

AMENDMENTS TO LB869

Introduced by Government, Military and Veterans Affairs.

1           1. Insert the following new section:

2           Sec. 3. Section 80-316, Revised Statutes Cumulative Supplement,  
3           2022, is amended to read:

4           80-316 (1) The department shall provide domiciliary and nursing home  
5           care and subsistence to:

6           (a) All persons who either served on active duty in the armed forces  
7           of the United States other than active duty for training or served on  
8           active duty for training in the Nebraska National Guard and who were  
9           discharged or otherwise separated with a characterization of honorable or  
10          general (under honorable conditions) if, at the time of making an  
11          application for admission to one of the Nebraska veterans homes:

12          (i) The applicant has been a bona fide resident of the State of  
13          Nebraska for at least two years;

14          (ii) The applicant has become disabled due to service, old age, or  
15          otherwise to an extent that it would prevent such applicant from earning  
16          a livelihood; and

17          (iii) The applicant's income from all sources is such that the  
18          applicant would be dependent wholly or partially upon public charities  
19          for support or the type of care needed is available only at a state  
20          institution;

21          (b) The spouse of any such person admitted to one of the homes who  
22          has attained the age of fifty years and has been married to such member  
23          for at least two years before his or her entrance into the home;

24          (c) Subject to subsection (2) of this section, the surviving spouses  
25          and parents of eligible servicemen and servicewomen as defined in  
26          subdivision (a) of this subsection who died while in the service of the  
27          United States or who have since died of a service-connected disability as

1 determined by the United States Department of Veterans Affairs; and

2 (d) Subject to subsection (2) of this section, the surviving spouses  
3 of eligible servicemen or servicewomen as defined in subdivision (a) of  
4 this subsection who have since died.

5 (2) The surviving spouses and parents referred to in subdivision (1)  
6 (c) or (d) of this section shall be eligible for such care and  
7 subsistence if, at the time of applying, they:

8 (a) Have been bona fide residents of the State of Nebraska for at  
9 least two years;

10 (b) Have attained the age of fifty years;

11 (c) Are unable to earn a livelihood; and

12 (d) Are dependent wholly or partially upon public charities or the  
13 type of care needed is available only at a state institution.

14 (3) No one admitted to one of the Nebraska veterans homes under  
15 conditions enumerated in this section shall have a vested right to  
16 continued residence in such home if such person ceases to meet any of the  
17 eligibility requirements of this section, except that no person who has  
18 been regularly admitted shall be denied continued residence solely  
19 because of his or her marriage to a member of one of the homes.

20 2. Renumber the remaining section and correct the repealer  
21 accordingly.