

CHAPTER 198

MINNESOTA VETERANS HOME

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NOTE: See sections 137.20 and 137.21.

198.001 DEFINITIONS.

Subdivision 1. For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. "Resident" means a person admitted to the Minnesota veterans home.

Subd. 3. [Repealed, 1975 c 61 s 26]

Subd. 4. "Administrator" means the administrator of the Minnesota veterans home.

Subd. 5. "Commissioner" means the commissioner of veterans affairs.

History: 1965 c 643 s 1; 1967 c 148 s 2; 1971 c 619 s 1; 1975 c 61 s 14,15

198.01 VETERANS HOME; ELIGIBILITY OF VETERANS.

The Minnesota veterans home shall provide a home for veterans and their spouses, surviving spouses, and parents, who meet eligibility and admission requirements, and who comply with the rules and regulations of the Minnesota veterans home. Persons who served in the armed forces of the United States during a period of war, and who were discharged or released therefrom under conditions other than dishonorable, and who did not receive a bad conduct discharge, shall be eligible for admission to the Minnesota veterans home. Persons who received bad conduct or dishonorable discharges from the armed forces of the United States as a result of drug dependency or abuse shall be eligible for admission to the Minnesota veterans home. The word "veteran" as used in this section means any person who is a citizen of the United States and has been separated under honorable conditions from any branch of the armed forces of the United States: (a) after service on active duty for 181 consecutive days; or, (b) after service during a period of war; or, (c) by reason of disability incurred while serving on active duty. A "period of war" is:

(1) The Spanish-American War, April 21, 1898 through July 4, 1902.

(a) Includes Philippine Insurrection and Boxer rebellion.

(b) Includes service in Moro Province, April 21, 1898 through July 15, 1903.

(2) World War I, April 6, 1917 through April 1, 1920.

(a) Includes service in Russia, April 16, 1917 through April 1, 1920.

(b) Includes service through July 2, 1921 if active duty performed during basic war period.

(3) World War II, December 7, 1941 through December 31, 1946 and through July 25, 1947 if continuous duty began on or before December 31, 1946.

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(4) The Korean Conflict, June 27, 1950 through January 31, 1955.

(5) The Vietnam era, August 5, 1964 through July 27, 1973.

History: *RL s 1835; 1931 c 176 s 1; 1943 c 54 s 1; 1951 c 71 s 1; 1957 c 150 s 1; 1967 c 52 s 1; 1967 c 148 s 1; 1971 c 619 s 2; 1973 c 572 s 11; 1975 c 61 s 16; 1980 c 414 s 6 (4344)*

198.02 [Repealed, 1953 c 117 s 2]

198.021 [Repealed, 1971 c 619 s 17]

198.022 ELIGIBILITY OF SPOUSES, SURVIVING SPOUSES, PARENTS.

The commissioner is hereby authorized to admit eligible spouses accompanying veterans, or to admit spouses, surviving spouses and parents of those veterans who are or if living would be, eligible for admission to the home.

(1) All applicants for admission to the Minnesota veterans home must be without adequate means of support and unable by reason of wounds, disease, old age, or infirmity to properly maintain themselves.

(2) Veterans must have served in a Minnesota regiment or have been credited to the state of Minnesota, or have been a resident of the state preceding the date of application for admission.

(3) Spouses, surviving spouses, and parents of eligible veterans must be at least 55 years of age, and have been residents of the state of Minnesota preceding the date of application for admission.

(4) A surviving spouse, eligible for admission except that the veteran did not serve in a Minnesota regiment or was not a resident of Minnesota at the time of his death may be eligible for admission provided he has resided in the state not less than 15 years next preceding the date of application for admission.

(5) A spouse, surviving spouse or parent of the veteran who has previously been a resident of Minnesota for not less than ten years and who lost his residency in the state by moving therefrom for the benefit of his health or the health of his spouse or child, and who has returned to the state for the purpose of making it his home is eligible for admission to the veterans home provided he is otherwise eligible.

(6) A spouse or surviving spouse of a veteran of the Civil War shall be eligible for admission if he was married to the veteran prior to the year 1905. A spouse or surviving spouse of a veteran of the Spanish-American War, the Philippine Insurrection, or the Boxer rebellion shall be eligible for admission if he was married to the veteran prior to December 31, 1937.

History: *1971 c 619 s 3; 1975 c 61 s 17*

198.03 MAINTENANCE CHARGES.

Any person otherwise eligible for admission to the Minnesota veterans home, except that he has means of support, may, at the discretion of the commissioner of veterans affairs, be admitted to the Minnesota veterans home upon entering into and complying with the terms of a contract made by him with the commissioner, providing for reasonable compensation to be paid by such person to the state of Minnesota for his care, support, and maintenance in the home.

