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 June 17th, 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), June 17th, 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

June 17th, 2014
9:00 A.M. (EST)
LL-03, The Capitol
Tallahassee, Florida

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

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<td>1.</td>
<td>Respectfully request approval of the minutes of the May 13th, 2014 meeting.</td>
<td>(ATTACHMENT 1) RECOMMEND APPROVAL</td>
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<td>2.</td>
<td>Notice of Proposed Rule Development: Rule 55-11.005 Admission Eligibility and Rule 55-12.004 Admission Eligibility.</td>
<td>(ATTACHMENT 2) RECOMMEND APPROVAL</td>
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GOVERNOR SCOTT: I would now like to recognize Executive Director Mike Prendergast with the Department of Veterans Affairs to present his agenda.

EXECUTIVE DIRECTOR PRENDERGAST: Good morning, again, Governor and Cabinet.

Before we discuss the agenda items this morning, I'd like to take a brief moment to update you on two important developments that impact our Department of Veterans Affairs and our community of more than 1.5 million veterans in the Sunshine State.

The first item is about some of the great charity work that's recently been done by some of Florida's veterans charities, and, indeed, one of the charities that I've been able to take part in some of their -- and benefit from as an agency, is a charity known as Support the Troops, Incorporated. It's a veteran-led charity based in Wesley Chapel, right up the interstate from the Tampa Bay area.

Each week Support the Troops sends out approximately 110 care packages to our
forward-deployed troops in a combat zone in Afghanistan. And at the height of combat operations in Iraq and Afghanistan, through their great work, they were able to send between 200 and 220 care packages, each weighing approximately 50 to 60 pounds each to our remotely deployed soldiers, sailors, airmen, Marines, and Coast Guardsmen over in the desert serving in harm's way.

The packages that they have sent out contain a variety of items popular with the troops, including coffee, snack foods, Girl Scout cookies, batteries, DVDs, suntan lotion, sun glasses, and a whole array of personal hygiene items that are very hard to get when you're forward deployed. Some of the goods are donated by local businesses from our state, and others are paid for through the generous contributions of those folks who support this great charitable endeavor.

During my combat deployments in Iraq and Afghanistan, I personally witnessed my troops receiving care package from this great organization, and I remarked often to my sergeant major about how neat it was to get care packages from folks back home in the Sunshine State.
who I never had the privilege of meeting. I'm very humble to report to you that this great organization recently delivered 21 pounds of donated goods worth in excess of over $50,000 to our seven state veterans homes and our assisted living facility. The items donated included more than 2,000 nearly new or new set of hospital scrubs that have been donated to them by St. Joseph's Hospital in the Tampa Bay area that originally were destined to our combat docs and medics and medical staff in our forward-deployed hospitals in the desert.

With the drawdown in Iraq completed and the drawdown continuing down to its logical conclusion in Afghanistan, they had these excess goods; and when the director, Mark Van Trees, asked me, hey, do you guys think you could use any of these, or do you know anybody who could use them, I said, well, I have about 900 folks who work in our state veterans nursing homes who could use some additional sets of hospital scrubs for their uniform kit. And Mark said, well, we'll package them up and send them to you.

Now along with that generous donation, they also put together some packages of Girl Scout
cookies; personal hygiene items for our veterans; and then Walmart, a great supporter of our troops as we all know, they volunteered a brand new truck with a driver who has driven accident free for millions of miles in support of Walmart operations. And this Viet Nam veteran, during the height of the storms of a couple of weeks ago, drove throughout the state and delivered 21 pallets of these goods to our veterans homes throughout the state.

So we're grateful to Support the Troops, and we're grateful to Walmart for going above and beyond to take care of our troops right here in the Sunshine State.

GOVERNOR SCOTT: We live in a great state where people care about each other.

EXECUTIVE DIRECTOR PRENDERGAST: They really do, Governor, they really do.

As I mentioned, Support the Troops is located right off of I-75 in Wesley Chapel, and it's just one example of those great organizations that go out of their way. And I'd be remiss because I know there are a couple of folks on the Cabinet who do enjoy hunting sports. Support the Troops also put together some care packages for an organization called American Patriot Outfitters right over here
in Madison County to help them during their annual spring turkey hunt.

And they assembled 25 sets of what we call field humidors, and they put some cigars that came from the J. C. Newman Factory in Tampa that Commissioner Putnam was at just about a week ago with Bobby Newman, over there in Tampa rolling some cigars at one of the great last bastions of cigar aficionados in the world.

They donated the cigars, J. C. Newman and Company and Rocky Patel and some others donated some cigars. A group of guys made cedar inserts to put inside of these ammo cans. They put some snacks in there, some cigars, and some lighters; and they helped out the American Patriot Outfitters during their annual spring turkey hunt that was very, very successful for the third year in a row.

And there are a lot of other great volunteer organizations that support us, and we're truly grateful to the volunteers who donate tens of thousands of hours each and every year, and to those folks who donate their spirit and come and spend time with our veterans in our state veterans nursing homes.

