



Mike Prendergast
Executive Director

State of Florida
DEPARTMENT OF VETERANS' AFFAIRS
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Rick Scott
Governor
Pam Bondi
Attorney General
Jeff Atwater
Chief Financial Officer
Adam Putnam
Commissioner of Agriculture

April 30th, 2014

MEMORANDUM

TO: Honorable Rick Scott
Honorable Pam Bondi
Honorable Jeff Atwater
Honorable Adam Putnam

FROM: Florida Department of Veterans' Affairs
Mike Prendergast, Executive Director

SUBJECT: Agenda – Cabinet Meeting of May 13th, 2014

The next public meeting of the Governor and Cabinet to transact the business of the Department of Veterans' Affairs will be at 9:00 a.m. (EST), May 13th, 2014 in Tallahassee, Florida.

The Agenda and all required back-up materials are attached for your review.

If you have any questions, please call my Cabinet Affairs Officer, Bobby Carbonell, at (850) 487-1533 x7705.

cc: Karl Rasmussen, Director of Cabinet Affairs
Executive Office of the Governor

Cynthia Kelly, Director
Governor's Office of Policy and Budget

Attachments

AGENDA
FLORIDA DEPARTMENT OF VETERANS' AFFAIRS
Meeting materials for the following items are available on the web at:
http://floridavets.org/?page_id=974

MEMBERS

Governor Rick Scott
Attorney General Pam Bondi
Chief Financial Officer Jeff Atwater
Commissioner Adam Putnam

May 13th, 2014
9:00 A.M. (EST)
LL-03, The Capitol
Tallahassee, Florida

Contact: Bobby Carbonell, Director, Legislative & Cabinet Affairs
(850) 487-1533 x7705

ITEM	SUBJECT	RECOMMENDATION
1.	Respectfully request approval of the minutes of the March 6th, 2014 meeting. (ATTACHMENT 1)	RECOMMEND APPROVAL
2.	Respectfully submit Agency Third Quarter Report Fiscal Year 2013-2014. (ATTACHMENT 2)	RECOMMEND APPROVAL
3.	Respectfully request approval of Final Adoption of Rule Repeal for rule 55-11.010 <i>Residents' Deposits of Money</i> (ATTACHMENT 3)	RECOMMEND APPROVAL

DEPARTMENT OF VETERANS AFFAIRS

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3 GOVERNOR SCOTT: Now I'd like to recognize
4 Executive Director Mike Prendergast, with the
5 Department of Veterans Affairs, to present his
6 agenda.

7 EXECUTIVE DIRECTOR PRENDERGAST: Good morning,
8 Governor Scott, General Bondi, CFO Atwater, and
9 Commissioner Putnam.

10 Governor Scott, thank you again for coming
11 over to Daytona Beach last week and presenting 137
12 veteran service awards to our residents of the
13 Daytona Beach Nursing Home and to the staff that
14 work there each and every day providing world-class
15 support to our veterans.

16 GOVERNOR SCOTT: Why don't you brag about the
17 homes that you're responsible for for a second.

18 EXECUTIVE DIRECTOR PRENDERGAST: Well,
19 actually that's my next point, Governor.

20 GOVERNOR SCOTT: Okay, I'm sorry.

21 EXECUTIVE DIRECTOR PRENDERGAST: Before we do
22 get into the agenda items, we have some additional
23 good --

24 GOVERNOR SCOTT: Do you need a motion to
25 approve the minutes?

1 EXECUTIVE DIRECTOR PRENDERGAST: Say again.

2 GOVERNOR SCOTT: Do you want to do the minutes
3 for January 22 first?

4 EXECUTIVE DIRECTOR PRENDERGAST: Sure.

5 GOVERNOR SCOTT: Is there a motion to approve
6 the minutes of January 22?

7 ATTORNEY GENERAL BONDI: So move.

8 GOVERNOR SCOTT: Okay. Is there a second?

9 CFO ATWATER: Second.

10 GOVERNOR SCOTT: Moved and seconded. Show the
11 minutes approved without objection.

12 EXECUTIVE DIRECTOR PRENDERGAST: Thank you.

13 GOVERNOR SCOTT: Now you want to brag?

14 EXECUTIVE DIRECTOR PRENDERGAST: Yes, sir, I
15 do.

16 We didn't know it at the time when you were at
17 the home in Daytona Beach, Governor, but we do now
18 and we wanted to share this with you this week.
19 Based on the recently conducted survey or our
20 facility in Daytona Beach, the Emory L. Bennett
21 State Veterans Nursing Home should be our next
22 recipient of the coveted five-star rating from the
23 centers for Medicare and Medicaid services. And we
24 wanted to share that with you right away so that --
25 that now makes us five out of six of our homes are

1 rated at the five-star level, and we anticipate
2 later this spring our sixth home coming up to the
3 five-star level. So we're real proud of the teams
4 out there that are working very hard to provide
5 that world-class support for our veterans.

