Content

Title：	VAC Regulations on Home-care Arrangement of Veterans Ch
Date：	2016.04.20
Legislative：	1.Promulgated on November 1, 1968 2.Amended on July 1, 1978 3.Amended on November 24, 1981 4.Amended on March 10, 1986 5.Amended on June 28, 1990 6.Amended on July 15 ,1992 7.Amended on April 1, 1995 8.Amended on September 23 ,1996 9.Amended on December 12, 1997 10.Amended on September 1, 1998 11.Amended on August 30, 1999 12.Amended on August 28, 2001 13.Amended on February 15, 2002 14.Amended on December 30, 2005 15.Amended on June 8, 2009 16.Amended on December 08, 2009 17.Amended on December 30, 2013 18.Amended on August 28, 2015 19.Amended on April 20, 2016
Content：	Article 1 These Regulations are enacted pursuant to Paragraph 1, Article 16 , Paragraph 2, Article 17 and Paragraph 2, Article 33 of the Veterans Assistance Act (hereinafter referred to as "the Act"). Article 2 These regulations are applied to the first category of veterans (hereinafter referred to as “Veterans”) mentioned in Subparagraph 1, Article 2-1 of the Enforcement Rules of the Act. The home-care placement of veterans shall be classified as follows: 1. Fully government-paid home-care placement: Veterans are given the monthly home-care allowances and may willingly choose to apply to live in the veterans’ homes (hereinafter referred to as “VH”) at the government’s expense. When deceased, these veterans shall be provided with an appropriate funeral subsidies. 2. Partly government-paid home-care placement: Veterans may apply to live in the veterans’ homes at their own expense for services. The service items and the amount of monthly home-care allowance rendered to the home-cared veterans fully covered by government expense shall be proposed and promulgated by the Veterans Affairs Council (hereinafter referred to as “VAC”) after being approved by the Executive Yuan. The home cared veterans under the first paragraph who reside in the veterans’ home shall pay for the water or electricity bills that excess the given amount. Article 3 After veterans applying for home-care arrangement, the VAC shall grant the request according to the accommodation capacity and status of the veterans home. The priority order for home-care arrangement is described in Appendixes 1 and 2. File Attachment 2.doc Article 4 A veteran who meets any one of the following requirements may apply for the fully government-expense home-care placement:

I. The veteran’ s disability is service-connected.
II. The veteran’ s disability was incurred in line of duty and his/her health-deteriorated after being discharged.
III. One who is in either physical or mental disorder out of the conditions listed in the above-mentioned two paragraphs.
IV. One who is over 61 years of age.
A veteran in physically and mental disorder as defined under Subparagraphs 1~3 of the preceding paragraph shall live up to the criteria of the physical and mental conditions for home-care arrangement (Cf. Appendix III).

Article 5 An applicant as defined under Subparagraphs 1, 2 of Paragraph 1 of the preceding Article is not eligible for the fully government paid home-care if any of the situations below exists:
I. One who has no household registration in Taiwan Area or whose household registration is removed by the household authority in accordance with the Household Registration Law.
II. One who is of any situations defined in Article 32 of the Act.
III. One who is drawing a monthly pension from the military, the public service, the school, the police or the state-run enterprises.

