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**Rules of  
Department of Public Safety  
Division 85—Veterans' Affairs  
Chapter 1—Veterans' Affairs**

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## Title 11—DEPARTMENT OF PUBLIC SAFETY

### Division 85—Veterans' Affairs Chapter 1—Veterans' Affairs

#### 11 CSR 85-1.010 Description, Organiza- tion and Information

*PURPOSE: This rule complies with section 536.023(3), RSMo by describing the organization and method of operation of the Missouri Veterans' Commission and procedures for receiving information and requests from the public.*

(1) The terms defined in section 42.002, RSMo are incorporated by reference for use in 11 CSR 85-1.010—11 CSR 85-3.040.

(2) The commission has five (5) members appointed by the governor with the advice and consent of the senate. The commissioners are required to be veterans and are appointed to four (4) year terms. The commission operates the following veterans' programs: Service to Veterans' Program, Missouri veterans' homes, Missouri veterans' cemeteries and the Veterans' Trust Fund.

(3) The commission appoints an executive director who executes the duties vested in the commission and supervises all staff. The executive director serves as secretary at regular and special meetings of the commission. The executive director manages the veterans' programs outlined in section (3) of this rule. The executive director is the appointing authority for the commission.

(4) The performance of any duty or the exercise of any authority of the commission shall be done in the following manner:

(A) The commission meets at least once each quarter and all meetings are open to the public. The location and time of meetings are determined by the commissioners and are published in the Office of Administration's *OA News*. All regular and special meetings are held pursuant to the applicable laws of Missouri;

(B) Quorum. A majority of three (3) commissioners constitutes a quorum for the transaction of business. No business shall be transacted without a quorum;

(C) Voting. Any action shall be adopted if it receives a majority of votes cast with a quorum being present. No commissioner may vote except in person at a meeting of the commission. Proxy and telephone voting will not be allowed. If any commissioner is present but does not vote, the abstention shall not be counted as a vote. Unless the vote is unanimous, the secretary shall indicate in the minutes how each commissioner voted; and

(D) Officers. The commission shall elect a chairman and vice chairman every two (2) years. These officers will hold office until their successors are elected.

1. The chairman shall conduct the meetings and be the presiding officer of the commission. The chairman shall recognize the different members for the purpose of having the floor to speak, to state and put actions to vote and shall rule on all points of order. The chairman may not make a motion, but may second any motion on the floor and may vote on any issue before the body.

2. In the absence of the chairman, the vice chairman shall assume the duties of the chairman.

3. The secretary shall prepare and sign all minutes of the commission. Minutes of the previous meeting will be voted on at the next regular or special meeting of the commission.

*Auth: sections 42.007 and 42.012, RSMo (Cum. Supp. 1989). This rule was previously filed as 13 CSR 100-1.010. Original rule filed Dec. 29, 1975, effective Jan. 9, 1976. Rescinded and readopted: Filed March 22, 1990, effective June 28, 1990.*

#### 11 CSR 85-1.020 Service to Veterans' Program

*PURPOSE: This rule describes the operation of the Service to Veterans' Program as outlined in sections 42.007 and 42.012, RSMo.*

(1) The executive director shall hire a Service to Veterans' Program administrator. The administrator shall be an honorably discharged veteran of the United States Armed Forces and shall be employed under the provisions of the state Merit System Law, Chapter 36, RSMo. The program administrator shall have the authority and responsibility for the planning, implementation and operation of the Service to Veterans' Program.

(2) The Service to Veterans' Program administrator shall hire the professional, technical and support staff necessary to operate the program. This staff shall be responsible for providing services to veterans/dependents/survivors in Missouri.

(3) The personnel of the Service to Veterans' Program shall—

(A) Perform the duties and responsibilities outlined in section 42.007.5., RSMo;

(B) Exercise on behalf of the executive director the powers vested in section 42.012.2(2) and 42.012.2(5), RSMo;

(C) Act as the referral agent for veterans, seeking admission to the Missouri veterans' homes; and

(D) Serve veterans/dependents/survivors seeking to have an eligible family member interred in the Missouri veterans' cemetery.

