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

7983

I N S E N A T E

June 2, 2016

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, the not-for-profit corporation 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 ANY FORM REQUIRED TO BE COMPLETED AT APPLICATION OR RECERTIFICATION FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE PURSUANT TO THIS CHAPTER, THE FORM SHALL CONTAIN THE FOLLOWING QUESTIONS: "HAVE YOU SERVED IN THE UNITED STATES ARMED FORCES?" AND "HAS SOMEONE IN YOUR FAMILY SERVED IN THE UNITED STATES MILITARY?" WHEN AFFIRMATIVE ANSWERS TO SUCH QUESTIONS ARE INDICATED BY THE APPLICANT OR RECIPIENT, THE INDIVIDUAL WILL BE ADVISED THAT THE LOCAL SOCIAL SERVICES DISTRICT SHALL PROVIDE THE DIVISION OF VETERANS' AFFAIRS WITH THEIR NAME AND CONTACT INFORMATION UNLESS SUCH INDIVIDUAL OBJECTS TO THE SHARING OF SUCH INFORMATION. INFORMATION REGARDING VETERANS AND MILITARY STATUS SHALL BE PROTECTED AS PERSONAL CONFIDENTIAL MATERIAL, AND USED ONLY TO ASSIST IN THE DIAGNOSIS, TREATMENT, ASSESSMENT AND HANDLING OF THE VETERAN'S OR FAMILY MEMBER'S PROBLEMS WITHIN THE AGENCY REQUESTING SUCH INFORMATION AND IN REFERRING THE VETERAN OR FAMILY MEMBER TO THE DIVISION OF VETERANS' AFFAIRS FOR THE INFORMATION AND ASSISTANCE WITH REGARD TO BENEFITS AND ENTITLEMENTS UNDER FEDERAL AND STATE LAW.

S 2. 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 ANY FORM REQUIRED TO BE COMPLETED AT APPLICATION OR RECERTIFICATION FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE PURSUANT TO THIS CHAPTER, THAT THE APPLICATION FORM SHALL CONTAIN THE FOLLOWING QUESTIONS: "HAVE YOU SERVED IN THE UNITED STATES ARMED FORCES?" AND "HAS SOMEONE IN YOUR FAMILY SERVED IN THE UNITED STATES MILITARY?" WHEN AFFIRMATIVE ANSWERS TO SUCH QUESTIONS ARE INDICATED BY THE APPLICANT OR

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

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RECIPIENT, THE INDIVIDUAL WILL BE ADVISED THAT THE NOT-FOR-PROFIT CORPORATION SHALL FURNISH TO THE DIVISION OF VETERANS' AFFAIRS THEIR NAME AND CONTACT INFORMATION UNLESS SUCH INDIVIDUAL OBJECTS TO THE SHARING OF SUCH INFORMATION. INFORMATION REGARDING VETERANS AND MILITARY STATUS SHALL BE PROTECTED AS PERSONAL CONFIDENTIAL MATERIAL, AND USED ONLY TO ASSIST IN THE DIAGNOSIS, TREATMENT, ASSESSMENT AND HANDLING OF THE VETERAN'S OR FAMILY MEMBER'S PROBLEMS, WITHIN THE AGENCY REQUESTING SUCH INFORMATION AND IN REFERRING THE VETERAN OR FAMILY MEMBER TO THE DIVISION OF VETERANS' AFFAIRS FOR THE INFORMATION AND ASSISTANCE WITH REGARD TO BENEFITS AND ENTITLEMENTS UNDER FEDERAL AND STATE LAW.

S 3. Section 353 of the executive law is amended by adding a new subdivision 23 to read as follows:

23. TO RECEIVE, RETAIN AND CONSIDER PERSONAL CONFIDENTIAL MATERIAL TO BE USED TO PROVIDE INFORMATION AND ASSISTANCE REGARDING BENEFITS AND ENTITLEMENTS UNDER FEDERAL AND STATE LAW, LOCAL SERVICES DISTRICTS AND CORPORATION SHALL FORWARD:(A) FROM THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE, RECORDS OF INDIVIDUALS WHO APPLY FOR FINANCIAL ASSISTANCE PURSUANT TO THE SOCIAL SERVICES LAW, AS REPORTED BY THE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE IN ACCORDANCE WITH PARAGRAPH (J) OF SUBDIVISION THREE OF SECTION TWENTY OF THE SOCIAL SERVICES LAW; AND (B) 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 4. This act shall take effect on the sixtieth day after it shall have become a law.