S T A T E O F N E W Y O R K

5735--A

2013-2014 Regular Sessions

I N S E N A T E

June 10, 2013

Introduced by Sen. ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law and the public health law, in relation to health care options for veterans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 353 of the executive law is amended by adding a new subdivision 22 to read as follows:

22. TO MAINTAIN A FACT SHEET ON THE DIVISION'S WEBPAGE CONTAINING (A) CURRENT CONTACT INFORMATION FOR ALL VETERANS INTEGRATED SERVICE NETWORKS LOCATED WITHIN THE STATE AND (B) CURRENT CONTACT INFORMATION FOR THE UNITED STATES VETERANS HEALTH ADMINISTRATION. THE FACT SHEET SHALL BE ENTITLED, "INFORMATION FOR VETERANS CONCERNING HEALTH CARE OPTIONS."

S 2. The public health law is amended by adding a new section 2803-t to read as follows:

S 2803-T. DISCLOSURE OF INFORMATION FOR VETERANS CONCERNING HEALTH CARE OPTIONS. 1. AS USED IN THIS SECTION:

A. "INFORMATION FOR VETERANS CONCERNING HEALTH CARE OPTIONS" SHALL MEAN THE FACT SHEET MAINTAINED BY THE DIVISION OF VETERANS' AFFAIRS PURSUANT TO SUBDIVISION TWENTY-TWO OF SECTION THREE HUNDRED FIFTY-THREE OF THE EXECUTIVE LAW.

B. "VETERAN" SHALL MEAN A PERSON, MALE OR FEMALE, WHO HAS SERVED IN THE ACTIVE MILITARY OR NAVAL SERVICE OF THE UNITED STATES DURING A WAR IN WHICH THE UNITED STATES ENGAGED AND WHO HAS BEEN RELEASED FROM SUCH SERVICE OTHERWISE THAN BY DISHONORABLE DISCHARGE, OR WHO HAS BEEN FURLOUGHED TO THE RESERVE.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD11278-02-4

2. UPON ADMISSION TO A HOSPITAL, EACH PATIENT SHALL BE ASKED IF THEY ARE A VETERAN. IF THE PATIENT RESPONDS IN THE AFFIRMATIVE, THE HOSPITAL MUST PROVIDE THE PATIENT WITH A COPY OF THE "INFORMATION FOR VETERANS CONCERNING HEALTH CARE OPTIONS" FACT SHEET, PRIOR TO DISCHARGING THE PATIENT.

3. NO CAUSE OF ACTION OF ANY NATURE OR KIND ARISING OUT OF A FAILURE TO GIVE OR RECEIVE THE NOTICE REQUIRED BY THIS SECTION SHALL ACCRUE TO ANY PERSON AGAINST THE STATE OR ANY SUBDIVISION OR AGENCY THEREOF OR ANY HOSPITAL.

S 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the ninetieth day after it shall have become a law; and provided further that section two of this act shall take effect on the one hundred eightieth day after it shall have become a law.