



# DELEGATION OF AUTHORITY AND ACTIONS SUBJECT TO REVIEW BY THE BOARD OF DIRECTORS

SECTION  
MVFA-GEN

POLICY #  
003

## MICHIGAN VETERANS FACILITY AUTHORITY General

### PURPOSE

This document has been prepared for use by the MVFA and is intended for internal use only. The purpose of this policy is to outline the delegation of certain powers and duties of the MVFA Board of Directors (the "Board") to Michigan Veteran Homes.

### SCOPE

The Board has oversight of Michigan Veteran Homes as authorized by section 36.103 of the Michigan Compiled Laws and will carry out this responsibility in accordance with MCL 36.101 – 36.112a and State Administrative Rules R 32.71 – R 32.89.

### DEFINITIONS

1. **"Asset"** means the valuable property of an applicant or member.
2. **"Asset divestment"** means the disposing, transfer, gifting, or giving away of assets for less than fair market value.
3. **"Asset restriction"** means the moving or transferring of assets, thereby making them unavailable to pay the member's individual assessment or the cost of care.
4. **"CFR"** means the Code of Federal Regulations.

### STANDARDS

Michigan Veterans Facility Authority Act (PA 560 of 2016), MCL 36.101 et seq.

Michigan Administrative Rules 32.71 - 32.89

### GUIDELINES

#### Delegation of Authority:

1. **Operations** - The MVFA Board delegates authority to manage all day-to-day operations of veteran facilities, as defined in Michigan PA 560 of 2016, to Michigan Veteran Homes Central Leadership Team (CLT).
2. **Executive Director/CEO of MVH** - The MVFA Executive Director, recommended by the MVFA Board and appointed by the Governor, shall serve as the Executive Director/Chief Executive Officer for MVH. In this role, the Executive Director will lead the MVH CLT in day-to-day operations of MVH and ensure the intent of the MVFA Board is carried out.
3. **Involuntary Transfer and Discharge Policies** - The MVFA Board delegates the authorities and duties proscribed in Michigan Administrative Rule 32.74 to the MVH CLT. The MVH CLT will establish policies regarding involuntary transfers and discharges, in compliance with 38 CFR 51.80 and 42 CFR 483.15.
4. **Bed Hold Policies** - The MVFA Board delegates the authorities and duties proscribed in Michigan Administrative Rule 32.75 to the MVH CLT. The MVH CLT will establish policies regarding the holding of beds for members absent from the Home for emergency medical treatment, therapeutic leave, or other reasons, in compliance with 38 CFR 51.80 and 42 CFR 483.15.



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5. **Asset Divestment and Restriction Policies** - The MVFA Board delegates the authorities and duties proscribed in Michigan Administrative Rule 32.78 to the MVH CLT. The MVH CLT will establish policies regarding asset divestment and restriction, as well as any associated penalties.
6. **Divestment of Assets** - The MVFA Board delegates the authorities and duties proscribed in Michigan Administrative Rule 32.79 to MVH CLT, which will establish policies regarding exempt assets and income.
7. **Per Diem Maintenance Rate** - In compliance with MCL 36/106a(3), MVH CLT shall annually determine the per diem maintenance rate and present the rate to the MVFA Board for approval.

**PROCEDURES**

None

**IMPLEMENTATION**

MVH CLT shall establish the policies identified under the delegation of authority outlined in SEC 5 (3) - (7) as part of MVH's Operational Policies.

**REFERENCES**

None

## Michigan Veterans Facility Authority Board Member’s Certification of Agreement

This policy, “MVFA-GEN 003 – Delegation of Authority and Actions Subject to Review by the Board of Directors,” was adopted by the MVFA Board of Directors on May 18, 2021, at a scheduled MVFA Board Meeting with a quorum present. This policy will be reviewed annually by the MVFA Board of Directors.

**POLICY EFFECTIVE DATE:** 5/18/21

**POLICY REVISION DATE:**

**ANNUAL REVIEW**

YEAR	2022	2023	2024	2025	2026	2027	2028	2029
<b>Review Date:</b>	9/20/2022		3/19/2024	3/18/2025	1/20/26			