department shall operate and maintain the Illinois Veterans
11 Home at Lincoln.

12 (20 ILCS 2805/2.03) (from Ch. 126 1/2, par. 67.03)

13 Sec. 2.03. Admissions. Admissions to an Illinois Veterans
14 Home are subject to the rules and regulations adopted by the
15 Department of Veterans' Affairs to govern the admission of
16 applicants.

17 Each resident of a Home is liable for the payment of sums
18 representing maintenance charges for care at the Home at a
19 rate to be determined by the Department, based on the
20 resident's ability to pay. However, the charges shall not
21 exceed the average annual per capita cost of maintaining the
22 resident in the Home. The Department, upon being furnished
23 proof of payment, shall in its discretion make allowances for
24 unusual expenses in determining the ability of the resident to

1 pay maintenance charges.

2 The basis upon which the payment of maintenance charges
3 shall be calculated by the Department is the average per
4 capita cost for the care of all residents at each Home for the
5 fiscal year immediately preceding the period for which the
6 rate for each Home is being calculated.

7 The Department may require residents to pay charges
8 monthly, quarterly, or otherwise as may be most suitably
9 arranged for the individual members. The amounts received from
10 each Home for the charges shall be transmitted to the
11 Treasurer of the State of Illinois for deposit in each
12 Veterans Home Fund, respectively, except that receipts
13 attributable to the Illinois Veterans Home at Chicago shall be
14 deposited into the Illinois Veterans' Homes Fund, and receipts
15 attributable to the Illinois Veterans Home at Lincoln shall be
16 deposited into the Illinois Veterans' Home of Central Illinois
17 Fund.

18 The Department may investigate the financial condition of
19 residents of a Home to determine their ability to pay
20 maintenance charges and to establish standards as a basis of
21 judgment for such determination. Such standards shall be
22 recomputed periodically to reflect changes in the cost of
23 living and other pertinent factors.

24 Refusal to pay the maintenance charges is cause for
25 discharge of a resident from a Home.

26 The Department may collect any medical or health benefits

1 to which a resident may become entitled through tax supported
2 or privately financed systems of insurance, as a result of his
3 or her care or treatment in the facilities provided by the
4 Department, or because of care or treatment in other
5 facilities when such care or treatment has been paid for by the
6 Department.

7 Admission of a resident is not limited or conditioned in
8 any manner by the financial status of the resident or his or
9 her ability to pay maintenance charges.

10 The Department may accept and hold on behalf of the State,
11 if for the public interest, a grant, gift, devise, or bequest
12 of money or property to the Department made in trust for the
13 maintenance or support of a resident of an Illinois Veterans
14 Home or for any other legitimate purpose. The Department shall
15 cause each gift, grant, devise, or bequest to be kept as a
16 distinct fund and shall invest the same in the manner provided
17 by the laws of this State relating to securities in which the
18 deposit in savings banks may be invested. However, the
19 Department may, at its discretion, deposit in a proper trust
20 company, bank, or savings bank, during the continuance of the
21 trust, any fund left in trust for the life of a person and
22 shall adopt rules and regulations governing the deposit,
23 transfer, or withdrawal of the fund. The Department shall, on
24 the expiration of any trust as provided in any instrument
25 creating the trust, dispose of the fund in the manner provided
26 in the instrument. The Department shall include in its

1 required reports a statement showing what funds are so held by
2 it and the condition of the funds; provided that monies found
3 on residents at the time of their admission or accruing to them
4 during their residence at a Home and monies deposited with the
5 administrators by relatives, guardians, or friends of
6 residents for the special comfort and pleasure of the resident
7 shall remain in the custody of the administrators who shall
8 act as trustees for disbursement to, on behalf of, or for the
9 benefit of the resident. All types of retirement and pension
10 benefits from private and public sources may be paid directly
11 to the administrator of a Home for deposit to the resident
12 trust fund account.

13 (Source: P.A. 100-392, eff. 8-25-17.)