And today we only have one bed available out
of our 869 beds in our state veterans nursing home enterprise, and we're looking forward to working towards getting a groundbreaking established in the not-too distant future for the seventh state veterans nursing home here in the Sunshine State so that we can open up that facility and provide another 120 additional beds for our veterans.

GOVERNOR SCOTT: Do you want to brag about all of the awards they win?

EXECUTIVE DIRECTOR PRENDERGAST: Well, Governor, we could take up the rest of the Cabinet meeting. I know it's been a long meeting and there are a lot of folks here waiting to get to the meat of some substance at the end of the day.

But we have four five-star award winners, and the other two state veterans nursing homes that are skilled facilities are rated at the four-star level. We're waiting for some additional reports to come out so we can elevate them to the five-star level as well. They're great homes, and they provide that world-class service that our veterans in Florida so richly deserve with their faithful service to this great country of ours.

The second important update for you this morning is the debut of a brief new Florida
Department of Veterans Affairs video destined for use within our agency and any other organization that endeavors to support Florida's veterans.

(WHEREUPON, A VIDEO WAS PLAYED).

EXECUTIVE DIRECTOR PRENDERGAST: Well, Governor and members of the Cabinet, ladies and gentlemen, I think that video says it all. We're humbled to serve the third largest population of veterans each and every day, and it's our honor to be a part of a great team that takes care of this great population of America's patriots.

The Department of Veterans Affairs has three agenda items for your consideration today. Agenda Item 1 consists of Cabinet Meeting minutes for the March 6, 2014, Cabinet Meeting. We respectfully request approval of these minutes.

GOVERNOR SCOTT: Is there a motion to approve?

ATTORNEY GENERAL BONDI: So moved.

GOVERNOR SCOTT: Is there a second?

CFO ATWATER: Second.

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

EXECUTIVE DIRECTOR PRENDERGAST: Thank you, Governor.

Agenda Item 2 is the Agency's third quarter
report for fiscal year 2013 and 2014. Each of your offices received a copy of this report earlier, and we would be pleased to review it with you in further detail if you have any questions.

Now I'll just briefly cover a couple of key points from that report. The Bureau of Claim Services down in Bay Pines, down in St. Petersburg, has fully implemented the use of the U.S. Department of Veterans Affairs new Veterans Benefits Management System that allows us to do a hundred percent paperless claims for veterans when new claims come in. This has significantly enhanced our efficiency and made it more compatible with the products that the federal VA is working towards to more expeditiously resolve our federal VA claims.

Recently, FDVA 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 who was awarded the medal of honor at a ceremony at the White House back in March recently received his overdue medal of honor supplemental payments. Those account to approximately $1,260 per month.

For the first quarter, the Bureau of Field
Services claims examiners attended 188 outreach
events providing state and federal benefits
information to more than 8,300 veterans, and they
also participated in six state veterans -- homeless
veterans stand-downs, assisting more than
460 veterans get access to the benefits.

The Bureau of Field Services also helps our
veterans file disability and pension claims, and
most recently our reporting included more than
$14,900,000 of issue resolutions for our veterans
across the state.

And as I mentioned previously, we're
maintaining a 99 percent occupancy rate in our
state veterans nursing homes, and today we only
have one bed available in our facilities. In
summary, as you can see from the figures presented
in our report, the Department continues to provide
outstanding world-class service to our veterans and
a great return on investment to the citizens of the
Sunshine State.

Subject to your questions, we respectfully
request approval of our third quarter report for
fiscal year '13/'14.

GOVERNOR SCOTT: Is there a motion to accept
the report?
ATTORNEY GENERAL BONDI: So moved.

GOVERNOR SCOTT: Is there a second?

CFO ATWATER: Second.

GOVERNOR SCOTT: Any comments or objections?

(NO RESPONSE).

GOVERNOR SCOTT: Hearing none, the motion carries.

EXECUTIVE DIRECTOR PRENDERGAST: Thank you.

Agenda Item 3 consists of the final adoption of a proposed rule repealed for Rule 55-11.010, residents' deposits and money. Previously, Governor and Cabinet, you approved publication of the notice of rule development for this rule amendment on January 22nd, 2014. The notice was published in the Florida Administrative Register on February 17th, and the notice of proposed rule was published on April 9th, 2014. No hearing was requested by the public.

This rule amendment eliminates language that conflicts with the statute clarifying that interest earned on resident trust accounts may be withdrawn at will by the resident who originally deposited the money. We respectfully request approval of the proposed rule for final adoption.

GOVERNOR SCOTT: Is there a motion to approve?
ATTORNEY GENERAL BONDI: So moved.

GOVERNOR SCOTT: Is there a second?

CFO ATWATER: Second.

GOVERNOR SCOTT: Any comments or objections?

(NO RESPONSE).

GOVERNOR SCOTT: Hearing none, the motion carries.

