

5825

2013-2014 Regular Sessions

I N   S E N A T E

June 17, 2013

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Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to requiring directors of county veterans service agencies to be accredited by the United States Department of Veterans Affairs

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

1     Section 1. Section 357 of the executive law is amended by adding a new  
2     subdivision 3 to read as follows:  
3     3. ACCREDITATION. (A) CURRENT COUNTY OR CITY DIRECTORS WITHIN THREE  
4     YEARS FROM THE EFFECTIVE DATE OF THIS SUBDIVISION SHALL TAKE ALL STEPS  
5     NECESSARY TO BE ACCREDITED AS A VETERANS SERVICE ORGANIZATION (VSO)  
6     REPRESENTATIVE. ACCREDITATION SHALL MEAN THE AUTHORITY GRANTED BY THE  
7     UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO ASSIST VETERANS AND  
8     THEIR FAMILY MEMBERS IN THE PREPARATION, PRESENTATION, AND PROSECUTION  
9     OF CLAIMS FOR BENEFITS PURSUANT TO SECTION 5902 OF TITLE 38 U.S.C. AND  
10    SECTION 14.628 OF TITLE 38 CODE OF FEDERAL REGULATIONS. ONCE AN APPLI-  
11    CATION FOR ACCREDITATION IS APPROVED BY THE GENERAL COUNSEL OF THE  
12    UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE APPLICANT IS NOTI-  
13    FIED OF THIS ACTION, THE DIRECTOR OF THE COUNTY OR CITY VETERANS SERVICE  
14    AGENCY SHALL FILE A COPY OF THE ACCREDITATION CERTIFICATE FROM THE  
15    APPROPRIATE VETERANS SERVICE ORGANIZATION WITH THE DIRECTOR OF THE DIVI-  
16    SION. SUCH ACCREDITATION SHALL BE MAINTAINED DURING THE DURATION OF HIS  
17    OR HER STATUS AS A DIRECTOR OF SUCH COUNTY OR CITY VETERANS SERVICE  
18    AGENCY. THE DIRECTOR OF THE DIVISION MAY DETERMINE THAT SATISFACTORY  
19    COMPLETION OF A COURSE OR INSTRUCTION ON VETERANS' BENEFITS APPROVED BY  
20    THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND CONDUCTED BY THE  
21    DIVISION MAY FULFILL THE REQUIREMENTS OF THIS SUBDIVISION.  
22    (B) ANY COUNTY OR CITY DIRECTOR HIRED AFTER THE EFFECTIVE DATE OF THIS  
23    STATUTE SHALL TAKE ALL STEPS NECESSARY TO BE ACCREDITED AS A VETERANS  
24    SERVICE ORGANIZATION (VSO) REPRESENTATIVE WITHIN EIGHTEEN MONTHS OF SUCH

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

LBD09551-12-3

1 APPOINTMENT. ACCREDITATION SHALL MEAN THE AUTHORITY GRANTED BY THE  
2 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO ASSIST VETERANS AND  
3 THEIR FAMILY MEMBERS IN THE PREPARATION, PRESENTATION, AND PROSECUTION  
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13 AGENCY. THE DIRECTOR OF THE DIVISION MAY DETERMINE THAT A SATISFACTORY  
14 COMPLETION OF A COURSE OF INSTRUCTION ON VETERANS' BENEFITS APPROVED BY  
15 THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND CONDUCTED BY THE  
16 DIVISION MAY FULFILL THE REQUIREMENTS OF THIS SUBDIVISION.

17 (C) DURING THE TIME A DIRECTOR IS WORKING TOWARD ACCREDITATION PURSU-  
18 ANT TO PARAGRAPHS (A) AND (B) OF THIS SUBDIVISION, SUCH INDIVIDUAL MAY  
19 PROVIDE SERVICES TO VETERANS AND THEIR FAMILY MEMBERS AS DEFINED IN  
20 SECTION THREE HUNDRED FIFTY-EIGHT OF THIS ARTICLE OTHER THAN THE PREPA-  
21 RATION, PRESENTATION, AND PROSECUTION OF CLAIMS FOR BENEFITS UNDER  
22 FEDERAL STATUTES AND REGULATIONS.

23 S 2. This act shall take effect on the thirtieth day after it shall  
24 have become a law; provided that any rules and regulations necessary for  
25 the timely implementation of this act on the effective date shall be  
26 promulgated on or before such date.