(4) The Service to Veterans' Program administrator shall supervise the Missouri veterans' cemetery system provided in section 42.012.2(6), RSMo, within the guidelines established by the commission and the appropriation of the general assembly.

*Auth: sections 42.007 and 42.012, RSMo (Cum Supp. 1989). Original rule filed March 22, 1990, effective June 28, 1990.*

#### 11 CSR 85-1.030 Missouri Veterans' Homes

*PURPOSE: This rule defines the terms and explains the operation of the Missouri Veterans' Homes Program under sections 42.100 and 42.130, RSMo.*

(1) As used in 11 CSR 85-3.010, unless the text clearly indicates otherwise, the following terms shall mean:

(A) Home administrator—the staff person appointed by the executive director to administer a single Missouri veterans' home;

(B) Resident—a person who receives health-care services and resides at a Missouri veterans' home;

(C) Resident rate—the payment a resident of a Missouri veterans' home makes to defray, or partially defray, the cost of medical care and residency;

(D) Per diem—a rate established by the United States Department of Veterans Affairs and paid to the state based on the actual number of days a veteran occupies a bed in a Missouri veterans' home; and

(E) Applicant—a citizen of Missouri who—has maintained a physical residency in Missouri for one hundred eighty (180) days prior to application for placement in a veterans' home; meets the criteria established by the United States Department of Veterans Affairs, or its successor organization, for veteran status; and requires institutional health-care services.

(2) The executive director shall hire an administrator for each Missouri veterans' home to operate each facility authorized by the state. The home administrator shall maintain



a current Missouri nursing home administrators license. Each home administrator shall—

(A) Develop an environment that produces the highest quality skilled nursing care to the residents of the home;

(B) Develop fiscal policies and procedures that assure accountability of all facility revenues, expenditures and inventories of the home. This shall include the determination of the individual resident rate to be charged within the guidelines established by the commission;

(C) Develop and implement a quality management program and utilization review plan for each facility within the framework provided by the executive director;

(D) Assure that personnel policies and procedures are implemented in accordance with commission policy and Chapter 36, RSMo and commission policy manual for all employees of the home; and

(E) In order to insure continuous eligibility for receipt of per-diem payments from the Department of Veterans Affairs, the executive director shall ensure, through whatever means s/he deems appropriate, compliance with all pertinent laws and regulations. Upon assurance by the executive director of substantial compliance, the commission shall issue license for operation to each veterans' home. Each veterans' home shall display the license in a prominent location and shall provide copies to appropriate representatives of the Department of Veterans Affairs when requested. Such license may be revoked only for cause, and only upon direct order of the executive director.

the commission for purposes authorized under sections 42.002—42.140, RSMo and appropriated by the state.

(2) The executive director shall establish, with approval of the commission, procedures and agreements with other state agencies as necessary to manage the Veterans' Trust Fund. The executive director shall develop operational policies and procedures to administer new programs developed using Veterans' Trust Fund monies.

(3) The executive director shall establish internal accounting procedures which safeguard Veterans' Trust Fund monies received by the commission as the collection agency for the fund.

(4) The executive director shall establish a public information program to assure the public has accurate knowledge of how the Veterans' Trust Fund monies are used and precisely how contributions may be made.

*Auth: sections 42.135 and 42.140, RSMo (Cum. Supp. 1989). Original rule filed March 22, 1990, effective June 28, 1990.*

*Auth: sections 42.100 and 42.130, RSMo (1994).\* Original rule filed March 22, 1990, effective June 28, 1990. Amended: Filed Jan. 23, 1992, effective June 25, 1992. Amended: Filed March 13, 1992, effective Aug. 6, 1992. Amended: Filed April 18, 1995, effective Sept. 30, 1995.*

*\*Original authority: 42.100, RSMo (1977), amended 1985, 1989 and 42.130, RSMo (1989).*

**11 CSR 85-1.040 Veterans' Trust Fund**

*PURPOSE: This rule outlines the duties and responsibilities of commission staff in administering the Veterans' Trust Fund established by sections 42.135 and 42.140. RSMo.*

(1) The Veterans' Trust Fund is a state fund established to receive monies generated by individual income taxes, corporate taxes, grants, gifts, bequests, the federal government or other sources. This fund shall be administered by the executive director with approval of