6 GOVERNOR SCOTT: If you have a chance to visit
7 these homes, the people -- the employees there
8 really are outstanding, they really care about
9 these individuals that are there.

10 EXECUTIVE DIRECTOR PRENDERGAST: They
11 absolutely do, Governor.

12 GOVERNOR SCOTT: And these are all people that
13 defended our freedom.

14 EXECUTIVE DIRECTOR PRENDERGAST: That's
15 correct. And in fact, last week some of the
16 veterans that were there served in our Armed Forces
17 prior to the commencement of the second World War.

18 That young gentleman named Ben, and I won't
19 mention his last name, but Ben that you saw, he's
20 been part of our family at FDVA for a number of
21 years now. And he was beaming well after lunch
22 that day with that medal that you'd hung around his
23 neck. And he's in his mid 90s, and he really
24 appreciated it.

25 GOVERNOR SCOTT: Yeah, nice people.

1 EXECUTIVE DIRECTOR PRENDERGAST: Yes, sir.

2 Agenda Item 2 is the Agency's first and second
3 quarter reports for fiscal year 2013 and '14. Each
4 of your offices received copies of these reports
5 prior to today's meeting and we'd be happy to
6 discuss these further, but right now I'd like to
7 just present a brief overview of both of these
8 reports to you.

9 For the first quarter, our Bureau of Field
10 Services, Veterans Claims Examiners attended 125
11 outreach events throughout the state. They
12 assisted 11,739 veterans, and they also supported
13 1,010 homeless veterans during that quarter alone.
14 As you may recall from several of our previous
15 presentations, and we've already discussed it, our
16 Bureau of Field Services helps our veterans file
17 claims paperwork in disability and pension claims,
18 and they also help veterans acquire medical devices
19 and nonmedical items like wheelchairs, canes,
20 hearing aids and disabled parking passes.

21 These issue resolutions totaled \$13,798,000
22 during their first quarter alone. The bureau of
23 the state approving agency, which is assigned the
24 responsibility of ensuring compliance at all of our
25 schools, apprenticeship organizations, colleges and

1 universities across the state, completed their goal
2 of 90 -- visiting more than 96% of the assigned
3 schools and training organizations during the
4 previous fiscal year. And their fiscal year ends
5 on September 30th because they are funded through
6 federal dollars to support our operations here in
7 the state.

8 As we mentioned during the November 19th
9 Cabinet Meeting, our homes in Pembroke Pines and
10 Panama City increased their star rating to five
11 stars. The first quarter's data also confirmed
12 that census levels for all six of our homes were
13 maintained at 99% or more throughout that quarter.

14 For the second quarter, we helped host the
15 inaugural class of the Florida Veterans Hall of
16 Fame, and we also had a reception at the Governor's
17 mansion with the Governor and First Lady; and many
18 other attendees were at that reception. And we
19 look forward to honoring another class of inductees
20 this coming November for the second class of the
21 Florida Veterans Hall of Fame.

22 The homes program continued to maintain a
23 census of over 99%, and in addition, as mentioned
24 during the January 22nd Cabinet Meeting, two more
25 homes achieved the coveted five-star rating.

1 That was the Clyde Lassen Home in St. Augustine,
2 which the Governor visited back in August; and the
3 Douglas Jacobsen Home in Port Charlotte, which we
4 have scheduled for you to visit later this spring,
5 Governor.

6 The Bureau of Claims assisted veterans in
7 filing claims worth over \$51 million dollars in
8 retroactive compensation, and it brought our total
9 for the fiscal year to over \$102,874,000, which is
10 a 22-percent increase over the previous year
11 through the second quarter. In addition, our
12 Bureau of Field Services, Veterans Claims Examiners
13 attended 146 outreach events and provided benefit
14 information to another 10,324 veterans and their
15 family members. The Bureau of Field Services
16 provided 26 million worth of issue resolutions
17 during this fiscal year to date, which is an
18 increase of over 50% from the same period last
19 year.