Article 6 An applicant described in Article 4, Paragraph 1, Subparagraphs 3 and 4 is not eligible for fully government paid home-care if any of the situations below exist:
1. One who has no household registration in the Taiwan Area or whose household registration is removed by the household authority in accordance with the Household Registration Law.
2. One who meets any situations as defined under Article 32 of the Act.
3. One who is employed.
4. One and whose spouse have a total per capita monthly income exceeding the average amount of the monthly limit per capita under the total income of a mid-to-low income family stipulated by the municipalities, the Taiwan Province and the Fujian Province for the current year, and whose child (children) has (have) grown up into adulthood with working ability.
5. One whose entire family has a yearly income that averagely exceeds the average amount of the monthly limit per capita of a mid-to-low income family level of the year stipulated by the municipalities, the Taiwan Province and the Fujian Province.
6. One or whose spouse owns a business or shop with hired employee(s).
7. One who has received a monthly pension from the military, public service, a school, the police or other state-run enterprises, living subsidies/allowances, or the half pension given to those who retired on the Chinese mainland but live in Taiwan.
8. One and whose spouse own real estate worth more than NT$6.5 million calculated based on the promulgated official property price and as listed in the property verification report. Such land reserved for the indigenous, but producing no economic value; land reserved for public facilities; land used as an existing public road, and land provided for government/governmental corporate public use or public benefit purposes whereby the owner receives no income, shall not be included in the calculation.
9. One who is accommodated at government expense by either a public or private welfare institution through the recommendation of the government.
One who has the monthly limit per capita under the total income of a mid-to-low income family stipulated by the household registration exceeding the average amount of the monthly limit per capita under the total income of a mid-to-low income family stipulated by the municipalities, the Taiwan Province and the Fujian Province for the current year shall comply with the stipulated limit.

Article 7　The term “members of the entire family” mentioned herein refers to the following members, in addition to the applicant:
I. Spouse.
II. Lineal relative(s) by blood.
III. The taxpayer whose integrated income tax is covered exemption for the supporting the family member(s).
The members defined in the preceding paragraphs do not count, if any one of the following situations exists:
I. Married daughters and their offsprings who do not live in the same household of the applicant, and are not of the situation prescribed in subparagraph 3 of the preceding paragraph.
II. The spouse of the applicant from Hong Kong, Macao, Chinese Mainland Area, or a country other than the Republic of China, who does not live in Taiwan Area and has no household registration in Taiwan Area.
III. A missing member who has not been found after being reported to the police for help.
IV. A member who is imprisoned, arrested, or legally detained.
V. Because of other special circumstances, members of the family failed to fulfill maintenance obligations, which resulted in the applicant’s livelihood hardship. This truth has been verified by local Veterans Service Department staff’s on-site visits evaluation, and the evaluation has been approved by Veterans Affairs Commission.
Then Veterans Service Departments or Veterans Homes may assist the applicant to request payment of maintenance fees from those who failed to fulfill maintenance obligations as mentioned in the preceding paragraph 5.

Article 8　The total family income described in Article 6 refers to the total amount of work income, interest income, real estate gains, unemployment allowance and other income, excluding those of the nature of social welfare.
The methods of calculation of the work income of the adult members with working ability in a family are as follows and in the following order:
1. Those with a wage higher than the basic wage level promulgated by the central labor authority, the higher work income submitted shall be the base of the calculation.
2. Those with an unknown work income or less than the basic wage promulgated by the central labor authority, the amount of the wage accredited for labor insurance shall be the base of the calculation.
3. If the applicant is not covered by labor insurance, the work income shall be calculated in accordance with the results adjudicated by the Veterans Service Office (VSO) personnel after their on-site evaluation.

Article 9　A veteran who applies for the fully government-paid home-care shall fill in the application forms at the Veterans Service Office (VSO) closest to where his or her household is registered, along with supporting documents, such as those related to household registration of the entire family, income, real estate, labor insurance ID and National Health Insurance ID.
When reviewing the application, the VSO shall assign personnel for an on-site evaluation, complete the evaluation records and request relevant institutions (organizations), schools, corporations or groups to provide necessary relevant proof documents.
For the VSO that has connected to the household registration information system, Ministry of the Interior, the proof documents of registration in the preceding paragraph are not required.
If the applicant suffers from a disaster or emergency and is unable to provide the VSO with the documents mentioned in the preceding first paragraph, the VSO may join with the social affairs unit of the local government to conduct an on-site evaluation on the actual loss of the applicant in the disaster or emergency and complete the evaluation records.

