

## Chapter VA 6

## WISCONSIN VETERANS HOME

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VA 6.01 Admission and care of members. (1) OBJECTIVE. The department shall maintain and operate the Wisconsin Veterans Home and shall admit as members eligible veterans, their eligible spouses, surviving spouses and parents, and shall furnish all members complete personal maintenance and medical care to include programs and facilities which promote comfort, recreation, well-being and rehabilitation.

(2) APPLICATION. No person shall be admitted until such person has submitted an application on forms furnished by the Home and such application has been approved by the commandant. Each question must be fully and accurately answered and the completed application properly executed. Upon admission of the applicant as a member, the completed application shall be a valid and binding contract by and between the member and the Home.

(3) EXHIBITS REQUIRED. Each application must be accompanied by a complete financial statement of the applicant, a physician's report of physical examination of the applicant, and original or certified copies of reports of separation or discharges of the applicant or the veteran upon whose eligibility the applicant is relying for all periods of active service in the armed forces of the United States during one wartime period as enumerated in s. 45.35(5) (a) through (g), Stats., or which establish that the veteran was entitled to receive either the Armed Forces Expeditionary Medal or the Vietnam Service Medal or served pursuant to section 1 of executive order 10957, and, except in the case of a veteran applicant who was a Wisconsin resident at the time of entry into active service or the spouse of such a veteran applicant, 2 affidavits attesting to the applicant's Wisconsin residence. All exhibits except certified copies of reports of separation will be required of an applicant who applies for readmission more than 60 days after discharge, but an affidavit in lieu of exhibits may be accepted from an applicant who applies for readmission within 60 days of discharge.

(4) SPOUSE. A veteran's spouse shall also furnish a certified copy of certificate of marriage to the veteran.

(5) SURVIVING SPOUSE. The application of a veteran's surviving spouse shall be accompanied by a certified copy of the certificate of marriage of the applicant to the eligible veteran and with a certified copy of such veteran's death certificate.

(6) PARENT. The application of the parent of a veteran shall also be accompanied by the certified copy of the public record of birth of the veteran through whom eligibility is claimed, and either a complete physician's report of physical examination of such veteran and a complete fi-

nancial statement and 2 residence affidavits pertaining to such veteran or a certified copy of such veteran's death certificate.

(7) **ELIGIBILITY, DETERMINATION.** If the applicant or the county veterans service officer assisting the applicant with the application requests a review of a determination of ineligibility, the matter shall be referred to the secretary for review.

(8) **READMISSION.** A former member may be readmitted if a new application has been submitted and approved by the commandant and all money which may have been owed to the Home by the former member has been paid, and in case of an undesirable or dishonorable discharge, if the commandant is satisfied that the conduct leading to such discharge will not be repeated.

(9) **DEPENDENTS OF MEMBERS.** Nonmember dependents of members will not be quartered or maintained at the Home, except under the policy for guests established by the commandant, unless employed by the Home in a capacity requiring them to live in available housing on the Home grounds.

(10) **QUARTERS, ASSIGNMENT.** Assignment of quarters to members shall be based on the Home medical director's recommendations and the availability of space appropriate to the member's needs.

(11) **CLOTHING AND COMFORT ITEMS.** Clothing, stationery, toiletries, and necessary aids to good grooming, including barber and beautician services, will be furnished to members as their needs may require. All clothing issued will remain the property of the state of Wisconsin.

(12) **MEDICAL CARE.** Complete medical care, including surgical procedures, hospitalization, medications, special diets, dental care including dental prosthesis, eye glasses, braces, hearing aid batteries and repairs, and ancillary medical care services will be furnished members as their needs may require.

(13) **ASSETS.** Prior to admission, applicants must turn over all assets in excess of the maximum assets which may be retained under the provisions of ss. 49.45 and 49.46, Stats., and rules adopted thereunder, to the state in prepayment for care and maintenance actually provided by the Home during their period of residence. Property or any interest therein conveyed or disposed of by the applicant within 5 years immediately prior to application for admission by gift or for less than adequate consideration shall be considered assets upon admission to the extent of the value of the gift or to the extent consideration therefor was inadequate, unless such assets were conveyed to the state or unless it is determined by the department that the conveyance or disposal of such assets had no relation to prospective entrance into the Home. An applicant's just and legal debts will be taken into consideration for the purpose of determining the amount of excess assets due the state.

Note: 1983 Wisconsin Act 27 changed the 5-year requirement to 2 years.

(14) **DEFINITION OF ASSETS.** Assets for the purpose of this section means any property of value, to include without limitation by reason of enumeration real property, tangible and intangible personal property, accrued interest, cash, cash value of life insurance, monies to which applicant is entitled by award, judgment or settlement as received, life insurance proceeds to which applicant may be entitled, annuities contain-

ing unexecuted options to select lump sum payments, gifts, devises, bequests, inheritances and hereditaments, except personal clothing and personal effects of no apparent market value.

