CHAPTER 37-15
VETERANS' HOME

37-15-00.1. Domiciliary care defined.
Repealed by S.L. 1993, ch. 361, § 5.

37-15-01. Veterans' home - Where maintained.
A veterans' home must be maintained at the city of Lisbon in the county of Ransom.

37-15-02. Object of veterans' home.
The object of the veterans' home is to provide basic care as defined under chapter 23-09.3 and long-term care as defined under chapter 23-16 for:

1. All veterans as defined in section 37-01-40;
2. All service members of the United States armed forces, national guard, or reserve who were discharged or released under other than dishonorable conditions and who do not meet the definition of a veteran but who are or may become permanently disabled from any cause while in line and discharge of duty, and who are enrolled in veterans' affairs health care before admission to the veterans' home; and
3. The spouse or surviving spouse of an individual in subsection 1 or 2 if the spouse or surviving spouse meets the requirements for admission under section 37-15-10.

37-15-03. Government of veterans' home.
The general supervision and government of the veterans' home is vested in the governor.

37-15-04. Oath and bond of trustees - Regulations governing.
Repealed by S.L. 1971, ch. 344, § 25.

37-15-05. Meetings of board of trustees - Selection of chairman and treasurer - General powers.
Repealed by S.L. 1971, ch. 344, § 25.

37-15-06. Compensation of members of board of trustees of the soldiers' home.
Repealed by S.L. 1971, ch. 344, § 25.

37-15-07. Administrator of veterans' home - Appointment - Qualifications.
The appointment, qualifications, term of office, and salary of the administrator of the veterans' home must be as prescribed by the governor. The governor may designate the administrator as commandant of the veterans' home if the administrator is an honorably discharged veteran.

37-15-08. Subordinate officers - Appointment - Preference to veterans - Compensation - Removal.
The administrator of the veterans' home shall appoint all necessary subordinate officers of the home. In the appointment of the officers, the preference afforded by chapter 37-19.1 must be given to those persons who qualify for the preference. The administrator shall fix the compensation of all subordinate officers, subject to legislative appropriation, and any officer may be removed by the administrator for inefficiency or misconduct.

37-15-09. Majority of board of trustees to approve contracts - Proceedings of board to be recorded - Inspection of books.
Repealed by S.L. 1971, ch. 344, § 25.

37-15-10. Admittance to veterans' home - Requirements governing.

1. An applicant may not be admitted to the veterans' home unless the applicant is a bona fide resident of this state preceding the applicant's application for admission. The residency requirement may be waived if the applicant served in a North Dakota regiment or was accredited to this state.
2. The spouse or surviving spouse of those mentioned in subsection 1 of section 37-15-02 may be admitted upon the same footing as the veteran.
3. An individual may not be admitted to the home until that individual has made formal application and furnished the proof that is required by the home and the application has been approved by the board of admissions of the home.
4. When a member of the home who is not eligible for veterans' administration hospitalization and care becomes unable from any cause to care for oneself under rules adopted by the veterans' home governing board for the admission and care of members in the home, the member becomes a charge of the county of residence at the time of admission. An individual may not gain or lose legal residence by reason of residence in or being a member of the veterans' home.

37-15-10.1. Priorities for admission to veterans' home.

If the veterans' home is full and a waiting list for admission is necessary, further admission to the veterans' home must be according to priorities for admission to the facility appropriate to the different levels of care that are provided by the veterans' home. The priorities for admission must be established by rule as provided under chapter 28-32.

37-15-11. Lands granted for support of veterans' home and proceeds therefrom.

All lands granted by the United States or by this state for the veterans' home are set apart for the support of the home. The proceeds from the sales of these lands are pledged as a perpetual fund for the use and benefit of the home.

37-15-12. Federal aid accepted for veterans' home.

The state accepts the conditions imposed by an Act of Congress, entitled "An act to provide aid to state or territorial homes for the support of disabled soldiers and sailors in the United States, approved August 27, 1888", and the various amendments thereto.

37-15-13. Treasurer to receive and deposit federal aid money.

The state treasurer shall receive and receipt for all money which may become payable to this state by reason of the acceptance of the Acts of Congress as provided in section 37-15-12. The state treasurer shall deposit such money to the credit of the veterans' home operating fund for the use and benefit of the veterans' home.

37-15-14. Veterans' home operating fund - Moneys for the maintenance of the veterans' home to be deposited with state treasurer.

A special fund, to be known as the veterans' home operating fund, must be maintained in the state treasury. Moneys arising from the interest received on money derived from the sale of lands appropriated for the support of the home and from the rental of these lands, moneys received from the United States for the support and maintenance of the home, and all other moneys, income, and collections of public funds arising from any other source or endeavor of the home, except as provided for in section 37-15-21, must be placed in the veterans' home operating fund for the use and maintenance of the veterans' home.