The term “disaster” mentioned above refers to either natural disasters or man-made disasters that destroy the veteran’s living necessities such as his or her house, equipment, furniture, belongings and so forth, making the veteran unable to make a living.
Except for one of the situations mentioned in Paragraph 3, an applicant for the fully government-paid home-care who fails to provide the required supporting certificate(s) in full within the specified time limit should make up the inadequacy within the time limit specified in the reminding notice, if the makeup of such supporting certificate(s) proves possible. The application shall be directly rejected otherwise. Right after the review, if the application proves free of any of the situations set forth in Article 5 and Paragraph 1, Article 6, the application will most likely be approved. The application shall be directly rejected if it proves to have any of the situations set forth in Article 5 and Paragraph 1, Article 6.

Article 10 Those approved for the fully government- paid home-care should report to the designated VSD, or the veterans home within one month starting from the day next to receiving the notice of approval; otherwise his approval will be waived.

Article 11 The VAC shall make annual verification on the veterans approved for the fully government- paid home-care.

Article 12 To those fully government-paid home-cared veterans who are mentally or physically handicapped, the VAC shall render the mental or physical rehabilitation in accordance with the Veterans Home Rehabilitation Table for the Physical or Mental Disabled (Cf. Appendix 4).

Article 13 Those approved for the fully government-paid home-care shall be suspended from the placement if any of the situations below exist:
1. One who has lost his or her status as a veteran.
2. One who is of any of the disqualification situations described in Article 5 or Paragraph 1, Article 6.
Those approved for the fully government-paid home-care and permitted to settle down on the Chinese mainland on a long-term basis shall be exempt from the disqualification binding described in Article 5, Sub-paragraph 1 and Article 6, Paragraph 1, Sub-paragraph 1. This same provision is equally applicable to those settled down on the Chinese mainland on a long-term basis before Article 27 of the Regulations for the Relationship between the Peoples of Taiwan and Chinese Mainland Area was amended and put into enforcement on March 1, 2004.
Those approved for the fully government-paid home-care and settled down abroad on a long-term basis shall be exempt from the disqualification binding described in Article 5, Sub-paragraph 1 and Article 6, Paragraph 1, Sub-paragraph 1, if they register with the VSO/VH and file a verification, approved by the embassies/consulates or other overseas representative offices of the Republic of China, or an institution established or designated by the Executive Yuan or a private organization engaged by the Executive Yuan in Hong Kong or Macau every year.
After the amendment to these Regulations are implemented on 30 December 2013, if those approved for the fully government-paid home-care, including their spouses, do not have new land or housing, and if the local government promulgates an increase of the official property price level, the restriction of NT$6.5 million under Article 6, Paragraph 1, Subparagraph 8 shall not be applicable.
Those approved for the fully government-paid home-care shall not be restricted by the suspension from the placement stipulated in Article 6, Paragraph 1, Subparagraphs 4, 5, and 8 if any of the situations below exist:
1. Born on or before December 31, 1934 and discharged from military service legally.
2. Having participated in 823 Battle and major battles related to national security and approved

by Ministry of National Defense.

Article 14　In the event that those approved of the fully government-paid home-care, are of the disqualification situations prescribed in Paragraph 1 of the preceding Article, their home-care allowance shall be discontinued starting the 1st day of the next month to the VSD/VH finds out and verifies the situation. The sum of the allowance the veterans received after the disqualification date shall be returned to VAC. In any of the situations below exists, the home-care arrangement allowance shall be discontinued starting 1st day of the next month the situation happens. The sum the veterans received after the date the disqualification happens shall be returned to VAC:
I. One who has lost his status as a veteran.
II. One who has no household registration in Taiwan Area or whose has household registration is removed by the household authority in accordance with the Household Registration Law.
III. One who is of any situations defined in Article 32 of the Act.
In case a veteran approved of the fully government-paid home-care passes away, his heir(s) shall keep the related VSD/VH informed within 15 days from the date of the veteran’ s death. The home-care arrangement allowance is to be discontinued starting the 1st day of the month next to the death. The sum of the allowance issued to the veteran shall be returned to VAC.

