

OFFICE OF THE GOVERNOR
Department of Veterans Affairs
Office of Kentucky Veterans Centers
(New Administrative Regulation)

17 KAR 3:042. Eligibility requirements to state veterans' nursing homes.

RELATES TO: KRS 40.320, 40.325, 38 U.S.C 1745(a)

STATUTORY AUTHORITY: KRS 40.325(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 40.320 authorizes state veterans' nursing homes. KRS 40.325(2) authorizes the Department of Veterans' Affairs to promulgate any administrative regulations necessary to operate the homes in compliance with applicable state and federal statutes and regulations. This administrative regulation establishes the eligibility requirements and monthly charges for admission into state veterans' nursing homes.

Section 1. Eligibility Requirements.

(1) Except as provided in subsection (2) of this section, to be admitted to a Kentucky Veterans' Center, the person shall:

- (a) Be a veteran;
- (b) Be disabled by reason of disease, wounds, age, or otherwise be in need of nursing care;
- (c) Be a Kentucky resident as of the date of admission to a Kentucky Veterans' Center; and
- (d) Have a military discharge that is not of a dishonorable nature.

(2) A person shall not be eligible for admission if the person:

- (a) Has been diagnosed by a qualified health care professional as acutely mentally ill, as an acute alcoholic, as addicted to drugs, as continuously disruptive, or as dangerous to self or others;
- (b) Is ventilator dependent; or
- (c) Has needs that cannot be met by the Veterans' Center.

This is to certify that the Executive Director of the Office of Kentucky Veteran Centers and the Commissioner of the Kentucky Department of Veterans Affairs have reviewed and recommended this administrative regulation prior to its adoption, as required by KRS 156.070(4).

MARK BOWMAN, Executive Director

WHITNEY ALLEN, Commissioner

LILY CHAN PATTESON, Executive Director & General Counsel

APPROVED BY AGENCY: March 5, 2025

FILED WITH LRC: March 6, 2025 at 2:40 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Thursday, May 22, 2025, at 11:00 a.m. at 1111 Louisville Rd., Suite B, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through May 31, 2025. Send written notification of intent to be

heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Juan Renaud, Deputy Commissioner, Office of the Commissioner, or Mark Bowman, Executive Director, 1111 Louisville Rd., Suite B, Frankfort, Kentucky 40601; phone (502) 782.5721 or (502) 564.9203; fax (502) 564.9240; email Juan.Renaud@ky.gov or Mark.Bowman@ky.gov.