

SENATE, No. 3905

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 10, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Co-Sponsored by:

Senators Connors and Cruz-Perez

SYNOPSIS

Allows veteran's guardian to remove veteran from DMVA veterans' memorial home under certain emergency circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2021)

1 AN ACT concerning the ability of guardians to remove veterans
2 residing in Department of Military and Veterans' Affairs
3 memorial homes under certain emergencies and supplementing
4 P.L.1993, c.281 (C.38A:3-2b2 et seq.).

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

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9 1. Whenever a state of emergency or public health emergency
10 is declared by the Governor pursuant to P.L.1942, c.251
11 (C.App.A:9-33 et seq.) or the "Emergency Health Powers Act,"
12 P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian
13 appointed pursuant to section 1 of P.L.1993, c.281 (C.38A:3-2b2 et
14 seq.), or each person otherwise having the veteran's power of
15 attorney, shall be allowed to remove the veteran from the veterans'
16 memorial home pursuant to procedures established under
17 Department of Military and Veterans' Affairs rules and regulations,
18 except the department shall allow for an initial extension of up to 30
19 days and one additional extension of up to 30 days. The resident
20 veteran shall be required to continue to pay the care and
21 maintenance fee while on temporary furlough to hold a bed.
22 Regular operating procedures shall resume at the conclusion of the
23 state of emergency or public health emergency.

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25 2. This act shall take effect immediately.

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28 STATEMENT

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30 Under current law, a family member or other person may be
31 appointed as the guardian of a veteran residing in a Department of
32 Military and Veterans' Affairs (DMVA) memorial home.

33 This bill would allow the veteran's guardian to remove the
34 veteran from the veterans' memorial home under certain emergency
35 circumstances. Under the bill, whenever a state of emergency or
36 public health emergency is declared by the Governor under
37 emergency powers, each veteran's guardian, or each person
38 otherwise having the veteran's power of attorney, would be allowed
39 to remove the veteran from the veterans' memorial home pursuant
40 to procedures established under DMVA rules and regulations. The
41 department would be required to allow for an initial extension of up
42 to 30 days and one additional extension of up to 30 days. The
43 resident veteran would be required to continue to pay the care and
44 maintenance fee while on temporary furlough to hold a bed.
45 Regular operating procedures would resume at the conclusion of the
46 state of emergency or public health emergency.