

HOUSE BILL NO. 5235

November 07, 2019, Introduced by Reps. Guerra, Brenda Carter, Pohutsky, Kennedy, Sabo, Whitsett, Cherry, Tate, Shannon, Haadsma, Sneller, Tyrone Carter, Manoogian, Wittenberg, Yancey, Koleszar, Jones, Coleman and Hammoud and referred to the Committee on Health Policy.

A bill to create a grant program to provide reimbursement of certain fitness facility membership fees, in whole or in part, to certain veterans; to create the Michigan veteran outreach fund and to provide for contributions to and expenditures from that fund; and to prescribe the powers and duties of certain state agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
- 2 (a) "County department" means a county department of veterans



1 affairs.

2 (b) "Department" means the department of military and veterans
3 affairs.

4 (c) "Eligible veteran" means a veteran who meets both of the
5 following conditions:

6 (i) The veteran has a United States Department of Veterans
7 Affairs service-connected disability rating of 50% or greater and
8 is a resident of this state.

9 (ii) If the veteran was a participant in a reimbursement
10 program under this act at any time during the 6-month period
11 immediately preceding his or her request for a subsequent
12 reimbursement benefit, he or she attended a qualified fitness
13 facility participating in that reimbursement program not less than
14 8 times during the last month of his or her participation in the
15 program.

16 (d) "Membership fee reimbursement" or "reimbursement" means a
17 reimbursement of a qualified fitness facility membership fee, in
18 whole or in part, that is provided to a qualified fitness facility
19 for the benefit of an eligible veteran.

20 (e) "Membership fee reimbursement program" or "reimbursement
21 program" means a program that provides for membership fee
22 reimbursements for the benefit of eligible veterans at qualified
23 fitness facilities.

24 (f) "Michigan veteran outreach fund" or "fund" means the
25 Michigan veteran outreach fund created in section 2.

26 (g) "Michigan veteran outreach initiative" or "grant program"
27 means the grant program created in section 3.

28 (h) "Qualified fitness facility" means a YMCA fitness facility
29 or other private nonprofit fitness facility located in this state



1 that meets the following conditions:

2 (i) The facility offers a reduced membership fee for veterans.

3 (ii) The facility is capable of tracking the attendance of
4 veterans participating in a reimbursement program established under
5 this act.

6 (iii) The facility is in compliance with the Americans with
7 disabilities act of 1990, Public Law 101-336.

8 (i) "Service-connected disability" means a disability
9 determined to be service-connected by the United States Department
10 of Veterans Affairs.

11 (j) "Veteran" means that term as defined in section 1 of 1965
12 PA 190, MCL 35.61.

13 (k) "YMCA" means the Young Men's Christian Association.

14 Sec. 2. (1) The Michigan veteran outreach fund is created as a
15 separate fund in the department of treasury. The department shall
16 be the administrator of the fund for auditing purposes.

17 (2) The state treasurer may receive money or other assets from
18 any source for deposit into the fund. The state treasurer shall
19 credit to the fund money appropriated to the fund. The state
20 treasurer shall direct the investment of the fund and shall credit
21 to the fund interest and earnings from fund investments.

22 (3) The department shall expend money from the fund to carry
23 out the purpose of this act and shall not expend money from the
24 fund for any other purpose.

25 (4) Money remaining in the fund at the close of the fiscal
26 year shall remain in the fund and shall not lapse to the general
27 fund.

28 Sec. 3. (1) The department shall create and operate a grant
29 program to be known as the "Michigan veteran outreach initiative".



1 Beginning on the effective date of this act and ending 3 years
2 after that date, the department shall provide grants, upon
3 appropriation, from the Michigan veteran outreach fund. Subject to
4 subsections (4) and (5), the department shall provide the grants on
5 a competitive basis to eligible counties, as described in
6 subsection (2), for the establishment, operation, and funding of
7 membership fee reimbursement programs.