37-15-14.1. Fees for residents of veterans' home - Special fund.

1. The veterans' home governing board may establish fees to be paid by members of the veterans' home. The fees must be based on the adjusted income of each member, but may not exceed forty-nine percent of the average daily per member cost. The fees must be set under a formula determined by the veterans' home governing board and designed to assure dignity and equity in the charge. The veterans' home governing

board may reconsider its action establishing fees, amend or rescind the fees, or reinstate fees previously rescinded. The administrator of the veterans' home shall collect monthly any fees levied.

2. As used in subsection 1, "adjusted income" means all moneys received from any source, including social security benefits, less amounts received or expended as follows:
   a. Moneys expended by the member for hospitalization due to illness or injury.
   b. Moneys expended by the member for other medical care or treatment, or for required medicines.
   c. Such other receipts or expenditures as the veterans' home governing board may permit to be deducted in individual cases.
3. All moneys received as a result of charging the fees authorized by subsection 1 must be deposited in the veterans' home operating fund.

37-15-15. Disbursement of moneys from veterans' home operating fund.

All moneys withdrawn from the veterans' home operating fund must be withdrawn in accordance with chapters 54-14 and 54-44.1.

37-15-16. Administrator shall take charge of unclaimed estates of small value.

If a member of the veterans' home dies leaving property of the value of three thousand dollars or less, the administrator immediately shall take charge of the property. If within forty-five days of the date of death a valid claim of any heir or devisee is not made for the property and an application or petition has not been filed for issuance of letters of administration, the administrator shall convert the property into cash without probate or other proceedings and make payment first toward reasonable funeral expenses and second toward reasonable and necessary medical and hospital expenses of the last illness of the decedent. If any cash remains, the administrator shall deposit the cash with the state treasurer who shall credit it to the veterans' home operating fund. The administrator shall make a report of the administrator's action to the administrative committee on veterans' affairs and the governor. The report must be audited by, and included in the records of, the committee.

37-15-17. Intestate members leaving estates valued in excess of three thousand dollars - Administrator to administer estate.

If a member of the veterans' home dies leaving property in excess of three thousand dollars in value not disposed of by will, the administrator is entitled to letters of administration for the estate. The administrator shall apply to the proper court for letters of administration, qualify as administrator, and distribute and dispose of the estate. If a valid claim is not made to the estate by the heirs or the next of kin of the deceased member for a period of one year after the granting of letters of administration, the residue of the estate must be deposited with the state treasurer for the benefit of the veterans' home operating fund.

37-15-18. Administrator of estate - Bond not required - Fees - Allowance of fees by district court.

Upon becoming administrator of any estate under section 37-15-17, the administrator of the veterans' home is not required to give bond and may not charge or receive any compensation for the administrator's services as administrator of the estate. The district court serving the county where the administration proceedings are conducted may not allow any charge or fee in connection with the administration proceedings other than the actual disbursements of the administrator.

37-15-19. Biennial report.

The administrator of the veterans' home may submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04.

37-15-20. Advertisement for bids on coal and supplies.

Repealed by S.L. 1971, ch. 344, § 25.

37-15-21. Administrator may accept gifts, donations, or bequests.

The administrator for and in behalf of the veterans' home may accept and expend funds from any source, including federal or private sources and donations, gifts, or bequests offered or tendered to, or for the benefit of, the veterans' home to be used to benefit the veterans' home. All moneys received or accepted must be used for the specific purposes for which they were given or donated. This authority applies and is retroactive to any or all gifts, donations, or bequests already tendered, offered, or made. The veterans' home may establish and maintain its own local fund to administer moneys received under this section. All interest, rent, or income from moneys or property received under this section must be deposited in the veterans' home operating fund unless by the terms of acquisition the moneys are required to be maintained in a different manner.

37-15-22. Telephone services.

Notwithstanding any other provision of law, the veterans' home may purchase or arrange for independent third-party telephone services.

37-15-23. Melvin Norgard memorial fund - Creation.

There is created in the state treasury the Melvin Norgard memorial fund. All income related to a bequest made to the veterans' home by Melvin Norgard, including mineral lease income, royalties, and sale proceeds, must be transferred or deposited into the Melvin Norgard memorial fund. Notwithstanding any other provision of law, the state treasurer shall invest moneys in the fund in accordance with section 21-10-07. Investment income of the fund must be retained in the fund. Moneys in the fund are available, subject to legislative appropriations, for projects and programs to benefit and serve the residents of the veterans' home. The legislative assembly shall consider recommendations of the governing board of the veterans' home when determining appropriations from this fund for projects and programs to benefit and serve the residents of the veterans' home.

37-15-24. Meals provided to employees of the veterans' home.

In the event of a disruption of operations, the veterans' home may provide meals at a fair value or without a charge to employees of the veterans' home as required by the job assignments of the employees.