20 In summary, as you can see by our two
21 quarterly reports that we're referring to today,
22 the figures presented today really show that the
23 Department is providing outstanding service to our
24 veterans and their family members and it's a great
25 return on our investment for our constituents

1 across the state.

2 Subject to your questions, we respectfully
3 request approval of our first and second quarter
4 reports for fiscal year '13 and '14.

5 GOVERNOR SCOTT: Is there a motion to accept
6 the reports?

7 ATTORNEY GENERAL BONDI: So moved.

8 GOVERNOR SCOTT: Is there a second?

9 CFO ATWATER: Second.

10 GOVERNOR SCOTT: Any comments or objections?

11 (NO RESPONSE).

12 GOVERNOR SCOTT: Hearing none, the motion
13 carries.

14 Thank you, Mike.

15 EXECUTIVE DIRECTOR PRENDERGAST: Thank you,
16 Governor Scott. Thank you everyone for your
17 support to our veteran community. God bless you.

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Executive Director

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Commissioner of Agriculture

April 22, 2014

TO: The Honorable Rick Scott
The Honorable Pam Bondi
The Honorable Jeff Atwater
The Honorable Adam Putnam

FROM: Mike Prendergast
Executive Director

A handwritten signature in cursive script that reads "Mike Prendergast".

SUBJECT: Quarterly Report – Third Quarter 2013-2014

The Florida Department of Veterans' Affairs submits this Quarterly Report for the Third Quarter of the 2013-2014 Fiscal Year, covering the period January 1 – March 31, 2014.

This Quarterly Report is submitted pursuant to the procedures authorized by Rules 55-1.003 and 55-2.010, Florida Administrative Code. The report will be placed on the agenda at a future meeting of the Governor and Cabinet.

If you have any questions regarding any matter covered by this report, please contact me, Deputy Executive Director Al Carter, at (727) 518-3202, or our department Legislative Affairs Director Bobby Carbonell, at (850) 487-1533.

cc: Senator Denise Grimsley, Chairman, Senate Health and Human Services Appropriations Committee
Senator Thad Altman, Chairman, Senate Military Affairs, Space and Domestic Security Committee
Representative Jason Brodeur, Chairman, Health Innovation Sub-Committee
Representative Matt Hudson, Chairman, Health Care Appropriations Sub-Committee
Representative Ronald Renuart, Chairman, Veterans and Military Affairs Sub-Committee
Cynthia Kelly, Director, Governor's Office of Policy and Budget

Attachment 1: FDVA Quarterly Report

ATTACHMENT 1

FLORIDA DEPARTMENT OF VETERANS' AFFAIRS THIRD QUARTER REPORT January 1 – March 31, 2014

This report covers the activities of the Florida Department of Veterans' Affairs (FDVA) for the Third Quarter of the 2013-2014 Fiscal Year.

1. Administrative Highlights:

a. Current Issues/Concerns

- **Executive Direction:** This quarter, Executive Director Mike Prendergast continued his campaign of advocating with purpose and passion for Florida veterans and linking them to superior services, benefits, and support. Colonel Prendergast presented department overviews and updates on current federal and state legislative initiatives to veterans' groups, civic groups, and legislative committees. He met with local business and organizations within the state of Florida to discuss outreach programs and projects to assist veterans. He traveled to Washington, D.C., to attend the National Association of State Directors of Veterans Affairs Training and meet with other state directors to discuss common issues, review best practices, conduct training, and meet with federal officials. Colonel Prendergast attended many ceremonies and dedications, and was the keynote speaker at the inaugural State of Florida Women Veterans' Annual Regional Conference in St. Petersburg. He attended the Florida International University Veterans and Military Affairs Office ribbon cutting ceremony in Miami. He presented the Welcome Home Vietnam Veterans Day Resolution to the Governor and Cabinet. Executive Director Prendergast and select FDVA staff attended the bill signing ceremony for HB 7015, the *Florida G. I. Bill*, at the National Guard Armory in Panama City. The bill is a compilation of veteran-related issues put forth during the current legislative session, including: the creation of the C. W. Bill Young Tuition Waiver Program; expanded eligibility for veterans seeking preference in employment and retention; a Veterans' Memorial and Garden; professional licensing extension; funding for National Guard Armory renovations and military base protection land purchases; and the creation of a nonprofit corporation to attract veterans to Florida.
- **Division of Benefits and Assistance:**
 - **Bureau of Veterans' Claims:** Claims Services has fully implemented the use of the VA's Veterans' Benefits Management System (VBMS) that will eventually combine several VA applications that are in use today, to include Virtual VA, SHARE and MAPD applications. The VBMS is a 100% paperless claims process, and our office is working with the VA to embrace this new technology. We are now reviewing VA Rating Decisions via the VBMS process and have found that this new technology has provided access to VA resources in a more efficient fashion; however, the new process has impacted our production of rating reviews this past quarter. We anticipate that the efficiencies realized with this new process will ultimately increase our ability to assist Florida's veterans more efficiently. We had the honor and pleasure of working on behalf of one of our nation's most recent Medal of Honor recipients, Port St. John resident Melvin Morris, and were able to coordinate with the VA to provide SGT Morris his long overdue Medal of Honor supplemental payments.