History: *1923 c 13; 1967 c 148 s 2; 1971 c 619 s 4; 1975 c 61 s 18 (4346)*

198.04 [Repealed, 1967 c 52 s 11]

198.05 NEW BUILDINGS.

The department of administration shall have and exercise full authority in the erection and construction of new buildings at the veterans home. When new buildings are to be erected and constructed by authority of the state or old buildings to be remodeled it shall be the duty of the department of administration to cause to be prepared plans and specifications for the same, but in so doing it shall consult with the commissioner in respect to these plans and specifications and shall adopt and carry out, so far as it deems practicable, their requests and desires in the matter.

History: 1913 c 88 s 1; 1967 c 148 s 2; 1975 c 61 s 19 (4348)

198.055 VETERANS ADVISORY COMMITTEE.

Subdivision 1. **Creation; members.** The veterans advisory committee is hereby established. The committee shall consist of eleven members appointed by the commissioner. Organizations of veterans in this state may submit to the commissioner names of possible appointees to the committee, and the commissioner shall give consideration to such names. The commissioner shall also give consideration for appointment to persons having experience in the fields of mental and physical health services, education, vocational rehabilitation, and other fields of activity of the department of veterans affairs. The committee shall select a chairman and a secretary. The committee shall meet at such times as it is called by its chairman or three of its members. Six of the initial appointments to the committee shall be for terms ending with the expiration of the term of the governor elected in 1974; the remaining five members shall serve for a term ending one year after that date. The committee shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059. The commissioner of veterans affairs may attend any meeting of the committee and consult with the members on matters of policy relating to the department of veterans affairs and furnish such information as may be necessary to the committee.

Subd. 2. **Duties and responsibilities.** The committee shall examine the operation of the department of veterans affairs, including the administration of the statutory duties of the commissioner. It may also examine any issues and problems relating to veterans. The committee shall advise the commissioner on matters relating to the veterans home and veterans camps which are within the jurisdiction of the commissioner. The committee may make recommendations to the commissioner it may determine to be appropriate.

History: 1975 c 61 s 12; 1976 c 149 s 47,49

NOTE: Laws 1976, Chapter 149, Section 48, reads as follows:

"Three of the four members added to the veterans advisory committee by this act shall be members or former members of the board of governors of the Big Island veterans camp."

198.06 ADMINISTRATOR; APPOINTMENT; DUTIES; TERMINATION.

The Minnesota veterans home shall be governed by the commissioner and is under the management of the administrator. The administrator shall be appointed by the commissioner and shall serve in the unclassified service. The administrator's term of service may be terminated by the commissioner upon service by certified mail of written notice setting forth the grounds for the termination. The termination shall be effective immediately upon receipt of the written notice. The administrator shall have a current Minnesota nursing home administrator's license. The commissioner, whenever he deems it practicable, shall appoint an administrator who is a veteran as defined under section 197.447. The commissioner shall determine policy and shall adopt and enforce rules for the government of the home and proper bylaws for the conduct of its business. The commissioner shall

make rules not inconsistent with this chapter respecting the admission, maintenance, conduct and discharge of residents of the home, and the disbursements of funds under its control.

History: *RL s 1836; 1907 c 326 s 1; 1917 c 188 s 1; 1919 c 131 s 1; 1951 c 265 s 1; 1957 c 150 s 3; 1963 c 495 s 1; 1965 c 643 s 2; 1967 c 52 s 2; 1967 c 148 s 2; 1971 c 619 s 5; 1975 c 61 s 20; 1981 c 186 s 1 (4349)*

198.061 [Repealed, 1971 c 619 s 17]

198.065 CHIROPRACTIC CARE AVAILABILITY.

In addition to the other services now provided to residents of the Minnesota veterans home, the commissioner shall provide chiropractic services. The services shall be provided, as appropriations permit, without charge to residents by a licensed chiropractor who is either employed by the commissioner for the purpose or who has contracted with the commissioner to provide the services.

History: *1982 c 503 s 1*

198.07 [Repealed, 1975 c 61 s 26]

198.071 [Repealed, 1975 c 61 s 26]

198.072 [Repealed, 1975 c 61 s 26]

198.073 [Repealed, 1975 c 61 s 26]

198.075 MINNESOTA VETERANS HOME EMPLOYEES; EXCLUDED FROM COMMISSARY PRIVILEGES.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employee of the Minnesota veterans home.

