



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2988

Introduced 1/5/2022, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/2i new	
20 ILCS 2805/2.01	from Ch. 126 1/2, par. 67.01
20 ILCS 2805/2.01d new	
20 ILCS 2805/2.03	from Ch. 126 1/2, par. 67.03
20 ILCS 2805/2.04	from Ch. 126 1/2, par. 67.04
30 ILCS 105/5.970 new	

Amends the Department of Veterans' Affairs Act. Creates the Veterans Home of Central Illinois Fund as a special fund in the State treasury. Establishes the Illinois Veterans Home of Central Illinois. Provides that receipts attributable to the Illinois Veterans Home of Central Illinois shall be deposited into the Illinois Veterans Home of Central Illinois Fund. Provides that the Illinois Veterans Home of Central Illinois Fund shall be the Veterans Home Fund for the Illinois Veterans Home of Central Illinois. Provides that any unused real property held by the Department of Juvenile Justice for operating the Lincoln Developmental Center may be used for the operation or expansion of the Illinois Veterans Home of Central Illinois or for any purpose related to the benefit or care of the Home's residents. Makes a corresponding change in the State Finance Act. Effective immediately.

LRB102 23182 RAM 32344 b

1 AN ACT concerning veterans.

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, 2.03 and 2.04 and by adding
6 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 equipment and supplies to enhance the lives of
13 the residents at veterans' homes in central Illinois and for
14 the operation of such homes, including capital improvements,
15 building rehabilitation, and repairs.

16 (20 ILCS 2805/2.01) (from Ch. 126 1/2, par. 67.01)

17 Sec. 2.01. Veterans Home admissions.

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

21 (b) The veteran must:

22 (1) have served in the armed forces of the United

1 States at least 1 day in World War II, the Korean Conflict,
2 the Viet Nam Campaign, or the Persian Gulf Conflict
3 between the dates recognized by the U.S. Department of
4 Veterans Affairs or between any other present or future
5 dates recognized by the U.S. Department of Veterans
6 Affairs as a war period, or have served in a hostile fire
7 environment and has been awarded a campaign or
8 expeditionary medal signifying his or her service, for
9 purposes of eligibility for domiciliary or nursing home
10 care;

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

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

21 (4) have served as an officer at least 90 days on
22 active duty in the armed forces of the United States,
23 excluding service on active duty for training purposes
24 only, and entered active duty before October 17, 1981, for
25 purposes of eligibility for domiciliary or nursing home
26 care;

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

6 (6) have served as a reservist in the armed forces of
7 the United States or the National Guard and the service
8 included being called to federal active duty, excluding
9 service on active duty for training purposes only, and who
10 completed the term, for purposes of eligibility for
11 domiciliary or nursing home care;

12 (7) have been discharged for reasons of hardship or
13 released from active duty due to a reduction in the United
14 States armed forces prior to the completion of the
15 required period of service, regardless of the actual time
16 served, for purposes of eligibility for domiciliary or
17 nursing home care; or

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

25 (c) The veteran must have service accredited to the State
26 of Illinois or have been a resident of this State for one year

1 immediately preceding the date of application.

2 (d) For admission to the the Illinois Veterans Home of
3 Central Illinois and Illinois Veterans Homes at Anna and
4 Quincy, the veteran must have developed a disability by
5 disease, wounds, or otherwise and because of the disability be
6 incapable of earning a living.

7 (e) For admission to the Illinois Veterans Homes at
8 Chicago, LaSalle, and Manteno, the veteran must have developed
9 a disability by disease, wounds, or otherwise and, for
10 purposes of eligibility for nursing home care, require nursing
11 care because of the disability.

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

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

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

24 (Source: P.A. 99-143, eff. 7-27-15; 99-314, eff. 8-7-15;
25 99-642, eff. 7-28-16; 100-392, eff. 8-25-17; 100-942, eff.
26 1-1-19.)

1 (20 ILCS 2805/2.01d new)

2 Sec. 2.01d. Illinois Veterans Home of Central Illinois.
3 The Illinois Veterans Home of Central Illinois is established.
4 The Department shall operate and maintain the Illinois
5 Veterans Home of Central Illinois.

6 (20 ILCS 2805/2.03) (from Ch. 126 1/2, par. 67.03)

7 Sec. 2.03. Admissions. Admissions to an Illinois Veterans
8 Home are subject to the rules and regulations adopted by the
9 Department of Veterans' Affairs to govern the admission of
10 applicants.

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

20 The basis upon which the payment of maintenance charges
21 shall be calculated by the Department is the average per
22 capita cost for the care of all residents at each Home for the
23 fiscal year immediately preceding the period for which the
24 rate for each Home is being calculated.

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

12 The Department may investigate the financial condition of
13 residents of a Home to determine their ability to pay
14 maintenance charges and to establish standards as a basis of
15 judgment for such determination. Such standards shall be
16 recomputed periodically to reflect changes in the cost of
17 living and other pertinent factors.

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

20 The Department may collect any medical or health benefits
21 to which a resident may become entitled through tax supported
22 or privately financed systems of insurance, as a result of his
23 or her care or treatment in the facilities provided by the
24 Department, or because of care or treatment in other
25 facilities when such care or treatment has been paid for by the
26 Department.

