



Mike Prendergast
Executive Director

State of Florida
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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 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

ITEM	SUBJECT	RECOMMENDATION
1.	Respectfully request approval of the minutes of the May 13th, 2014 meeting. (ATTACHMENT 1)	RECOMMEND APPROVAL
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)	RECOMMEND APPROVAL

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

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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

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.

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.