



**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

July 29, 2013

## 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 17<sup>th</sup>, 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 17<sup>th</sup>, 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](http://floridavets.org/?page_id=974)

**MEMBERS**

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

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

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

<b>ITEM</b>	<b>SUBJECT</b>	<b>RECOMMENDATION</b>
1.	Respectfully request approval of the minutes of the May 13th, 2014 meeting.  (ATTACHMENT 1)	<b>RECOMMEND APPROVAL</b>
2.	Notice of Proposed Rule Development: Rule 55-11.005 <i>Admission Eligibility</i> and Rule 55-12.004 <i>Admission Eligibility</i> .  (ATTACHMENT 2)	<b>RECOMMEND APPROVAL</b>

**DEPARTMENT OF VETERANS AFFAIRS**

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3 GOVERNOR SCOTT: I would now 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 again, Governor and Cabinet.

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

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

24 Each week Support the Troops sends out  
25 approximately 110 care packages to our

1 forward-deployed troops in a combat zone in  
2 Afghanistan. And at the height of combat  
3 operations in Iraq and Afghanistan, through their  
4 great work, they were able to send between 200 and  
5 220 care packages, each weighing approximately 50  
6 to 60 pounds each to our remotely deployed  
7 soldiers, sailors, airmen, Marines, and  
8 Coast Guardsmen over in the desert serving in  
9 harm's way.

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

20 During my combat deployments in Iraq and  
21 Afghanistan, I personally witnessed my troops  
22 receiving care package from this great  
23 organization, and I remarked often to my  
24 sergeant major about how neat it was to get care  
25 packages from folks back home in the Sunshine State

1           who I never had the privilege of meeting. I'm very  
2           humble to report to you that this great  
3           organization recently delivered 21 pounds of  
4           donated goods worth in excess of over \$50,000 to  
5           our seven state veterans homes and our assisted  
6           living facility. The items donated included more  
7           than 2,000 nearly new or new set of hospital scrubs  
8           that have been donated to them by St. Joseph's  
9           Hospital in the Tampa Bay area that originally were  
10          destined to our combat docs and medics and medical  
11          staff in our forward-deployed hospitals in the  
12          desert.

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

24                 Now along with that generous donation, they  
25          also put together some packages of Girl Scout

1 cookies; personal hygiene items for our veterans;  
2 and then Walmart, a great supporter of our troops  
3 as we all know, they volunteered a brand new truck  
4 with a driver who has driven accident free for  
5 millions of miles in support of Walmart operations.  
6 And this Viet Nam veteran, during the height of the  
7 storms of a couple of weeks ago, drove throughout  
8 the state and delivered 21 pallets of these goods  
9 to our veterans homes throughout the state.

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

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

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

18 As I mentioned, Support the Troops is located  
19 right off of I-75 in Wesley Chapel, and it's just  
20 one example of those great organizations that go  
21 out of their way. And I'd be remiss because I know  
22 there are a couple of folks on the Cabinet who do  
23 enjoy hunting sports. Support the Troops also put  
24 together some care packages for an organization  
25 called American Patriot Outfitters right over here

1 in Madison County to help them during their annual  
2 spring turkey hunt.

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

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

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

25 And today we only have one bed available out

1 of our 869 beds in our state veterans nursing home  
2 enterprise, and we're looking forward to working  
3 towards getting a groundbreaking established in the  
4 not-too distant future for the seventh state  
5 veterans nursing home here in the Sunshine State so  
6 that we can open up that facility and provide  
7 another 120 additional beds for our veterans.

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

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

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

24 The second important update for you this  
25 morning is the debut of a brief new Florida



1 Department of Veterans Affairs video destined for  
2 use within our agency and any other organization  
3 that endeavors to support Florida's veterans.

4 (WHEREUPON, A VIDEO WAS PLAYED).

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

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

17 GOVERNOR SCOTT: Is there a motion to approve?

18 ATTORNEY GENERAL BONDI: So moved.

19 GOVERNOR SCOTT: Is there a second?

20 CFO ATWATER: Second.

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

23 EXECUTIVE DIRECTOR PRENDERGAST: Thank you,  
24 Governor.

25 Agenda Item 2 is the Agency's third quarter

1 report for fiscal year 2013 and 2014. Each of your  
2 offices received a copy of this report earlier, and  
3 we would be pleased to review it with you in  
4 further detail if you have any questions.

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

17 Recently, FDVA had the honor and pleasure of  
18 working on behalf of one of our nation's most  
19 recent medal of honor recipients. Port St. John  
20 resident Melvin Morris who was awarded the medal of  
21 honor at a ceremony at the White House back in  
22 March recently received his overdue medal of honor  
23 supplemental payments. Those account to  
24 approximately \$1,260 per month.

25 For the first quarter, the Bureau of Field

1 Services claims examiners attended 188 outreach  
2 events providing state and federal benefits  
3 information to more than 8,300 veterans, and they  
4 also participated in six state veterans -- homeless  
5 veterans stand-downs, assisting more than  
6 460 veterans get access to the benefits.

7 The Bureau of Field Services also helps our  
8 veterans file disability and pension claims, and  
9 most recently our reporting included more than  
10 \$14,900,000 of issue resolutions for our veterans  
11 across the state.

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

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

24 GOVERNOR SCOTT: Is there a motion to accept  
25 the report?

1 ATTORNEY GENERAL BONDI: So moved.

2 GOVERNOR SCOTT: Is there a second?

3 CFO ATWATER: Second.

4 GOVERNOR SCOTT: Any comments or objections?

5 (NO RESPONSE).

6 GOVERNOR SCOTT: Hearing none, the motion  
7 carries.

8 EXECUTIVE DIRECTOR PRENDERGAST: Thank you.

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

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

25 GOVERNOR SCOTT: Is there a motion to approve?

1 ATTORNEY GENERAL BONDI: So moved.

2 GOVERNOR SCOTT: Is there a second?

3 CFO ATWATER: Second.

4 GOVERNOR SCOTT: Any comments or objections?

5 (NO RESPONSE).

6 GOVERNOR SCOTT: Hearing none, the motion  
7 carries.

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

13 Thank you.

14 GOVERNOR SCOTT: Thank you for what you do.  
15 Have a good day.

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Mike Prendergast  
Executive Director

State of Florida  
**DEPARTMENT OF VETERANS' AFFAIRS**

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**MEMORANDUM**

**TO:** Mike Prendergast, Executive Director

**THROUGH:** Al Carter, Deputy Executive Director

**FROM:** David R. Herman, General Counsel *DRH*

**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

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On March 31, 2014, Governor Scott approved CS/HB 7015 (ch. 2014-1, Laws of Florida). 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(3), 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.**

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**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.