- **Bureau of Field Services:** Field Services Supervisors Dennis Latta and Morris Atkins, and VCE Carlos Gabino, organized and facilitated the American Legion Post Service Office training Jan 21-22, in Deerfield Beach with 15 Post Service Officers in attendance. The course covered various VA benefits, including: Disability Compensation, Pension, Healthcare, Life Insurance, and Education. The Bay Pines zone acquired additional office space at Bradenton Community Based Outpatient Clinic, enabling increased outreach and service to Florida veterans and their families. Field Services Supervisors Reggie Fujimoto and David Austin provided training at the FDVA Certification course March 10-13. Field Services attended 188 outreach events providing state and federal benefit information to 8,349 veterans and their families.
- **The Bureau of State Approving for Veterans' Education and Training (or State Approving Agency/SAA):** In addition to performing school approval processes and compliance survey audits of schools associated with VA Education Benefits, the SAA performed several outreach and liaison activities at the state, regional and national levels during this quarter, to help promote and enhance the use of VA Education Benefits. Locally, at the state level, the SAA served on an information panel during the Women Veterans' Conference, and delivered presentations at the quarterly County Veteran Service Officer Certification Course training, at Everest University for Everest's Florida-based School Certifying Officials and at Embry Riddle University (ERU), where ERU officials hosted a joint VA and SAA Flight Conference, with attendees from numerous flight schools throughout the state of Florida. A joint VA and SAA presentation was delivered regionally, to attendees of the Southern Association of Student Financial Aid Administrators and at the national level, the SAA both presented and were attendees at the National Association of State Approving Agencies (NASAA) conference, in Arlington, Virginia. Following this national conference, with VACO attendees and SAA representatives from across the country present, a white paper, developed by Florida SAA Program Specialist and Chair of the NASAA Flight Committee, Katherine Snyder, was delivered to Capitol Hill. The white paper was developed to elicit action toward increasing the education benefit for flight training from the current \$10,970.46, to equal the private college yearly education benefit maximum, of \$19,198.31.

b. **Audits**

- **OIG Internal Audit Report #1406 - Time and Attendance Follow-Up Review, March 10, 2014.** The objective of this follow-up review was to determine the effectiveness of recent corrective actions taken by management. Time information in People First and Web Clock was compared to confirm agreement and to ensure employees clocked in and out for breaks. Time clock correction forms were reviewed to ensure there was documentation when time information was changed in Web Clock or People First.
- **Staff Assistance Visit (SAV) IA #1407 - Clifford C. Sims State Veterans' Nursing Home.** The objective was to assist functional areas (i.e. safety, maintenance, human resources, accounting, inventory, pharmacy services, Resident Trust Fund, and time and attendance) with improving and refining processes, and prepare for inspections of those functional areas. The resulting report is currently under review.
- **Contract Management Audit from Department of Financial Services –** OIG reviewed management's response to ensure the plan will correct or improve the findings identified. Goals:
 1. The agency's contract management activities are sufficient.

2. The designated Contract/Grant Manager provide written certification that services have been satisfactorily received and payment was due.
 3. The agency's Contract/Grant Manager file contains the provider documentation required by the agreement to support invoices submitted.
 4. The agency's Contract/Grant Manager file documents verification of deliverables compliant with agreement criteria.
 5. The agency's activities to validate receipt of the deliverables adequate.
 6. The agency applies financial consequences in accordance to the contract/grant for non-compliance/non-performance.
 7. The agency takes corrective action for non-compliance/non-performance.
- OIG partnered with Purchasing and IT to provide a dedicated *Advancing Accountability – Best Practices for Contract Management* class by the Department of Financial Services for FDVA personnel.
 - OIG published Inspector General and Audit Charter.

c. **Consultants**

- No new consultants were contracted, nor were any existing agreements changed this quarter.

