

MICHIGAN VETERANS' FACILITY AUTHORITY ACT (EXCERPT)
Act 560 of 2016

36.106b Appeals board; creation; membership; duties.

Sec. 6b. (1) An appeals board is created within the authority. The appeals board is responsible for hearing all appeals regarding admissions decisions, involuntary dismissals, and requests for interment at a cemetery maintained and managed by Michigan veteran homes, and any other responsibilities delegated to the appeals board by the authority board.

(2) The appeals board shall consist of 5 members. Members of the appeals board must be appointed by the authority board as follows:

(a) One member selected by the authority board from a list of 3 individuals submitted by the American Legion, to represent the interests of the American Legion.

(b) One member selected by the authority board from a list of 3 individuals submitted by the Veterans of Foreign Wars of the United States, to represent the interests of the Veterans of Foreign Wars of the United States.

(c) One member selected by the authority board from a list of 3 individuals submitted by the Disabled American Veterans, to represent the interests of the Disabled American Veterans.

(d) Two members who are veterans and have had interactions or involvement at 1 or more veterans' facilities within the last 2 years.

(3) If the authority board determines that none of the 3 individuals on a list submitted under subsection (2)(a), (b), or (c) are qualified or appropriate to serve on the appeals board, the authority board shall notify the organization that submitted the list of the determination and allow the organization to submit a new list of 3 individuals. If the organization that submitted the list does not submit a new list of 3 individuals within 14 days after the notification by the authority board, the authority board shall fill the vacancy with an individual who meets the requirements of subsection (2)(d).

(4) When making the initial appointments to the appeals board, the authority board shall first consider the most recent former members of the prior board of managers created by section 2a of former 1885 PA 152. If an insufficient number of former members of the prior board of managers express an interest in serving, the authority board shall consider all eligible applicants.

(5) Appointments to the appeals board must be made in a manner and for terms established by the authority board.

(6) The authority shall adopt necessary policies that the appeals board must follow when considering appeals as authorized by the authority board. Rules established in R 32.71 to 32.89 of the Michigan Administrative Code, promulgated by the prior board of managers under former 1885 PA 152 and in effect on the effective date of the amendatory act that added this section, continue in effect to the extent that the rules do not conflict with this act as provided in section 31 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.231. The rules may be amended or rescinded by the authority.

(7) Except as otherwise provided in this subsection, a decision of the appeals board is considered to be the decision of the authority and may be appealed to the circuit court as provided by law. The authority board may review and alter any decision of the appeals board.

History: Add. 2020, Act 350, Eff. Mar. 24, 2021.