Article 15　Those not provided with the fully government paid home-care, having no regular occupation, and are of one of the following situations, are eligible to apply for the partly government-paid home-care :
I. Injured, diseased, or mentally/physically handicapped.
II. Over 61 years of age.

Article 16　Those veterans, defined under the preceding Article shall not be granted partly government-paid home-care, if any of the situations below exists:
I. One who has no household registration in Taiwan Area or whose household registration is removed by the household authority in accordance with the Household Registration Law.
II. One who is of any situations defined in Article 32 of the Act.

Article 17　Those applying for the partly government-paid home-care shall fill out the application form and provide the relevant documents, e.g., the physical check-up certificate, the proof documents of household registration to the VAC home-care units which offer such home-care arrangement facilities.
For the VAC home-care units that has connected to the household registration information system, Ministry of the Interior, the proof documents of registration in the preceding paragraph are not required.
Those failing to provide the proof documents within the specified date according to preceding Paragraph 1 should be notified to make up the inadequacy within the time limit specified, if possible. If not, the application shall be rejected. An application proves in the review free of any situations set forth in the preceding Article shall be approved, and shall be rejected if found that any situations described in the preceding Article exists.
The veteran approved of this kind of home-care shall turn to the VAC home-care unit to sign the contract with the unit described within one month after the written approval reaches the applicant. The approval will be otherwise nullified if the veteran fails to do so.

Article 18　Those approved of the partly government-paid home-care shall be disqualified from the home-care arrangement if one of the situations below exists:
I. One who has lost his status as a veteran.

II. One who is of any one of the disqualification situations described in Article 16.
III. One who violates the terms of the contract.

Article 19　A veteran’ s spouse or parent without fixed employment may fill in the application forms and provide the relevant certificates, such as the physical check-up table and the proof document of household registration to apply for self-paid home-care with the veteran.
For the VAC home-care units that has connected to the household registration information system, Ministry of the Interior, the proof documents of registration in the preceding paragraph are not required.
The spouse mentioned in preceding Paragraph 1 should meet the following requirements: Over 50 years of age (or over 60 years of age in case of a parent) and has the household registration established or with the approved certificate for permanent or long-term residence in the Taiwan Area.
An applicant failing to provide the proof documents within the specified date should be notified to make up the inadequacy within the time limit specified, if possible. If not, the application shall be rejected. After the review of the application with the required documents, approval should be granted if the applicant meets all the requirements; otherwise, the application should be rejected.
The spouse or parent approved for this kind of home-care shall personally sign a live-in contract with the veterans’ home within one month of the day that the written approval reaches the applicant; otherwise the approval will be nullified.

Article 20　Those spouses or parents approved for the self-paid home-care together with the veteran shall be disqualified for such placement if any of the following situations is proved to be true:
1. Her (His) marital relationship with the veteran ceases to exist.
2. The subject veteran deceases. However, if the veterans’ home considers that the person has difficulties of livelihood, temporary placement may be provided before being transferred to other facilities.
3. The veteran is discontinued from the home-care placement.
4. Her (His) household registration or the qualification for the residence in the Taiwan Area is cancelled or annulled.
5. The spouse violates the terms described in the contract.

Article 20-1　Veteran placed at VH or with home-care shall be disqualified for such placement or moved to another VH if any of the situations below exist:
1. Critically or repeatedly violating VH rules.
2. Not staying at VH for over three months.

Article 21　Those being cancelled from the home-care placement in accordance with Articles 13, 18 or 20 may reapply for home-care arrangement, if the cause leading to the cancellation ceases.

Article 22　These Regulations shall come into effect on the date of promulgation whereas the articles amended and announced on April 20, 2016 shall become effective on March 1, 2016 .