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

4 The Department may accept and hold on behalf of the State,
5 if for the public interest, a grant, gift, devise, or bequest
6 of money or property to the Department made in trust for the
7 maintenance or support of a resident of an Illinois Veterans
8 Home or for any other legitimate purpose. The Department shall
9 cause each gift, grant, devise, or bequest to be kept as a
10 distinct fund and shall invest the same in the manner provided
11 by the laws of this State relating to securities in which the
12 deposit in savings banks may be invested. However, the
13 Department may, at its discretion, deposit in a proper trust
14 company, bank, or savings bank, during the continuance of the
15 trust, any fund left in trust for the life of a person and
16 shall adopt rules and regulations governing the deposit,
17 transfer, or withdrawal of the fund. The Department shall, on
18 the expiration of any trust as provided in any instrument
19 creating the trust, dispose of the fund in the manner provided
20 in the instrument. The Department shall include in its
21 required reports a statement showing what funds are so held by
22 it and the condition of the funds; provided that monies found
23 on residents at the time of their admission or accruing to them
24 during their residence at a Home and monies deposited with the
25 administrators by relatives, guardians, or friends of
26 residents for the special comfort and pleasure of the resident

1 shall remain in the custody of the administrators who shall
2 act as trustees for disbursement to, on behalf of, or for the
3 benefit of the resident. All types of retirement and pension
4 benefits from private and public sources may be paid directly
5 to the administrator of a Home for deposit to the resident
6 trust fund account.

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

8 (20 ILCS 2805/2.04) (from Ch. 126 1/2, par. 67.04)

9 Sec. 2.04. There shall be established in the State
10 Treasury special funds known as (i) the LaSalle Veterans Home
11 Fund, (ii) the Anna Veterans Home Fund, (iii) the Manteno
12 Veterans Home Fund, and (iv) the Quincy Veterans Home Fund.
13 All moneys received by an Illinois Veterans Home from Medicare
14 and from maintenance charges to veterans, spouses, and
15 surviving spouses residing at that Home shall be paid into
16 that Home's Fund. All moneys received from the U.S. Department
17 of Veterans Affairs for patient care shall be transmitted to
18 the Treasurer of the State for deposit in the Veterans Home
19 Fund for the Home in which the veteran resides. Appropriations
20 shall be made from a Fund only for the needs of the Home,
21 including capital improvements, building rehabilitation, and
22 repairs. The Illinois Veterans' Homes Fund shall be the
23 Veterans Home Fund for the Illinois Veterans Home at Chicago.
24 The Illinois Veterans Home of Central Illinois Fund shall be
25 the Veterans Home Fund for the Illinois Veterans Home of

1 Central Illinois.

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

16 Upon request of the Department, the State's Attorney of
17 the county in which a resident or living former resident of an
18 Illinois Veterans Home who is liable under this Act for
19 payment of sums representing maintenance charges resides shall
20 file an action in a court of competent jurisdiction against
21 any such person who fails or refuses to pay such sums. The
22 court may order the payment of sums due to maintenance charges
23 for such period or periods of time as the circumstances
24 require.

25 Upon the death of a person who is or has been a resident of
26 an Illinois Veterans Home who is liable for maintenance

1 charges and who is possessed of property, the Department may
2 present a claim for such sum or for the balance due in case
3 less than the rate prescribed under this Act has been paid. The
4 claim shall be allowed and paid as other lawful claims against
5 the estate.

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

14 If a resident of an Illinois Veterans Home has a dependent
15 child, spouse, or parent the administrator may require that
16 all monies received be deposited in a trust account with
17 dependency contributions being made at the direction of the
18 administrator. The balance retained in the trust account shall
19 be disbursed to the resident at the time of discharge from the
20 Home or to his or her heirs or legal representative at the time
21 of the resident's death, subject to Department regulations or
22 order of the court.

23 The Director of Central Management Services, with the
24 consent of the Director of Veterans' Affairs, is authorized
25 and empowered to lease or let any real property held by the
26 Department of Veterans' Affairs for an Illinois Veterans Home

1 to entities or persons upon terms and conditions which are
2 considered to be in the best interest of that Home. The real
3 property must not be needed for any direct or immediate
4 purpose of the Home. In any leasing or letting, primary
5 consideration shall be given to the use of real property for
6 agricultural purposes, and all moneys received shall be
7 transmitted to the Treasurer of the State for deposit in the
8 appropriate Veterans Home Fund.

9 Any unused real property held by the Department of
10 Juvenile Justice for operating the Lincoln Developmental
11 Center may be used for the operation or expansion of the
12 Illinois Veterans Home of Central Illinois or for any purpose
13 related to the benefit or care of the Home's residents.

14 Each administrator of an Illinois Veterans Home who has an
15 established locally held ~~locally held~~ member's benefits fund
16 shall prepare and submit to the Department a monthly report of
17 all donations received, including donations of a nonmonetary
18 nature. The report shall include the end of month balance of
19 the locally held ~~locally held~~ member's benefits fund.

20 (Source: P.A. 102-549, eff. 1-1-22; revised 12-1-21.)

21 Section 10. The State Finance Act is amended by adding
22 Section 5.970 as follows:

23 (30 ILCS 105/5.970 new)

24 Sec. 5.970. The Illinois Veterans Home of Central Illinois

1 Fund.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.