



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5683

by Rep. Michael P. McAuliffe

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/2.01
20 ILCS 2805/2.05

from Ch. 126 1/2, par. 67.01
from Ch. 126 1/2, par. 67.05

Amends the Department of Veterans' Affairs Act. Provides that a non-veteran spouse shall only have the same priority for admission to a Veterans Home as a veteran if the non-veteran spouse and his or her veteran spouse are admitted at the same to live together at the Veterans Home. Makes corresponding changes in provisions concerning the admission of a spouse to the Illinois Veterans Homes at Anna or Quincy.

LRB100 19560 MJP 34828 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Veterans' Affairs Act is
5 amended by changing Sections 2.01 and 2.05 as follows:

6 (20 ILCS 2805/2.01) (from Ch. 126 1/2, par. 67.01)

7 Sec. 2.01. Veterans Home admissions.

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

11 (b) The veteran must:

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

22 (2) have served and been honorably discharged or
23 retired from the armed forces of the United States for a

1 service connected disability or injury, for purposes of
2 eligibility for domiciliary or nursing home care;

3 (3) have served as an enlisted person at least 90 days
4 on active duty in the armed forces of the United States,
5 excluding service on active duty for training purposes
6 only, and entered active duty before September 8, 1980, for
7 purposes of eligibility for domiciliary or nursing home
8 care;

9 (4) have served as an officer at least 90 days on
10 active duty in the armed forces of the United States,
11 excluding service on active duty for training purposes
12 only, and entered active duty before October 17, 1981, for
13 purposes of eligibility for domiciliary or nursing home
14 care;

15 (5) have served on active duty in the armed forces of
16 the United States for 24 months of continuous service or
17 more, excluding active duty for training purposes only, and
18 enlisted after September 7, 1980, for purposes of
19 eligibility for domiciliary or nursing home care;

20 (6) have served as a reservist in the armed forces of
21 the United States or the National Guard and the service
22 included being called to federal active duty, excluding
23 service on active duty for training purposes only, and who
24 completed the term, for purposes of eligibility for
25 domiciliary or nursing home care;

26 (7) have been discharged for reasons of hardship or

1 released from active duty due to a reduction in the United
2 States armed forces prior to the completion of the required
3 period of service, regardless of the actual time served,
4 for purposes of eligibility for domiciliary or nursing home
5 care; or

6 (8) have served in the National Guard or Reserve Forces
7 of the United States and completed 20 years of satisfactory
8 service, be otherwise eligible to receive reserve or active
9 duty retirement benefits, and have been an Illinois
10 resident for at least one year before applying for
11 admission for purposes of eligibility for domiciliary care
12 only.

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

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

20 (e) For admission to the Illinois Veterans Homes at
21 Chicago, LaSalle, and Manteno, the veteran must have developed
22 a disability by disease, wounds, or otherwise and, for purposes
23 of eligibility for nursing home care, require nursing care
24 because of the disability.

25 (f) An individual who served during a time of conflict as
26 set forth in paragraph (1) of subsection (b) of this Section

1 has preference over all other qualifying candidates, for
2 purposes of eligibility for domiciliary or nursing home care at
3 any Illinois Veterans Home.

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

7 (h) A non-veteran spouse shall only have the same priority
8 for admission to a Veterans Home as a veteran if the
9 non-veteran spouse and his or her veteran spouse are admitted
10 at the same time to live together at the Veterans Home.

11 (Source: P.A. 99-143, eff. 7-27-15; 99-314, eff. 8-7-15;
12 99-642, eff. 7-28-16; 100-392, eff. 8-25-17.)

13 (20 ILCS 2805/2.05) (from Ch. 126 1/2, par. 67.05)

14 Sec. 2.05. When any veteran is a resident or becomes a
15 resident of the Illinois Veterans Homes at Anna or Quincy, the
16 spouse of the veteran may be admitted as a resident of the
17 Home, subject to the rules and regulations of the Home
18 governing the admission of applicants and in accordance with
19 subsection (h) of Section 2.01, if (i) the spouse was married
20 to the veteran for at least 5 years preceding the date of
21 making application for admission, and (ii) the spouse has no
22 adequate means of support and is unable to earn a living.
23 Preference for filling vacant beds or for filling beds from a
24 waiting list shall first be granted to eligible veterans,
25 except as provided under subsection (h) of Section 2.01.

1 Every veteran residing in a Home whose spouse is also a
2 resident shall deposit in his or her trust account at the Home
3 such monies from any source of income as may be deemed
4 necessary by the administrator for the personal comfort needs
5 of the spouse. If the veteran does not have a monthly income or
6 cash assets, the personal comfort needs of the resident spouse
7 shall be provided by the State.

8 Upon the death of a veteran who has been a resident of a
9 Home, the surviving spouse, if he or she so desires, may
10 thereafter remain for life in the Illinois Veterans Home at
11 Quincy or the Illinois Veterans Home at Anna, subject to the
12 rules and regulations of the Home.

13 (Source: P.A. 88-160; 89-324, eff. 8-13-95.)