

4769

2011-2012 Regular Sessions

I N S E N A T E

April 20, 2011

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, in relation to establishing a "veterans' bill of rights" directing the division of veterans' affairs to provide for the establishment and certification of veterans' services outreach programs

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

1 Section 1. The executive law is amended by adding two new sections
2 353-a and 361-c to read as follows:
3 S 353-A. VETERANS' BILL OF RIGHTS. 1. THE DIVISION SHALL ESTABLISH,
4 PRINT, PUBLISH AND DISTRIBUTE A VETERANS' BILL OF RIGHTS. SUCH BILL OF
5 RIGHTS SHALL INCLUDE THE FOLLOWING OR SUBSTANTIALLY SIMILAR TEXT:
6 "VETERANS' BILL OF RIGHTS
7 YOU AS A VETERAN HAVE A RIGHT:
8 (A) TO APPLY FOR VETERANS' BENEFITS;
9 (B) TO RECEIVE ASSISTANCE FROM YOUR LOCAL VETERANS' SERVICE AGENCY AND
10 THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS;
11 (C) TO RECEIVE AN EXPLANATION OF THE SERVICES AND BENEFITS AVAILABLE
12 UNDER FEDERAL AND NEW YORK STATE LAWS, RULES AND REGULATIONS;
13 (D) TO RECEIVE WRITTEN NOTICE AND AN EXPLANATION OF THE APPROVAL OR
14 DENIAL OF YOUR APPLICATION FOR BENEFITS AVAILABLE UNDER NEW YORK STATE
15 LAW;
16 (E) TO BE TREATED WITH DIGNITY AND RESPECT;
17 (F) TO APPEAL ANY ADVERSE DETERMINATION OR DENIAL OF YOUR APPLICATION
18 FOR SERVICES OR BENEFITS AVAILABLE UNDER NEW YORK STATE LAW;
19 (G) TO EXPECT CONFIDENTIALITY;
20 (H) TO RECEIVE FAIR AND EQUAL TREATMENT WITHOUT REGARD TO SEX, RACE,
21 RELIGION, DISABILITY, ETHNICITY OR NATIONAL ORIGIN; AND

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

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1 (I) TO BE INFORMED OF ASSISTANCE PROVIDED TO VETERANS IN THE STATE OF
2 NEW YORK RELATING TO:

- 3 (1) COLLEGE ASSISTANCE,
4 (2) MENTAL HEALTH COUNSELING,
5 (3) HEALTH BENEFITS INCLUDING, BUT NOT LIMITED TO, WOMEN VETERANS'
6 HEALTH,
7 (4) SEXUAL TRAUMA,
8 (5) FAMILY ASSISTANCE PROGRAMS,
9 (6) HOUSING,
10 (7) DOMESTIC VIOLENCE,
11 (8) SUICIDE PREVENTION, AND
12 (9) SUPPORT GROUPS."

13 2. THE DIVISION SHALL MAKE THE VETERANS' BILL OF RIGHTS AVAILABLE ON
14 THE INTERNET WEBSITE MAINTAINED BY THE DIVISION, AT ALL OFFICES OF THE
15 DIVISION, AT ALL LOCAL VETERANS' SERVICES AGENCIES, AT EVERY VETERANS'
16 SERVICES OUTREACH PROGRAM AND AT EVERY STATE AND LOCAL AGENCY WHICH
17 PROVIDES SERVICES, BENEFITS OR ASSISTANCE TO VETERANS.

18 S 361-C. VETERANS' SERVICES OUTREACH PROGRAMS. 1. THE DIVISION SHALL
19 PROVIDE FOR THE ESTABLISHMENT OF VETERANS' SERVICES OUTREACH PROGRAMS
20 THROUGHOUT THE STATE. SUCH PROGRAMS SHALL PROVIDE VETERANS WITH INFORMA-
21 TION ON, ASSISTANCE WITH AND REFERRAL TO PROGRAMS WHICH PROVIDE SERVICES
22 AND BENEFITS THAT VETERANS ARE ELIGIBLE TO RECEIVE. EACH VETERANS'
23 SERVICES OUTREACH PROGRAM SHALL COOPERATE AND COORDINATE WITH, ON BEHALF
24 OF VETERANS, THE DIVISION, THE FEDERAL VETERANS' ADMINISTRATION, LOCAL
25 VETERANS' SERVICES AGENCIES, THE SURROUNDING MUNICIPALITIES AND COMMUNI-
26 TIES, AND STATE AND LOCAL AGENCIES WHICH PROVIDE SERVICES, BENEFITS OR
27 ASSISTANCE TO VETERANS.

28 2. THE DIVISION SHALL CONTRACT WITH AND CERTIFY QUALIFIED NOT-FOR-PRO-
29 FIT ORGANIZATIONS FOR THE OPERATION OF VETERANS' SERVICES OUTREACH
30 PROGRAMS. ANY NOT-FOR-PROFIT ORGANIZATION WITH QUALIFIED PERSONNEL, AND
31 SUITABLE FACILITIES, PROGRAMS AND EXPERTISE MAY APPLY TO THE STATE
32 DIRECTOR FOR CERTIFICATION AS A VETERANS' SERVICES OUTREACH PROGRAM.
33 SUCH APPLICATION SHALL BE SUBMITTED ON A FORM ESTABLISHED BY THE DIVI-
34 SION AND SHALL CONTAIN SUCH INFORMATION AND PROOF AS SHALL BE DETERMINED
35 TO BE NECESSARY BY THE STATE DIRECTOR. UPON CERTIFICATION OF A NOT-FOR-
36 PROFIT ORGANIZATION AS A VETERANS' SERVICES OUTREACH PROGRAM, THE DIVI-
37 SION SHALL ENTER INTO A CONTRACT WITH SUCH ORGANIZATION FOR THE
38 PROVISION OF VETERANS' OUTREACH SERVICES.

39 3. VETERANS' SERVICES OUTREACH PROGRAMS SHALL PROVIDE SERVICES, COUN-
40 SELING, INFORMATION AND REFERRAL SERVICES TO VETERANS TO THE GREATEST
41 EXTENT OF EACH VETERAN'S NEED OR ELIGIBILITY, INCLUDING REFERRAL TO
42 AGENCIES PROVIDING PUBLIC ASSISTANCE BENEFITS AND SERVICES.

43 S 2. This act shall take effect on the first of January next succeed-
44 ing the date on which it shall have become a law; provided that effec-
45 tive immediately, any action necessary to implement the provisions of
46 this act on its effective date are authorized to be completed on or
47 before such effective date.