History: *1979 c 333 s 93*

198.08 [Repealed, 1975 c 61 s 26]

198.09 [Repealed, 1975 c 61 s 26]

198.10 [Repealed, 1967 c 886 s 15]

198.11 [Repealed, 1967 c 886 s 15]

198.12 [Repealed, 1967 c 886 s 15]

198.13 [Repealed, 1967 c 52 s 11; 1967 c 886 s 15]

198.14 [Repealed, 1971 c 619 s 17]

198.15 [Repealed, 1971 c 619 s 17]

198.16 DONATIONS; GENERAL PURPOSES.

The commissioner is hereby authorized to accept on behalf of the state any gift, grant, bequest, or devise made for the purposes of this chapter, and administer the same as directed by the donor. All proceeds therefrom including moneys derived from the sale of any real or personal property shall be deposited in the state treasury and credited to the Minnesota veterans home endowment, bequest, and devises fund. Said fund shall consist of two accounts, one of which shall include any trusts prescribed by the donor, the other shall include any currently expendable proceeds. Disbursements from this fund shall be made in the manner provided for the issuance of other state warrants.

Whenever the commissioner shall deem it advisable, in accordance with law, to sell or otherwise dispose of any real or personal property thus acquired, the commissioner of administration upon the request of the commissioner of veterans affairs shall sell or otherwise dispose of said property in the manner provided by

law for the sale or disposition of other state property by the commissioner of administration.

History: *RL s 1846; 1913 c 170 s 1; 1945 c 444 s 1; 1967 c 148 s 2; 1969 c 540 s 10; 1971 c 619 s 12; 1973 c 492 s 14; 1975 c 61 s 21 (4359)*

198.161 DONATIONS; PARTICULAR PURPOSES.

The commissioner may accept donations and gifts of money for the benefit of the residents of the home. All moneys so received shall be deposited in a separate account at the home and records shall be kept, clearly showing the identity of the donor, the purpose of the donation and the ultimate disposition of the donation. Each donation shall be duly receipted and shall be expended or used by the commissioner as nearly in accordance with the condition of the gift or donation as is compatible with the best interests of the residents of the home. The donations so received to the extent they are made to the state of Minnesota are hereby appropriated to the commissioner of veterans affairs for the purposes of this chapter.

History: *1971 c 619 s 13; 1975 c 61 s 22*

198.17 [Repealed, 1967 c 52 s 11]

198.18 [Repealed, 1971 c 619 s 17]

198.19 [Repealed, 1967 c 52 s 11]

198.20 [Repealed, 1971 c 619 s 17]

198.21 [Repealed, 1967 c 52 s 11]

198.22 [Repealed, 1967 c 886 s 15]

198.23 PERSONAL PROPERTY OF RESIDENTS; WILLS.

Upon the decease of any resident of the home, the commissioner shall cause such of his personal estate as may be left in his possession to be disposed of pursuant to his will, if any. All property of the deceased resident of the home not so bequeathed by will, and remaining at the home, unclaimed, for one year after his death, shall be inventoried, appraised, and sold, and the proceeds thereof paid into the state treasury to the credit of the Minnesota veterans home endowment, bequest and devise fund.

History: *RL s 1848; 1965 c 643 s 10; 1967 c 148 s 2; 1971 c 619 s 14; 1975 c 61 s 23; 1975 c 225 s 1 (4366)*

198.26 [Repealed, 1969 c 1153 s 16]

198.261 CANTEEN AND COFFEE SHOP.

Any profits derived from the operation of the canteen and coffee shop at the Minnesota veterans home shall be used by the commissioner only for the direct benefit of the residents of the home.

History: *1969 c 1153 s 14; 1971 c 619 s 15; 1975 c 61 s 24*

198.265 DEPOSITORY ACCOUNTS.

The commissioner may accept moneys from residents for safe keeping purposes to be returned to such residents on demand. Sufficient money shall be retained at the home to satisfy normal demand withdrawal requests of the residents and other anticipated needs. Residents' deposits shall otherwise be deposited in the state treasury to a separate investment account provided by the commissioner of finance, which shall be invested by the state board of investment in accordance with section 11A.21. Residents' moneys on deposit in this account

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may be placed in this account only after the member has signed an agreement that he is willing to have the money in an account that does not draw interest directly to the resident himself.

There is annually appropriated from the account established by this section a sufficient amount to return to the Minnesota veterans home, upon written request, sufficient money to satisfy the demand of residents for the return of their money and other requirements.

The interest earned from the investment of the deposits is annually appropriated to the commissioner from the account established by this section to be used by the commissioner only for the direct benefit of the residents of the home, and the interest shall be available to the home not less than twice each year.

History: 1969 c 1153 s 15; 1971 c 619 s 16; 1973 c 492 s 14; 1975 c 61 s 25; 1980 c 607 art 14 s 46

198.31 VETERANS HOME, HASTINGS.

Control of the state hospital facilities at Hastings is transferred to the commissioner of veterans affairs. This transfer includes the cemetery. The commissioner shall establish a 200 bed veterans home in these facilities. The veterans home shall be licensed in accordance with the boarding care rules of the department of health. To the extent practical, the veterans home at Hastings shall be operated in the same manner as provided for the Minnesota veterans home at Minneapolis by sections 198.001 to 198.265.

History: 1978 c 554 s 1; 1979 c 333 s 94