

## 2012 Kansas Statutes

### **76-1908. Persons eligible for admission; application; discharges, hearing; priorities for admission.**

(a) The following, subject to the rules and regulations that may be adopted by the Kansas commission on veterans affairs for the management and government of the Kansas soldiers' home shall be eligible to admission to the Kansas soldiers' home:

(1) Any person who served in the active military service of the United States during any period of war, or who served in the active military service of the United States during peacetime and is entitled to veterans administration hospitalization or domiciliary care under title 38, United States code and veterans administration rules and regulations, and who has been discharged or relieved therefrom under conditions other than dishonorable, who may be disabled by disease, wounds, old age or otherwise disabled, and who, by reason of such disability, is incapacitated from earning a living.

(2) The widow, mother, widower, father or minor child of any person who qualified under paragraph (1) of subsection (a), if such widow, mother, widower, father or minor child is incapable of self-support because of physical disability.

(b) No person shall be admitted to the soldiers' home except upon application to the commission and approval of the application by the commission. No applicant shall be admitted to the soldiers' home who has not been an actual resident of the state of Kansas for at least two years next preceding the date of application.

(c) No person shall be admitted to or retained in the soldiers' home who has been convicted of a felony, unless the commission finds that such person has been adequately rehabilitated and is not dangerous to oneself or to the person or property of others.

(d) No child shall be admitted to or retained in the soldiers' home who is 16 years of age or over, unless such child is incapable of supporting oneself.

(e) No child properly a member of the home shall be discharged under 16 years of age.

(f) The Kansas commission on veterans affairs shall have authority by resolution to discharge any member from the soldiers' home on a showing that the member has gained admittance into the soldiers' home by misrepresentation of the member's financial or physical condition, or a showing that the financial or physical condition of such member has been so altered since admittance so that the further maintenance of the member in the soldiers' home is not justified. No such member shall be discharged without notice and opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act.

(g) The rules and regulations for admission of members to the Kansas soldiers' home: (1) Shall require that a veteran who has no adequate means of support, and such members of the family as are dependent upon such person for support, shall be given priority over other applicants for admission; and (2) shall require that an applicant for admission be given priority over patients transferred from state institutions under the provisions of K.S.A. 76-1936 and amendments thereto.

**History:** L. 1923, ch. 230, § 1; R.S. 1923, 76-1908; L. 1929, ch. 269, § 1; L. 1945, ch. 344, § 2; L. 1951, ch. 469, § 1; L. 1953, ch. 361, § 12; L. 1957, ch. 470, § 1; L. 1965, ch. 493, § 1; L. 1967, ch. 477, § 2; L. 1975, ch. 52, § 26; L. 1987, ch. 361, § 1; L. 1988, ch. 356, § 311; July 1, 1989.