14 (20 ILCS 2805/2.04) (from Ch. 126 1/2, par. 67.04)

15 Sec. 2.04. There shall be established in the State
16 Treasury special funds known as (i) the LaSalle Veterans Home
17 Fund, (ii) the Anna Veterans Home Fund, (iii) the Manteno
18 Veterans Home Fund, and (iv) the Quincy Veterans Home Fund.
19 All moneys received by an Illinois Veterans Home from Medicare
20 and from maintenance charges to veterans, spouses, and
21 surviving spouses residing at that Home shall be paid into
22 that Home's Fund. All moneys received from the U.S. Department
23 of Veterans Affairs for patient care shall be transmitted to
24 the Treasurer of the State for deposit in the Veterans Home
25 Fund for the Home in which the veteran resides. Appropriations

1 shall be made from a Fund only for the needs of the Home,
2 including capital improvements, building rehabilitation, and
3 repairs. The Illinois Veterans' Homes Fund shall be the
4 Veterans Home Fund for the Illinois Veterans Home at Chicago.
5 The Illinois Veterans' Home of Central Illinois Fund shall be
6 the Veterans Home Fund for the Illinois Veterans Home at
7 Lincoln.

8 The administrator of each Veterans Home shall establish a
9 locally-held member's benefits fund. The Director may
10 authorize the Veterans Home to conduct limited fundraising in
11 accordance with applicable laws and regulations for which the
12 sole purpose is to benefit the Veterans Home's member's
13 benefits fund. Revenues accruing to an Illinois Veterans Home,
14 including any donations, grants for the operation of the Home,
15 profits from commissary stores, and funds received from any
16 individual or other source, including limited fundraising,
17 shall be deposited into that Home's benefits fund.
18 Expenditures from the benefits funds shall be solely for the
19 special comfort, pleasure, and amusement of residents.
20 Contributors of unsolicited private donations may specify the
21 purpose for which the private donations are to be used.

22 Upon request of the Department, the State's Attorney of
23 the county in which a resident or living former resident of an
24 Illinois Veterans Home who is liable under this Act for
25 payment of sums representing maintenance charges resides shall
26 file an action in a court of competent jurisdiction against

1 any such person who fails or refuses to pay such sums. The
2 court may order the payment of sums due to maintenance charges
3 for such period or periods of time as the circumstances
4 require.

5 Upon the death of a person who is or has been a resident of
6 an Illinois Veterans Home who is liable for maintenance
7 charges and who is possessed of property, the Department may
8 present a claim for such sum or for the balance due in case
9 less than the rate prescribed under this Act has been paid. The
10 claim shall be allowed and paid as other lawful claims against
11 the estate.

12 The administrator of each Veterans Home shall establish a
13 locally-held trust fund to maintain moneys held for residents.
14 Whenever the Department finds it necessary to preserve order,
15 preserve health, or enforce discipline, the resident shall
16 deposit in a trust account at the Home such monies from any
17 source of income as may be determined necessary, and
18 disbursement of these funds to the resident shall be made only
19 by direction of the administrator.

20 If a resident of an Illinois Veterans Home has a dependent
21 child, spouse, or parent the administrator may require that
22 all monies received be deposited in a trust account with
23 dependency contributions being made at the direction of the
24 administrator. The balance retained in the trust account shall
25 be disbursed to the resident at the time of discharge from the
26 Home or to his or her heirs or legal representative at the time

1 of the resident's death, subject to Department regulations or
2 order of the court.

3 The Director of Central Management Services, with the
4 consent of the Director of Veterans' Affairs, is authorized
5 and empowered to lease or let any real property held by the
6 Department of Veterans' Affairs for an Illinois Veterans Home
7 to entities or persons upon terms and conditions which are
8 considered to be in the best interest of that Home. The real
9 property must not be needed for any direct or immediate
10 purpose of the Home. In any leasing or letting, primary
11 consideration shall be given to the use of real property for
12 agricultural purposes, and all moneys received shall be
13 transmitted to the Treasurer of the State for deposit in the
14 appropriate Veterans Home Fund.

15 (Source: P.A. 99-314, eff. 8-7-15; 100-392, eff. 8-25-17.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."