EXECUTIVE DIRECTOR PRENDERGAST: In closing, thank you Governor Scott and members of the Cabinet for making Florida the most veteran friendly state in the nation. We look forward to continuing to strive for excellence in all of our endeavors.

Thank you.

GOVERNOR SCOTT: Thank you for what you do.

Have a good day.

* * * * *
MEMORANDUM

TO: Mike Prendergast, Executive Director

THROUGH: Al Carter, Deputy Executive Director

FROM: David R. Herman, General Counsel

SUBJECT: Notice of Development of Rulemaking
Rule 55-11.005 Admission Eligibility (Veterans Domiciliary)
Rule 55-12.004 Admission Eligibility (Veterans Nursing Homes)

DATE: May 12, 2014

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

Section 22 of this legislation removed the requirement that a veteran must be a Florida resident
for 1 year immediately preceding application to either the State Veterans' Domiciliary Home of
Florida or the State Veterans Nursing Homes.

Effective July 1, 2014, a veteran is only required to be a Florida resident at the time of
application.

The proposed amendments to Rules 55-11.005 and 55-12.004 conforms these rules to the
legislative changes concerning admission eligibility.
55A-11.005 Admission Eligibility

REASONS FOR RULE AMENDMENT:

The proposed rule amendment eliminates the 1 year state residency requirement for admission eligibility to the State Veterans' Domiciliary Home of Florida, in conformance with the statutory amendment (ch. 2014-1, Laws of Florida).

EXTERNAL INTEREST: None.

SIGNIFICANT POLICY ISSUES: None.

ACTION REQUESTED: We request that the following Notice of Development of Rulemaking be presented to the Cabinet aides and Governor and Cabinet with a request to approve publication.

Notice of Development of Rulemaking

DEPARTMENT OF VETERANS' AFFAIRS
RULE NO.: RULE TITLE:
55-11.005: Admission Eligibility
PURPOSE AND EFFECT: Removes the 1 year residency requirement for eligibility for admission to the State Veterans' Domiciliary Home of Florida, consistent with the legislative change to Section 296.06, Florida Statutes (See Section 22, ch 2014-1, Laws of Florida).
SUBJECT AREA TO BE ADDRESSED: Admission eligibility for the State Veterans' Domiciliary Home of Florida
RULEMAKING AUTHORITY: s. 292.05(2), Florida Statutes
LAW IMPLEMENTED: s. 296.06, Florida Statutes
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Darryl Griffin, FDVA, The Capitol, Suite 2105, 400 South Monroe Street, Tallahassee, Florida 32399-0001, 850-487-1533 x7713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55-11.005 Admission Eligibility.
(1) To be eligible for residence, a veteran must:
(a) Have wartime or peacetime service as defined in subsection 55-11.003(17) or (12), F.A.C., of this chapter of the rules;
(b) Have been discharged or released from such service under honorable conditions or later received an upgraded discharge under honorable conditions;
(c) Be a resident of the state at time of application, and for the 1 year immediately preceding application; and
(d) Not owe money to the Department for services rendered during any previous stay at a Department facility.
(2) –(7) No changes.
55-12.004 Admission Eligibility

REASONS FOR RULE AMENDMENT:

The proposed rule amendment eliminates the 1 year state residency requirement for admission eligibility to the State Veterans’ Nursing Homes, in conformance with the statutory amendment (ch. 2014-1, Laws of Florida).

EXTERNAL INTEREST: None.

SIGNIFICANT POLICY ISSUES: None.

ACTION REQUESTED: We request that the following Notice of Development of Rulemaking be presented to the Cabinet aides and Governor and Cabinet with a request to approve publication.

Notice of Development of Rulemaking

DEPARTMENT OF VETERANS’ AFFAIRS
RULE NO.: RULE TITLE:
55-12.004: Admission Eligibility

PURPOSE AND EFFECT: Removes the 1 year state residency requirement for eligibility for admission to the State Veterans’ Nursing Homes, consistent with the legislative change to Section 296.06, Florida Statutes (See Section 22, ch. 2014-1, Laws of Florida).

SUBJECT AREA TO BE ADDRESSED: Admission eligibility for the State Veterans’ Nursing Homes.

RULEMAKING AUTHORITY: s. 292.05(3) Florida Statutes

LAW IMPLEMENTED: s. 296.36 Florida Statutes

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Darryl Griffin, FDVA, The Capitol, Suite 2105, 400 South Monroe Street, Tallahassee, Florida 32399-0001, 850-487-1533 x7713

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55-12.004 Admission Eligibility.

(1) To be eligible for admission an applicant must:
   (a) Be an eligible veteran as defined in subsection 55-12.003(2), F.A.C., of this Chapter of these rules.
   (b) Be a resident of the state at the time of application and for 1 year immediately preceding application.
   (c) Be in need of nursing home care for a condition which requires services that fall within the level of care which the home has the resources and functional ability to provide.

(2) No change.