

7476

I N S E N A T E

May 23, 2012

Introduced by Sen. McDONALD -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law and the public health law, in relation to providing certain benefits to veterans; and to amend the correction law, in relation to requiring certain reports relating to veterans

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

1 Section 1. Section 353 of the executive law is amended by adding a new  
2 subdivision 21 to read as follows:

3 21. TO DEVELOP, IN CONSULTATION WITH THE DEPARTMENT OF MENTAL HEALTH,  
4 A PROGRAM FOR THE IDENTIFICATION, DIAGNOSIS, COUNSELING AND TREATMENT OF  
5 VETERANS WHO SUFFER FROM POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN  
6 INJURY AND OTHER BRAIN-RELATED INJURIES. SUCH PROGRAM SHALL INCLUDE  
7 PROCEDURES FOR IDENTIFYING VETERANS WHO MAY NEED ASSISTANCE AND INFORMA-  
8 TION AND OUTREACH TO MAKE VETERANS AWARE OF AVAILABLE PROGRAMS AND  
9 SERVICES.

10 S 2. Subdivision 1 of section 3803 of the public health law, as  
11 amended by chapter 743 of the laws of 2006, is amended to read as  
12 follows:

13 1. There is hereby created within the department the veterans health  
14 care information program (referred to in this section as the "program"),  
15 which shall provide information on health issues associated with mili-  
16 tary duty, including but not limited to Agent Orange, Gulf War  
17 Syndromes, toxic materials or harmful physical agents such as, depleted  
18 uranium, and hepatitis C, AND SPECIFIC MENTAL AND PHYSICAL HEALTH ISSUES  
19 INCLUDING POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURY AND  
20 OTHER BRAIN-RELATED INJURIES, for veterans, their surviving spouses and  
21 health care providers.

22 S 3. Subdivision 1 of section 29 of the correction law, as amended by  
23 section 12 of subpart A of part C of chapter 62 of the laws of 2011, is  
24 amended and a new subdivision 5 is added to read as follows:

25 1. The department shall continue to collect, maintain, and analyze  
26 statistical and other information and data with respect to persons

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

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1 subject to the jurisdiction of the department, including but not limited  
2 to: (a) the number of such persons: placed in the custody of the depart-  
3 ment, assigned to a specific department program, accorded community  
4 supervision and declared delinquent, recommitted to a state correctional  
5 institution upon revocation of community supervision, or discharged upon  
6 maximum expiration of sentence; (b) the criminal history of such  
7 persons; (c) the social, educational, and vocational circumstances of  
8 any such persons; [and,] (d) the institutional and community supervision  
9 programs and the behavior of such persons; AND, (E) THE MILITARY BACK-  
10 GROUND AND CIRCUMSTANCES, IF SUCH PERSON SERVED IN THE UNITED STATES  
11 ARMED FORCES. Provided, however, in the event any statistical informa-  
12 tion on the ethnic background of the inmate population of a correctional  
13 facility or facilities is collected by the department, such statistical  
14 information shall contain, but not be limited to, the following ethnic  
15 categories: (i) Caucasian; (ii) Asian; (iii) American Indian; (iv)  
16 Afro-American/Black; and (v) Spanish speaking/Hispanic which category  
17 shall include, but not be limited to, the following subcategories  
18 consisting of: (1) Puerto Ricans; (2) Cubans; (3) Dominicans; and (4)  
19 other Hispanic nationalities.

20 5. THE COMMISSIONER SHALL REPORT TO THE LEGISLATURE ON THE NUMBER OF  
21 INMATES WHO ARE CURRENTLY SERVING SENTENCES IN STATE CORRECTIONAL FACIL-  
22 ITIES AND ANY LOCAL CORRECTIONAL FACILITIES WHO HAVE SERVED IN THE  
23 UNITED STATES ARMED FORCES. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMIT-  
24 ED TO THE FOLLOWING: A BREAKDOWN OF THE NUMBER OF INMATES BY BRANCH OF  
25 SERVICE, TIME PERIOD OF MILITARY SERVICE AND THE TYPE OF DISCHARGE THE  
26 INMATE RECEIVED UPON SEPARATION FROM THE MILITARY. SUCH REPORT SHALL BE  
27 DONE ANNUALLY.

28 S 4. This act shall take effect on the one hundred eightieth day after  
29 it shall have become a law; provided, that any rules and regulations  
30 necessary for the timely implementation of this act on its effective  
31 date shall be promulgated on or before such date.