WEST VIRGINIA CODE CHAPTER 9A ARTICLE 2

WV Legislature

§9A-2-1. State homes for veterans.

(a) In consultation with the Governor and other appropriate state agencies, the Division Of Veterans' Affairs shall establish and maintain a home for qualified veterans. The home in Barboursville shall be designated as the sole veterans home of its type in the state. As used in this article the term “qualified veteran” means a veteran as determined by the Division of Veterans' Affairs, who meets the requirements under federal regulations and laws.

(b) Any individual enlisting for the first time on or after September 8, 1980, who fails to complete at least 24 months of his or her enlistment is not eligible for any right, privilege or benefit for which eligibility is based on active duty in the Armed Forces. This provision does not apply when a person: (1) Is discharged because of hardship; (2) is retired or separated because of disability; or (3) is later determined to have a service connected disability incurred during a completed period of enlistment.

(c) In the event that a residential vacancy exists at any veterans home or facility created and established pursuant to this article, a veteran who has been a resident of the State of West Virginia for one year or more prior to filing for admission shall be given preference in filling such residential vacancy over nonresident veterans.

(d)(1) The secretary shall study: (1) The need for additional veterans homes; (2) general housing needs for veterans; (3) and other veteran needs relating to housing.

(2) On or before November 1, 2019, the secretary shall submit its study to the Joint Committee on Health and the Joint Committee on Government and Finance regarding the housing needs of veterans, including draft legislation addressing those needs, where the need is greatest and the need for additional veterans homes.

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§9A-2-2. Funds collected from the federal government; others sources; use of funds.

The division of veterans' affairs is hereby authorized and directed to receive moneys from the federal government, any agency thereof, from state appropriations, from resident contributions or from any other appropriate source, for the purpose of maintaining the state veterans' home at Barboursville, which purpose shall include, but not limited to, expenditures for improvement and renovation of physical facilities, personal care costs and medical, nursing and dental services.

The money so collected shall be placed in special accounts according to the source of funds and limitation on the use of the funds. These accounts shall be administered by the director of the West Virginia division of veterans' affairs. These funds shall be deposited in the state Treasury and paid out only on such vouchers as may be authorized and approved by the director of the West Virginia division of veterans' affairs, in the same manner and under the same restrictions as are now provided by law for the disbursement of funds by that division. These funds shall only be used as directed or restricted by the source of the funds.

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§9A-2-3. Powers of division of veterans' affairs.

The division of veterans' affairs is authorized and empowered to establish rules and regulations providing for the tenure, treatment, eligibility and discharge of eligible veterans at the veterans' home. The rules shall be promulgated to ensure that the division, in carrying out its duties, shall comply with all federal requirements imposed on such a facility. Moreover, notwithstanding any code provisions to the contrary, rules shall be promulgated that: (1) Meet federal standards for domiciliary care; (2) define domiciliary; (3) define admittance to comply with state and federal requirements including current West Virginia resident or enlisted in service from West Virginia, war time service or service during a declared national emergency, Veterans Administration eligibility requirements for per diem, honorably discharged, suffering from a disability due to age, disease or defect that prevents them from earning a living.

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§9A-2-4.

Repealed.

Acts, 1975 Reg. Sess., Ch. 211.

WV Legislature