d. **Contracts**

- Lopez State Veterans' Nursing Home (SVNH) Building Rehabilitation contract (DMS Project Agent) completed, final payment and close out pending as of 3/31/14.
- Bennett SVNH HVAC Commissioning contract (DMS Project Agent) completed, final payment and close out pending as of 3/31/14.
- FDVA Health Information Technology System contract awarded to and executed with MDI Achieve, Inc. on 3/19/14. MDI contract value for full six (6) year period is \$1,135,336 (next lowest vendor price evaluated was \$1,900,645). MDI work plan due to FDVA by 4/8/14.
- Agency Site Selection Study contract (DMS Project Agent), executed 10/3/13. All required phases (1, 2, and 3) were to be completed by 2/7/14. Contract amendment to revise requirements and completion date is pending as of 3/31/14.
- Jenkins SVDH Roof Repairs and Repainting contract executed on 10/29/13. Contract price of \$195,770 (\$54,230 below approved budget). Original completion date of 3/14/14 was extended to 3/28/14 (10 business days due to weather issues). Project was fully completed on 3/27/14; final payment and closeout pending as of 3/31/14.
- Crothall Healthcare Housekeeping and Laundry contract expired on 2/28/14. Final payments issued; contract closed out 3/20/14.
- Housekeeping and Laundry Services contract with Healthcare Services Group, Inc. was executed 2/7/14 (commenced on 3/1/14). Initial feedback from all homes has been favorable.
- Bennett SVNH Nurse Call System solicitation (ITB) posted to State VBS on 3/11/14; onsite pre-bid meeting on 3/21/14; vendor written questions received 3/25/14; FDVA Addendum No. 1 issued 3/27/14; with bids due by/bid opening on 4/3/14.
- Bennett SVNH Fire Alarm System Device Upgrades contract completed with State Fire Marshall and AHCA approvals secured. Project cost of \$59,213 (\$20,877 under approved budget). Final payment and contract close out pending as of 3/31/14.
- Initiated review for final annual option to renew Sachs Media Group contract on 3/24/14. FDVA determination by 4/16/14.

- Lopez SVNH Remove and Replace Chiller solicitation (ITB) on hold, pending AHCA requirements review as of 3/31/14.
- Jenkins SVDH Remove and Replace Air Handler Units #3 and 4 contract executed on 3/6/14, project underway. Contract price \$15,800 below approved budget.
- Bennett SVNH Commercial Dish Machine Removal and Replacement solicitation (ITB) cancelled (due to scope change, procurement will be under \$35,000).
- Jacobson SVNH Commercial Hot Water Heater and Reheat Boiler Removal and Replacement solicitation (ITB) cancelled (due to scope change, procurement will be under \$35,000).
- Sims SVNH Additional Parking Facility solicitation (ITB) on hold pending review by Bay County for provision of requirements at no cost to state/FDVA as of 3/31/14).

e. **Leases**

- FDVA made no additions, alterations, or modifications to leased space this quarter.

f. **Lawsuits/Claims in Litigation or Settled this Quarter**

3 General Liability Claims (0 new this quarter): 1 won, 0 settled, 0 lost, 2 pending

2 Employment Liability Claims (0 new this quarter): 0 won, 1 settled, 0 lost, 1 pending

g. **Donations**

Cash Donations by State Veterans' Home

<i>FISCAL YEAR 2013-2014</i>	<i>FIRST QUARTER</i>	<i>SECOND QUARTER</i>	<i>THIRD QUARTER</i>	<i>FOURTH QUARTER</i>	<i>Total, Year to Date</i>
Jenkins SVDH, Lake City	\$1,308	\$156.62	\$524.26		\$1,988.88
Bennett SVNH, Daytona Beach	\$175	\$12,978.94	\$1,332.75		\$14,486.69
Lopez SVNH, Land O' Lakes	\$0	\$355	\$50		\$405
Nininger SVNH, Pembroke Pines	\$0	\$288	\$0		\$288
Sims SVNH, Springfield	\$25,000	\$250	\$150		\$25,400
Jacobson SVNH, Port Charlotte	\$356	\$100	\$100		\$556
Lassen SVNH, St. Augustine	\$345	\$297	\$110		\$752

Non-Cash Donations

- Jacobson State Veterans' Nursing Home: Pyle PA system
- Sims State Veterans' Nursing Home: Brass bell on a stand

h. **Memberships in Professional Organizations Paid this Quarter**

- \$165 for membership in the National Fire Protection Association
- \$200 for membership in the Health Planning Council of Northeast Florida (Lassen State Veterans' Nursing Home in St. Augustine only.)