8 (2) To be eligible for a grant under this section, a county
9 must meet either of the following conditions:

10 (a) The county has established and currently operates a county
11 department of veterans' affairs.

12 (b) The county has a Michigan veterans' trust fund agent who
13 performs his or her duties from a county building.

14 (3) The department shall develop and implement an application
15 process for the grant program described in subsection (1) that
16 requires, but is not limited to, the following:

17 (a) Demonstration by the applicant county, through letters or
18 otherwise, of the availability of qualified fitness facilities in
19 the county that have expressed a willingness to participate in a
20 reimbursement program established under this act.

21 (b) Statements of support from local officials or agencies in
22 the county attesting to the need for assistance in providing access
23 for eligible veterans to facilities within their community that
24 offer opportunities for improving the health and wellness of
25 veterans.

26 (c) Evidence indicating that the county department or the
27 Michigan veterans' trust fund agent as described in subsection (2)
28 is able to operate and monitor a reimbursement program.

29 (4) The department shall award a grant to 1 county in each of



1 the following categories:

2 (a) Counties that have a population of less than 100,000.

3 (b) Counties that have a population of more than 100,000 but
4 less than 200,000.

5 (c) Counties that have a population of more than 200,000.

6 (5) The department shall determine grant recipients in
7 accordance with the following order of preference:

8 (a) Counties that have a state or federal veteran's facility
9 located in the county.

10 (b) Counties in which the available qualified fitness
11 facilities, as provided by the applicant county under subsection
12 (3), comply with the barrier-free design requirements of the state
13 construction code promulgated under the Stille-DeRossett-Hale
14 single state construction code act, 1972 PA 230, MCL 125.1501 to
15 125.1531, or have heightened levels of compliance, as determined by
16 the department, with the Americans with disabilities act of 1990,
17 Public Law 101-336, relative to other applicant counties in the
18 same category as described in subsection (4).

19 (c) Counties that have a higher percentage of eligible
20 veterans to the total population of the county as compared to other
21 applicant counties.

22 (6) A county that receives a grant under this act shall use
23 the grant funds to establish, operate, and fund a reimbursement
24 program in accordance with the following:

25 (a) The county department or veterans' trust fund agent shall
26 process applications for reimbursement received from qualified
27 fitness facilities located within the county that have elected to
28 participate in the reimbursement program. Applications for
29 reimbursement must be on a form provided by the department.



1 (b) An application for reimbursement submitted by a qualified
2 fitness facility must include sufficient evidence, as determined by
3 the department, to confirm that the individual receiving the
4 benefit of the reimbursement is an eligible veteran.

5 (c) If an application for reimbursement is approved, the
6 county department shall provide the reimbursement directly to the
7 qualified fitness facility.

8 (d) The amount of a reimbursement provided to a qualified
9 fitness facility under this section shall not exceed \$50.00 per
10 month of membership for each eligible veteran.

11 Sec. 4. (1) The department shall determine the amount of a
12 grant provided under section 3 as a percentage of the amount
13 appropriated to the grant program for the fiscal year in which the
14 grant is provided plus any remaining funds from the previous fiscal
15 year. The department shall determine that percentage by dividing
16 the number of eligible veterans residing in a county that is
17 provided a grant under section 3 by the total number of all
18 eligible veterans residing in all counties provided a grant under
19 that section and multiplying the result by the amount appropriated
20 to the grant program for the fiscal year in which the grant is
21 provided plus any remaining funds from the previous fiscal year.

22 (2) Population figures for counties and eligible veterans
23 shall be obtained from the most recent American Community Survey
24 published by the United States Census Bureau.

25 Sec. 5. The department shall promulgate rules and procedures
26 to implement this act in accordance with the administrative
27 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328,
28 including, but not limited to, rules and procedures governing the
29 grant application and disbursement process, the method for



1 establishing veteran eligibility, and the method for demonstrating
2 and determining a fitness facility's qualified status.

3 Enacting section 1. This act takes effect 90 days after the
4 date it is enacted into law.

