

1 AN ACT relating to hospital after-care for veterans.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 216B.230 TO 216B.239 IS  
4 CREATED TO READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Benefits representative" means a Kentucky Department of Veterans'*  
7 *Affairs employee assigned to assist veterans in accessing services, resources,*  
8 *or entitlements;*

9 *(b) "Discharge" means a patient's exit or release from a hospital;*

10 *(c) "Hospital" means a health facility as defined in KRS 216B.015 or a trauma*  
11 *center as defined in KRS 211.492;*

12 *(d) "Serious physical injury" has the same meaning as in KRS 500.080.*

13 *(e) "Trauma" has the same meaning as in KRS 311A.010; and*

14 *(f) "Veteran" means a person who served in the Armed Forces of the United*  
15 *States and was released, separated, discharged, or retired therefrom under*  
16 *conditions other than dishonorable.*

17 *(2) To ensure continuity of care and access to eligible resources, prior to discharge, a*  
18 *hospital shall make all possible efforts to determine if a patient is a veteran. The*  
19 *hospital shall incorporate the assistance of a benefits representative into the*  
20 *discharge plan of a veteran who is being released due to serious physical injury*  
21 *or trauma.*

22 *(3) Prior to discharge after treatment for a serious physical injury or trauma, the*  
23 *hospital shall, with consent of the veteran, veteran's legal guardian, or veteran's*  
24 *lay caregiver, notify the Kentucky Department of Veterans' Affairs to initiate*  
25 *services for after-care. If the hospital does not have consent, the hospital shall*  
26 *provide the veteran, veteran's legal guardian, or veteran's lay caregiver with the*  
27 *contact information for the Kentucky Department of Veterans' Affairs to request*

1 the assistance of a benefits representative.

2 (4) The Kentucky Department of Veterans' Affairs shall initiate contact with the  
3 veteran, veteran's legal guardian, or veteran's lay caregiver, upon notification  
4 from the hospital or veteran, within one (1) business day to ensure the veteran  
5 receives services, resources, or other qualifying entitlements related to the trauma  
6 or serious physical injury.

7 ➔Section 2. KRS 40.317 is amended to read as follows:

8 (1) (a) The Kentucky Department of Veterans' Affairs shall employ no more than five  
9 (5) veterans' benefits regional administrators and no fewer than twenty (20)  
10 veterans' benefits field representatives.

11 (b)[(1)] The duties of a veterans' benefits regional administrator shall include but  
12 not be limited to supervision of veterans' benefits field representatives in an  
13 assigned region.

14 (c)[(2)] The duties of a veterans' benefits field representative shall include but  
15 not be limited to providing assistance to veterans and their dependents with  
16 initiation, preparation, documentation, and adjudication of claims to benefits  
17 under federal, state, or local laws.

18 (2) Pursuant to Section 1 of this Act, when a veteran is discharged from a hospital  
19 due to trauma or serious physical injury, the department shall initiate contact  
20 with the veteran, veteran's legal guardian, or veteran's lay caregiver, upon  
21 notification from the hospital or veteran, within one (1) business day to ensure  
22 the veteran receives services, resources, or other qualifying entitlements to assist  
23 in the veteran's recovery.

24 ➔Section 3. This Act may be cited as the Keeney's Rights Act.