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SENATE BILL 5974

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State of Washington

63rd Legislature

2014 Regular Session

By Senators Hewitt, Rolfes, and McAuliffe; by request of Department of Veterans Affairs

Read first time 01/13/14. Referred to Committee on Governmental Operations.

1 AN ACT Relating to veterans' homes; amending RCW 72.36.020,  
2 72.36.030, 72.36.035, 72.36.055, 72.36.070, 72.36.075, and 43.60A.075;  
3 and adding a new section to chapter 72.36 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.36 RCW  
6 to read as follows:

7 The "Walla Walla veterans' home" is established and maintained in  
8 this state as a branch of the state soldiers' home, and is a home for  
9 veterans, their spouses, or parents any of whose children died while  
10 serving in the armed forces, who meet admission requirements contained  
11 in RCW 72.36.030.

12 **Sec. 2.** RCW 72.36.020 and 1993 sp.s. c 3 s 4 are each amended to  
13 read as follows:

14 The director of the department of veterans affairs shall appoint a  
15 superintendent for each state veterans' home. The superintendent shall  
16 exercise management and control of the institution in accordance with  
17 either policies or procedures promulgated by the director of the  
18 department of veterans affairs, or both, and rules ((and regulations))

1 of the department. In accordance with chapter 18.52 RCW, the  
2 individual appointed as superintendent for either state veterans' home  
3 shall be a licensed nursing home administrator. (~~The department may~~  
4 ~~request a waiver to, or seek an alternate method of compliance with,~~  
5 ~~the federal requirement for a licensed on-site administrator during a~~  
6 ~~transition phase from July 1, 1993, to June 30, 1994.~~)

7 **Sec. 3.** RCW 72.36.030 and 2008 c 6 s 503 are each amended to read  
8 as follows:

9 All of the following persons who have been actual bona fide  
10 residents of this state at the time of their application(~~, and who are~~  
11 ~~indigent and unable to support themselves and their families~~) may be  
12 admitted to a state veterans' home under rules as may be adopted by the  
13 director of the department, unless sufficient facilities and resources  
14 are not available to accommodate these people:

15 (1)(a) All honorably discharged veterans of a branch of the armed  
16 forces of the United States or merchant marines; (b) members of the  
17 state militia disabled while in the line of duty; (c) Filipino World  
18 War II veterans who swore an oath to American authority and who  
19 participated in military engagements with American soldiers; (~~and~~)  
20 (d) the spouses or the domestic partners of these veterans, merchant  
21 marines, and members of the state militia; and (e) parents any of whose  
22 children died while serving in the armed forces. However, it is  
23 required that the spouse was married to and living with the veteran, or  
24 that the domestic partner was in a domestic partnership and living with  
25 the veteran, three years prior to the date of application for  
26 admittance, or, if married to or in a domestic partnership with him or  
27 her since that date, was also a resident of a state veterans' home in  
28 this state or entitled to admission thereto;

29 (2)(~~(a)~~) The spouses or domestic partners of: (~~(i)~~) (a) All  
30 honorably discharged veterans of the United States armed forces;  
31 (~~(ii)~~) (b) merchant marines; and (~~(iii)~~) (c) members of the state  
32 militia who were disabled while in the line of duty and who were  
33 residents of a state veterans' home in this state or were entitled to  
34 admission to one of this state's state veteran homes at the time of  
35 death(~~(i) the spouses or domestic partners of: (i) All honorably~~  
36 ~~discharged veterans of a branch of the United States armed forces; (ii)~~  
37 ~~merchant marines; and (iii) members of the state militia who would have~~

1 ~~been entitled to admission to one of this state's state veterans' homes~~  
2 ~~at the time of death, but for the fact that the spouse or domestic~~  
3 ~~partner was not indigent, but has since become indigent and unable to~~  
4 ~~support himself or herself and his or her family. However, the~~  
5 ~~included spouse or included domestic partner shall be at least fifty~~  
6 ~~years old and have been married to and living with their spouse, or in~~  
7 ~~a domestic partnership and living with their domestic partner, for~~  
8 ~~three years prior to the date of their application)). However, the~~  
9 included spouse or included domestic partner shall not have been  
10 married since the death of his or her spouse or domestic partner to a  
11 person who is not a resident of one of this state's state veterans'  
12 homes or entitled to admission to one of this state's state veterans'  
13 homes; and

14 (3) All applicants for admission to a state veterans' home shall  
15 apply for all federal and state benefits for which they may be  
16 eligible, including medical assistance under chapter 74.09 RCW.

17 **Sec. 4.** RCW 72.36.035 and 2002 c 292 s 5 are each amended to read  
18 as follows:

19 For purposes of this chapter, unless the context clearly indicates  
20 otherwise:

21 (1) "Actual bona fide residents of this state" means persons who  
22 have a domicile in the state of Washington immediately prior to  
23 application for admission to a state veterans' home.

24 (2) "Department" means the Washington state department of veterans  
25 affairs.

26 (3) "Domicile" means a person's true, fixed, and permanent home and  
27 place of habitation, and shall be the place where the person intends to  
28 remain, and to which the person expects to return when the person  
29 leaves without intending to establish a new domicile elsewhere.

30 (4) "State veterans' homes" means the Washington soldiers' home and  
31 colony in Orting, the Washington veterans' home in Retsil, ~~((and))~~ the  
32 eastern Washington veterans' home, and the Walla Walla veterans' home.

33 (5) "Veteran" has the same meaning established in RCW 41.04.007.

34 **Sec. 5.** RCW 72.36.055 and 2001 2nd sp.s. c 4 s 4 are each amended  
35 to read as follows:

36 The state veterans' homes ~~((shall))~~ may provide both domiciliary

1 and nursing care. The level of domiciliary members shall remain  
2 consistent with the facilities available to accommodate those members:  
3 PROVIDED, That nothing in this section shall preclude the department  
4 from moving residents between nursing and domiciliary care in order to  
5 better utilize facilities and maintain the appropriate care for the  
6 members.

7 **Sec. 6.** RCW 72.36.070 and 2008 c 6 s 506 are each amended to read  
8 as follows:

9 There shall be established and maintained in this state a branch of  
10 the state soldiers' home, under the name of the "Washington veterans'  
11 home," which branch shall be a home for honorably discharged veterans  
12 who have served the United States government in any of its wars,  
13 members of the state militia disabled while in the line of duty, and  
14 who are bona fide citizens of the state, ~~((and also))~~ the spouses or  
15 domestic partners of such veterans, and the parents any of whose  
16 children died while serving in the armed forces.

17 **Sec. 7.** RCW 72.36.075 and 2001 2nd sp.s. c 4 s 6 are each amended  
18 to read as follows:

19 There shall be established and maintained in this state a branch of  
20 the state soldiers' home, under the name of the "eastern Washington  
21 veterans' home," which branch shall be a home for veterans ~~((and))~~  
22 their spouses, and the parents any of whose children died while serving  
23 in the armed forces who meet admission requirements contained in RCW  
24 72.36.030.

25 **Sec. 8.** RCW 43.60A.075 and 2001 2nd sp.s. c 4 s 7 are each amended  
26 to read as follows:

27 The director of the department of veterans affairs shall have full  
28 power to manage and govern the state soldiers' home and colony, the  
29 Washington veterans' home, ~~((and))~~ the eastern Washington veterans'  
30 home, and the Walla Walla veterans' home.

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