2. Division of Benefits and Assistance: Statistics

- Summary of veterans' benefits derived vs. cost of the benefits staff: \$161:1 (ROI).

a. Bureau of Veterans' Claims

<i>EVENT 2013-2014</i>	<i>FIRST QUARTER</i>	<i>SECOND QUARTER</i>	<i>THIRD QUARTER</i>	<i>FOURTH QUARTER</i>	<i>YEAR TO DATE</i>	<i>PREVIOUS FY to this Qtr</i>
Retroactive compensation	\$51,243,193	\$51,631,689	\$35,246,393		\$138,121,275	\$127,508,685
Largest single retro. benefit	\$376,635	\$355,782**	\$502,693		\$502,693	\$669,784
Debt relief	\$121,779	\$18,292	\$99,447		\$239,518	\$427,019
Notices of Disagreement	306	366	375		1,047	1,049
Statements of Argument in Appeals Cases*	326	269	346		941	990
Act as Representative at Hearings*	31	20	60		111	118
Veterans' Appeals Hearings*	48	66	48		162	125
Ratings Reviewed	10,059	9,992	8,497		28,548	25,333

* The appeals representation process includes formal filing of the appeal application, and paralegal representation with the veteran at the Regional Office and in teleconferences with the Board of Veterans' Appeals (BVA).

** Incorrectly reported second quarter.

b. Bureau of State Approving for Veterans' Training (SAA)

<i>EVENT 2013-2014</i>	<i>FIRST QUARTER</i>	<i>SECOND QUARTER</i>	<i>THIRD QUARTER</i>	<i>FOURTH QUARTER</i>	<i>YEAR TO DATE</i>	<i>PREVIOUS FY to this Qtr</i>
SAA Programs Approved	1,907	2,521	2,329		6,757	4,126
Other Approval	453	426	496		1,375	964
Compliance Visits	36	28	25		89	87
Inspection Visits	8	9	10		27	25
Outreach Activities*	166	166	229		561	531
Liaison Activities**	269	236	138		643	724
Technical Assistance***	889	719	939		2,547	2,467

* Outreach Activities are any activity designed to inform or encourage those with entitlement to use it.

** Liaison activities are those that foster education about the SAA with other education and training professionals, which promote and encourage the exchange of information and support to raise awareness of the professional nature of the SAA approval function.

*** Technical assistance is any interaction designed to assist an individual or a facility with any aspect of the approval function.

c. Bureau of Veteran Field Services

<i>EVENT 2013-2014</i>	<i>FIRST QUARTER</i>	<i>SECOND QUARTER</i>	<i>THIRD QUARTER</i>	<i>FOURTH QUARTER</i>	<i>YEAR TO DATE</i>	<i>PREVIOUS FY to this Qtr</i>
Issue Resolution	4,749	5,104	5,522		15,375	10,066
Total Amount	\$13,798,280	\$13,176,855	\$14,901,889		\$41,877,024	\$30,051,031
Outreach Visits	125	146	188		459	464
Veterans Served at Outreach	11,739	13,108	8,349		33,196	28,424
Bedside Interviews	5,306	3,895	3,816		13,017	17,212
Walk-ins/ Counseling	34,349	31,194	34,755		100,298	83,181
Claims	6,527	6,502	7,357		20,386	19,866
Voter Regis/ Pref forms	2,761	2,275	2,672		7,708	5,818
Homeless Walk In	1,010	522	463		1,995	1,803
Ratings Reviewed Orlando/W Palm	665	860	602		2,127	2,325

d. Outreach*

<i>EVENT 2013-2014</i>	<i>FIRST QUARTER</i>	<i>SECOND QUARTER</i>	<i>THIRD QUARTER</i>	<i>FOURTH QUARTER</i>	<i>YEAR TO DATE</i>	<i>PREVIOUS FY to this Qtr</i>
Reintegration and Pre-Deployment Events for Guard and Reserve units	6	7	0		17	17
Homeless Veteran Stand Down Events	8	6**	6		20	39
Medical Center Welcome Home events	0	3**	3		6	4
Congressional Open House events	5	4**	2		11	13
National Conferences	1	0**	0		1	2
New Patient Orientation	42	26**	49		127	164
Transition Assistance Briefings	3	5	12		20	35
Other	60	85**	113		258	190

* Supervisors and VCEs throughout the Division of Veterans' Benefits and Assistance provide presentation, orientations, and briefings on state, federal, and local veterans' laws and benefits.

