

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER NUMBER SEVENTY-NINE

RE: ESTABLISHING A GOVERNANCE STRUCTURE FOR THE DELAWARE VETERANS' HOME

WHEREAS, the State of Delaware is committed to establishing a dedicated long term care facility to serve the State's veterans; and

WHEREAS, in April 2004, the General Assembly passed legislation to expedite funding and construction of a State veterans' home, in cooperation with the United States Department of Veterans' Affairs; and

WHEREAS, a special steering committee formed in 2004 has been working to organize, oversee and guide the significant decisions relating to the development, siting, design and construction of the Veterans' Home (the "Home"); and

WHEREAS, the special steering committee has included representation by, among others, the Office of the Governor, members of the General Assembly, the Office of Management and Budget, the Controller General's office, the Secretary of State, and the Commission on Veterans' Affairs; and

WHEREAS, it is now appropriate to designate the appropriate organizational structure to further prepare for the opening of this facility in January, 2007; and

WHEREAS, to ensure the effective operation and administration of the Home and to ensure it will focus on the unique needs of veterans, it is best to establish the Home as a separate organizational unit within the Department of State; and

WHEREAS, Delaware veterans must continue to be integral partners in the success of the Home; and

WHEREAS, a Delaware Veterans' Home Advisory Board (the "Board") is necessary to oversee the operations of the Delaware Veterans' Home and serve as an advocate for those who reside there,

NOW, THEREFORE, I, RUTH ANN MINNER, by virtue of the powers vested in me as the Governor of the State of Delaware, DO HEREBY ORDER AND DECLARE, this 19th day of January, 2006, as follows:

1. The Delaware Veterans' Home shall be established as a separate division within the Department of State. The Secretary of State is directed to undertake all action authorized or required under Title 29, Delaware Code, Section 8703 to organize administrative activities for the Home.
2. The Secretary of State shall have responsibility of the operations and oversight of the Home to include but not be limited to the following:
 - a. Report annually to the Governor and General Assembly regarding the Home's budget and operations;
 - b. Appoint a Veterans' Home administrator who shall have responsibilities for the day to day operations of the Home which shall include but not limited to:
 - (1) Providing long term care or domiciliary care services to eligible veterans residing at the Home in accordance with all applicable Delaware and federal statutes;
 - (2) With the concurrence of the Veterans' Home Advisory Board as established in paragraph 3 below, establishing admissions criteria and policies for entrance into the Home;
 - (3) Establishing, revising, and collecting charges for residential room and board. Such procedures and charges shall require the concurrence of the Veterans' Home Advisory Board;
 - (4) Employing all other staff necessary for the efficient management of the Home;
 - (5) Ensuring the appropriate accounting for all financial transactions of the Home;

- (6) Ensuring that all laws, rules, regulations, and policies pertaining to the Home are observed;
- (7) Coordinating with the federal Department of Veterans' Affairs for services provided at the Home; and
- (8) Producing reports concerning the Home to the Veterans' Home Advisory Board at such times and in such detail as the Board directs.

3. There is hereby established a Veterans' Home Advisory Board.

a. The Board shall consist of (13) members, all of whom shall be residents of this State as follows;

- i. Lieutenant Governor;
- ii. The Secretary of State;
- iii. Secretary of Health and Social Services;
- iv. Chair of Veterans' Commission;
- v. Executive Director of Veterans Affairs;
- vi. a representative nominated by the American Legion;
- vii. a representative nominated by Veterans of Foreign Wars;
- viii. a representative nominated by the Wilmington Veterans' Administration Medical Center Administrator;
- ix. a physician who is a veteran;
- x. a nurse who is a veteran;
- xi. a representative of Delaware's business community; and
- xii. Chair of the House Veterans' Committee and Chair of the Senate Veterans' Committee or
- xiii. An honorably discharged veteran appointed by the Speaker and another honorably discharged veteran appointed by the Pro Tempore.

b. The Governor shall appoint all non-legislative members of the Board and shall designate a member of the Board to serve as Chairperson at the pleasure of the Governor. Members of the Board designated by subsections a.i. through a.v. of paragraph 3 shall serve during their terms of office in the positions identified in paragraph 3. All other members shall serve terms of three years. Each Board member shall serve until a successor has been appointed. In the event a Board member vacates his or her position, is unable to serve, or is removed for cause, the Governor shall appoint a replacement to serve the unexpired term of the departing Board member.

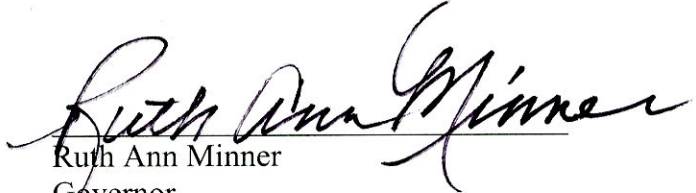
c. Except as otherwise provided, the Board shall have the following powers:

- i. Establish the mission and purpose of the Home;
- ii. Approve the Home's programs and services and evaluate their effectiveness;
- iii. Advise the Secretary of State and the Veterans' Home Administrator as to the effective operations of the Home;
- iv. Approve key policies for operations of the Home, including significant changes affecting on-going programs, proposed programs, and long-range planning;
- v. Hear and render decisions on veterans' appeals regarding admissions or affordability;

- vi. Help raise resources for the Home;
- vii. Advocate to the Governor, General Assembly and to the public on critical issues facing the Home; and
- viii. Adopt policies, procedures, and bylaws regarding the operation of the Board.

Approved and adopted this 19th day of
January, 2006.




Ruth Ann Minner
Governor

Attest:


Secretary of State