

6221--C

2013-2014 Regular Sessions

I N   A S S E M B L Y

March 15, 2013

---

Introduced by M. of A. SCHIMEL, JAFFEE, ROBINSON, COLTON, MONTESANO --  
Multi-Sponsored by -- M. of A. ARROYO, BRENNAN, COOK, DIPIETRO, McDO-  
NOUGH, WEISENBERG -- read once and referred to the Committee on Veter-  
ans' Affairs -- committee discharged, bill amended, ordered reprinted  
as amended and recommitted to said committee -- again reported from  
said committee with amendments, ordered reprinted as amended and  
recommitted to said committee -- again reported from said committee  
with amendments, ordered reprinted as amended and recommitted to said  
committee

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 ASSEM-  
BLY, 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

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

LBD09551-11-3

1 AGENCY. THE DIRECTOR OF THE DIVISION MAY DETERMINE THAT SATISFACTORY  
2 COMPLETION OF A COURSE OR INSTRUCTION ON VETERANS' BENEFITS APPROVED BY  
3 THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND CONDUCTED BY THE  
4 DIVISION MAY FULFILL THE REQUIREMENTS OF THIS SUBDIVISION.

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

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

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