** Figures incorrectly reported second quarter.

3. State Veterans' Homes Program

State Veterans' Homes Census

<i>FISCAL YEAR 2013-2014</i>	<i>FIRST QUARTER</i>	<i>SECOND QUARTER</i>	<i>THIRD QUARTER</i>	<i>FOURTH QUARTER</i>	<i>YEAR TO DATE</i>	<i>PREVIOUS FY, same 1/4</i>
Jenkins SVDH, Lake City	86.9%	87.0%	90.9%		88.27%	85.7%
Bennett SVNH, Daytona Beach	99.7%	99.8%	99.6%		99.72%	99.4%
Lopez SVNH, Land O' Lakes	99.6%	99.6%	99.5%		99.57%	99.3%
Nininger SVNH, Pembroke Pines	99.0%	99.0%	99.2%		99.07%	98.8%
Sims SVNH, Panama City	100%	99.9%	99.8%		99.88%	99.9%
Jacobson SVNH, Port Charlotte	99.6%	99.4%	99.1%		99.32%	99.7%
Lassen SVNH, St. Augustine	99.6%	99.6%	99.6%		99.63%	99.0%

- a. Quality of Care: The Centers for Medicare & Medicaid Services (CMS) 5 Star Quality Rating System is a nationally recognized standard to assess nursing homes. The star rating reflects a nursing home quality status for the past 12-15 months. FDVA has four nursing homes that have rated in the TOP 10% of the State Florida and received a Five Star Overall Rating. As of January 2013, only 3,036 nursing homes had earned an overall rating of five stars from the CMS, with only 141 of them in the state of Florida. FDVA's top performing homes that received a Five Star Rating are **Alexander Nininger, Clifford C. Sims, Douglas T. Jacobson and Clyde E. Lassen.**
- b. Occupancy Trends: FDVA's State Veterans' Homes have seen a continuous growth in occupancy, from an overall 2008 average of 89% to a third quarter 2014 census level at greater than 97.9%. The skilled nursing homes alone have maintained an average census of 99% for a year, while the average nursing home occupancy rate in Florida is only 87%. This trend of occupancy for FDVA nursing homes will likely continue as the State of Florida has the third largest population of disabled veterans in the nation. Additionally, U.S. Census Bureau data indicates that based on population figures, Florida has the highest number of elderly residents. This segment of the population will continue to increase as the baby boom generation ages.
- c. State Veterans' Homes Program Renovations:

Daytona HVAC Renovation #12-018: Total Grant: \$2,000,000 -- Federal Funding (65%): \$1,300,000 - State O/M Trust Fund Match (35%): \$700,000.

Change Order #5 has been processed and completed. DMS has sent the final completion forms to the contractor. FDVA has requested a final equipment list and project photographs.

Total Grant Funding -	\$2,000,000.00
Revised Medic Air sum -	\$1,757,218.19
Medic Air construction completed to date -	\$1,650,200.89
Total grant completed to date -	\$1,788,739.90

Currently waiting on final AHCA inspection report, FDVA/DMS have requested closeout paperwork and final invoice

Land O' Lakes Renovation #12-016: Total Grant: \$2,830,000--Federal Funding (65%): \$1,839,500 - State O/M Trust Fund Match (35%): \$990,500.

Close out documents are now being sent to DVA. Punch list items have been addressed. The contractor will get a sign off from DMS and FDVA before submitting the final invoice.

Total Grant Funding -	\$2,830,000.00
Revised Zirkelbach sum –	\$1,688,023.56
Zirkelbach construction completed to date -	\$1,683,203.88
Total grant completed to date -	\$1,889,878.62

FDVA/DMS have requested closeout paperwork and final invoice.

- d. Volunteer Hours: There are a number of registered volunteers in the State Veterans' Homes that provide invaluable services for our veteran residents. The multitude of hours that are contributed add to the quality of life for the residents as well as allow the skilled employees to attend to more complicated, professional level tasks associated with resident care.



Residents at the Baldomero Lopez State Veterans' Nursing Home in Land O' Lakes making moccasins with volunteer Mike Cooper.



