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

8641

I N A S S E M B L Y

January 7, 2016

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the social services law, the public health law, the not-for-profit corporations law and the executive law, in relation to inquiring into past military service on applications for public welfare

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

Section 1. Subdivision 3 of section 20 of the social services law is amended by adding a new paragraph (j) to read as follows:

(J) TO ENSURE THE PROVISION, ON EVERY FORM PRESCRIBED PURSUANT TO THIS CHAPTER FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE, OF A QUESTION INQUIRING INTO WHETHER AN APPLICANT HAS BEEN OR PRESENTLY IS ENGAGED IN: (I) MILITARY SERVICE OF THE STATE AS DEFINED IN SUBDIVISION FIVE OF SECTION ONE OF THE MILITARY LAW; (II) ACTIVE MILITARY SERVICE OF THE UNITED STATES AS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF THE MILITARY LAW; OR (III) IS A VETERAN AS DEFINED IN SUBDIVISION THREE OF SECTION THREE HUNDRED FIFTY OF THE EXECUTIVE LAW. WHEN AN AFFIRMATIVE ANSWER TO SUCH QUESTION IS INDICATED BY AN APPLICANT, IT SHALL BE THE DUTY OF THE DEPARTMENT TO FURNISH TO THE DIVISION OF VETERANS' AFFAIRS THE NAME AND CONTACT INFORMATION OF SUCH INDIVIDUAL AS LISTED ON SUCH INDIVIDUAL'S APPLICATION.

S 2. The public health law is amended by adding a new section 25 to read as follows:

S 25. MILITARY SERVICE INQUIRY. THE COMMISSIONER SHALL ENSURE THE PROVISION, ON EVERY FORM PRESCRIBED PURSUANT TO THIS CHAPTER FOR THE PURPOSE OF OBTAINING HEALTH CARE AT A REDUCED COST, OF A QUESTION INQUIRING INTO WHETHER AN APPLICANT HAS BEEN OR PRESENTLY IS ENGAGED IN: (I) MILITARY SERVICE OF THE STATE AS DEFINED IN SUBDIVISION FIVE OF SECTION ONE OF THE MILITARY LAW; (II) ACTIVE MILITARY SERVICE OF THE UNITED STATES AS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF THE MILITARY LAW; OR (III) IS A VETERAN AS DEFINED IN SUBDIVISION THREE OF SECTION THREE HUNDRED FIFTY OF THE EXECUTIVE LAW. WHEN AN AFFIRMATIVE ANSWER TO SUCH QUESTION IS INDICATED BY AN APPLICANT, IT SHALL BE THE

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

DUTY OF THE DEPARTMENT TO FURNISH TO THE DIVISION OF VETERANS' AFFAIRS THE NAME AND CONTACT INFORMATION OF SUCH INDIVIDUAL AS LISTED ON SUCH INDIVIDUAL'S APPLICATION.

S 3. Section 202 of the not-for-profit corporation law is amended by adding a new paragraph (g) to read as follows:

(G) EVERY CORPORATION RECEIVING ANY KIND OF STATE FUNDING SHALL ENSURE THE PROVISION, ON EVERY FORM ISSUED BY SUCH CORPORATION FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO AN INDIVIDUAL, OF A QUESTION INQUIRING INTO WHETHER AN APPLICANT HAS BEEN OR PRESENTLY IS ENGAGED IN: (I) MILITARY SERVICE OF THE STATE AS DEFINED IN SUBDIVISION FIVE OF SECTION ONE OF THE MILITARY LAW; (II) ACTIVE MILITARY SERVICE OF THE UNITED STATES AS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF THE MILITARY LAW; OR (III) IS A VETERAN AS DEFINED IN SUBDIVISION THREE OF SECTION THREE HUNDRED FIFTY OF THE EXECUTIVE LAW. WHEN AN AFFIRMATIVE ANSWER TO SUCH QUESTION IS INDICATED BY AN APPLICANT, IT SHALL BE THE DUTY OF SUCH CORPORATION TO FURNISH TO THE DIVISION OF VETERANS' AFFAIRS THE NAME AND CONTACT INFORMATION OF SUCH INDIVIDUAL AS LISTED ON SUCH INDIVIDUAL'S APPLICATION.

S 4. Section 353 of the executive law is amended by adding a new subdivision 23 to read as follows:

23. TO RECEIVE AND RETAIN:

A. FROM THE DEPARTMENT OF SOCIAL WELFARE, RECORDS OF INDIVIDUALS WHO APPLY FOR FINANCIAL ASSISTANCE PURSUANT TO THE SOCIAL SERVICES LAW, AS REPORTED BY THE DEPARTMENT OF SOCIAL WELFARE IN ACCORDANCE WITH PARAGRAPH (J) OF SUBDIVISION THREE OF THE SOCIAL SERVICES LAW;

B. FROM THE COMMISSIONER OF PUBLIC HEALTH, RECORDS OF INDIVIDUALS WHO APPLY TO OBTAIN HEALTH CARE AT A REDUCED COST, PURSUANT TO THE PUBLIC HEALTH LAW, AS REPORTED BY THE COMMISSIONER OF PUBLIC HEALTH IN ACCORDANCE WITH SECTION TWENTY-FIVE OF THE PUBLIC HEALTH LAW; AND

C. FROM NOT-FOR-PROFIT CORPORATIONS, RECORDS OF INDIVIDUALS WHO APPLY FOR FINANCIAL ASSISTANCE FROM SUCH CORPORATIONS, AS REPORTED BY SUCH CORPORATIONS IN ACCORDANCE WITH PARAGRAPH (G) OF SECTION TWO HUNDRED TWO OF THE NOT-FOR-PROFIT CORPORATION LAW.

S 5. This act shall take effect on the sixtieth day after it shall have become a law.