(16) **CHARGES FOR CARE AND MAINTENANCE.** Charges for care and maintenance made pursuant to s. 45.37 (16) (b), Stats., shall be computed every January and July for the various categories of care provided by the Home and such computations shall be based upon the average daily costs of care for the preceding months of July through December and January through June respectively. Charges shall be made for actual care and maintenance provided, and such charges shall be based upon the average daily costs of care as established by such computations for the various categories of care provided members during the month for which such charges are made.

History: Cr. Register, March, 1965, No. 111, eff. 4-1-65; am. (3), (6), (7), (9), (13), Register, October, 1967, No. 142, eff. 11-1-67; am. (3), Register, June, 1970, No. 174, eff. 7-1-70; am. (3), and (13), cr. (15) and (16), Register, August, 1972, No. 200, eff. 9-1-72; am. (1) through (7) and (13), r. (15), Register, July, 1976, No. 247, eff. 8-1-76; am. (11), Register, January, 1984, No. 337, eff. 2-1-84.

**VA 6.02 Duties and responsibilities of the commandant.** (1) **OPERATION OF THE HOME.** The commandant, under the direction of the secretary, shall operate the Grand Army Home for Veterans pursuant to Wisconsin Statutes and in accordance with the policies established by the board.

(2) **MEDICAL AND NURSING CARE.** He shall conduct a complete program of medical and nursing care for all members of the Home as their needs may require.

(3) **MEMBER RECORDS.** He shall keep a record of each member of the Home which will include information establishing eligibility for admission, date of admission, personal and financial data, and period of membership.

(4) **CUSTODY OF PROPERTY.** He shall have charge and custody of the Home including all property appertaining thereto or within the boundaries thereof, and he may take such reasonable steps as may be necessary to safeguard such property including examination of vehicles, baggage, parcels or any property leaving the Home.

(5) **EMPLOYEES.** He shall employ such persons as may be necessary and authorized to carry out the functions of the Home.

(6) **LAW ENFORCEMENT.** He shall designate as his deputies such employes as may be necessary to assist him in enforcing upon the grounds of the Home the laws of the state of Wisconsin and the rules and regulations governing the Home, and for such purposes he and his deputies shall have all the powers of constables.

(7) **WORK THERAPY PROGRAM.** He shall establish a work therapy program at the Home and shall permit as many members as possible to participate in this program. Participation in the program shall be voluntary and participating members may work as many hours as they desire up to a maximum of 5 hours per day. Members participating in the work therapy program will be permitted to retain additional income or will be paid for their services pursuant to the provisions of s. 45.37 (9) (a) and (c), Stats.

(8) **BUDGET.** He shall prepare the Home's budget request for the ensuing biennium so as to permit operation of the Home to meet applicable minimum standards established by state regulatory agencies and shall present such budget request to the secretary.

(9) **FUNDS, ACCOUNTABILITY.** He shall supervise all funds of the Home and see that proper records are kept, shall maintain internal fiscal control, shall account for all funds received and disbursed and shall take all necessary steps to recover any property or funds transferred, assigned or withheld contrary to law.

(10) **ANNUAL REPORT.** He shall prepare an annual report covering operations of the Home as soon as practicable after the close of each fiscal year.

(11) **BOND.** He shall provide a surety bond at the expense of the Home in an amount sufficient to cover his financial responsibility as commandant and shall be adequately bonded for his responsibilities as legal guardian of members and administrator of the estates of deceased members.

(12) **SAFEGUARDING RECORDS.** He shall safeguard all records of the Home and maintain the confidential nature of medical and personal information regarding employes and members pursuant to s. 45.36, Stats., and s. VA 1.10.

(13) **MEETING AND REPORTS.** He shall attend all meetings of the board and King committee and shall make such monthly reports on the operation of the Home as may be necessary to keep the board informed. He shall submit such other reports and attend such other meetings as the secretary may require.

(14) **EMERGENCY MEDICAL TREATMENT.** He may authorize emergency first aid medical service to a person not connected with the Home when transportation to a local doctor or hospital would, in the opinion of the Home medical director, endanger the life of such person.

(15) **EMPLOYEE RULES.** He shall establish and publish such rules as may be necessary for the regulation of employe conduct.

(16) **VISITOR RULES.** He shall establish rules governing non-member visitors to the Home including guests and relatives of members. Such rules will not become effective until they have been approved by the board and published.

(17) **MEMBER RULES.** He shall establish rules for the regulation of conduct of members and shall be responsible for the enforcement of such rules. Such rules will not become effective until they have been approved by the board and published.

(18) **DEFINITION—"PUBLISHED."** For the purposes of this chapter, "published" shall mean printing of regulations, making them available to members, employes and visitors and posting them on a bulletin board which will be maintained for that purpose in a public place on the Home grounds.

History: Cr. Register, March, 1965, No. 111, eff. 4-1-65; am. (1), (8), (12), (13), Register, October, 1967, No. 142, eff. 11-1-67; r. and recr. (7), Register, August, 1972, No. 200, eff. 9-1-72.

**VA 6.03 Traffic and conduct on home property. (1) DRIVER'S LICENSE  
REQUIRED. No person shall operate any motor vehicle on any roadway,**