Mike Prendergast
Executive Director

State of Florida
DEPARTMENT OF VETERANS' AFFAIRS


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Rick Scott
Governor
Pam Bondi
Attorney General
Jeff Atwater
Chief Financial Officer
Adam Putnam
Commissioner of Agriculture

MEMORANDUM

TO: Mike Prendergast, Executive Director

THROUGH: Al Carter, Deputy Executive Director

FROM: David R. Herman, General Counsel 

SUBJECT: Notice of Proposed Rule (Amendment)
Rule 55-11.010 Residents' Deposits of Money

DATE: April 30, 2014

CC: Bobby Carbonell, Legislative and Cabinet Affairs Director
Dan Davis, Director, Homes Program

55-11.010 Residents' Deposit of Money

Currently, Section (2)(a) of this rule conflicts with Section 296.12(2), Florida Statutes and needs to be removed.

Rule 55-11.010(2)(a) provides that all interest earned on a resident's trust account at the State Veterans' Domiciliary Home of Florida shall be deposited in the Grants and Donations Trust Fund to be expended for the common benefit of the residents, such as improved facilities, recreational equipment and recreational supplies. This rule directly contradicts Section 296.12(2), Florida Statutes, which provides that moneys the interest earned may be withdrawn at the will of the resident who deposits money into the trust account.

During the history of its operations, Florida Department of Veterans' Affairs (FDVA) has always followed the statute, not the rule. Interest earned on resident trust accounts remains in the Residents' Deposit Trust Fund, and is not deposited into the Grants and Donations Trust Fund. Furthermore, residents at the Domiciliary Home may withdraw interest earned on their trust account at will.

The Joint Administrative Procedures Committee (JAPC) has requested that FDVA amend this rule to eliminate this conflict.

The Governor and Cabinet previously approved publication of the Notice of Rule Development for this rule amendment on January 22, 2014. The Notice of Rule Development was published in

the *Florida Administrative Register* on February 17, 2014. No rule workshop was requested by the public. The Notice of Proposed Rule was published on April 9, 2014. No hearing was requested by the public.

55A-11.010 Residents' Deposit of Money

REASONS FOR RULE AMENDMENT:

The proposed rule amendment eliminates rule language that conflicts with statute, clarifying that interest earned on resident trust accounts may be withdrawn at will by the resident who deposited the money.

The Joint Administrative Procedures Committee (JAPC) has requested this rule change.

EXTERNAL INTEREST:

None.

SIGNIFICANT POLICY ISSUES:

None.

ACTION REQUESTED:

We request that the Proposed Rule be presented to the Cabinet aides and Governor and Cabinet with a request to approve the Proposed Rule for Final Adoption.

Notice of Proposed Rule

DEPARTMENT OF VETERANS' AFFAIRS

RULE NO.: RULE TITLE:

55-11.010 Residents' Deposits of Money

PURPOSE AND EFFECT: The amendment removes language in paragraph (2)(a) of Rule 55-11.010, F.A.C., which conflicts with Section 296.12(2), Florida Statutes, providing that interest earned on resident accounts may be withdrawn by the resident at will. The Department has consistently followed the statute's requirements, not the conflicting rule. Accordingly, there will be no adverse impact resulting from the rule amendment.

SUMMARY: The current rule provision governing management of the interest earned on resident trust accounts conflicts with statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 296.12 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Darryl Griffin, FDVA, The Capitol, Suite 2105, 400 South Monroe Street, Tallahassee, Florida 32399-0001, (850)487-1533, x 7713

THE FULL TEXT OF THE PROPOSED RULE IS:

55-11.010 Residents Deposits of Money.

(1) No change.

(2) A resident may voluntarily deposit moneys with the home at no charge to be made of the resident by the home.

~~(a) All interest earned on the residents deposits shall be deposited to the Grants and Donations Trust Fund to be expended for the common benefit of the residents of the home, such as improved facilities, recreational equipment and recreational supplies subject to the requirements of Chapter 216, F.S.~~

~~(b) Each resident desiring to make a deposit of funds to the Residents Deposit Trust Fund shall be informed of the above provision.~~

(3) Such moneys as a resident may have on deposit with the Residents Deposit Trust Fund may be withdrawn, in whole or in part, at the request of the resident. A resident who requests a withdrawal between 9:00 a.m. and 11:00 a.m. on any weekday, excluding holidays observed by state employees, will, by 2:00 p.m. of the day of the request is made, receive a check payable to the resident drawn on the Trust Fund. Except in an emergency, requests made after 11:00 a.m. will be handled on the next regular weekday.

(4) through (5) No change.

Rulemaking Specific Authority 296.04(2) FS. Law Implemented 296.11(3), 296.12, 296.13 FS., as amended by Chapter 92-80, Laws of Florida. History—New 5-29-90, Amended 11-19-92, 12-27-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Herman, FDVA General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Prendergast, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2014

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 17, 2014 and March 18, 2014