

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 20 of the social services law is
2 amended by adding a new paragraph (j) to read as follows:
3 (J) TO ENSURE THE PROVISION, ON EVERY FORM PRESCRIBED PURSUANT TO THIS
4 CHAPTER FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE, OF A QUESTION
5 INQUIRING INTO WHETHER AN APPLICANT HAS BEEN OR PRESENTLY IS ENGAGED IN:
6 (I) MILITARY SERVICE OF THE STATE AS DEFINED IN SUBDIVISION FIVE OF
7 SECTION ONE OF THE MILITARY LAW; (II) ACTIVE MILITARY SERVICE OF THE
8 UNITED STATES AS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF THE
9 MILITARY LAW; OR (III) IS A VETERAN AS DEFINED IN SUBDIVISION THREE OF
10 SECTION THREE HUNDRED FIFTY OF THE EXECUTIVE LAW. WHEN AN AFFIRMATIVE
11 ANSWER TO SUCH QUESTION IS INDICATED BY AN APPLICANT, IT SHALL BE THE
12 DUTY OF THE DEPARTMENT TO FURNISH TO THE DIVISION OF VETERANS' AFFAIRS
13 THE NAME AND CONTACT INFORMATION OF SUCH INDIVIDUAL AS LISTED ON SUCH
14 INDIVIDUAL'S APPLICATION.
15 S 2. The public health law is amended by adding a new section 25 to
16 read as follows:
17 S 25. MILITARY SERVICE INQUIRY. THE COMMISSIONER SHALL ENSURE THE
18 PROVISION, ON EVERY FORM PRESCRIBED PURSUANT TO THIS CHAPTER FOR THE
19 PURPOSE OF OBTAINING HEALTH CARE AT A REDUCED COST, OF A QUESTION
20 INQUIRING INTO WHETHER AN APPLICANT HAS BEEN OR PRESENTLY IS ENGAGED IN:
21 (I) MILITARY SERVICE OF THE STATE AS DEFINED IN SUBDIVISION FIVE OF
22 SECTION ONE OF THE MILITARY LAW; (II) ACTIVE MILITARY SERVICE OF THE
23 UNITED STATES AS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF THE
24 MILITARY LAW; OR (III) IS A VETERAN AS DEFINED IN SUBDIVISION THREE OF
25 SECTION THREE HUNDRED FIFTY OF THE EXECUTIVE LAW. WHEN AN AFFIRMATIVE
26 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.

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

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

6 (G) EVERY CORPORATION RECEIVING ANY KIND OF STATE FUNDING SHALL ENSURE
7 THE PROVISION, ON EVERY FORM ISSUED BY SUCH CORPORATION FOR THE PURPOSE
8 OF PROVIDING FINANCIAL ASSISTANCE TO AN INDIVIDUAL, OF A QUESTION
9 INQUIRING INTO WHETHER AN APPLICANT HAS BEEN OR PRESENTLY IS ENGAGED IN:

10 (I) MILITARY SERVICE OF THE STATE AS DEFINED IN SUBDIVISION FIVE OF
11 SECTION ONE OF THE MILITARY LAW; (II) ACTIVE MILITARY SERVICE OF THE
12 UNITED STATES AS DEFINED IN SUBDIVISION EIGHT OF SECTION ONE OF THE
13 MILITARY LAW; OR (III) IS A VETERAN AS DEFINED IN SUBDIVISION THREE OF
14 SECTION THREE HUNDRED FIFTY OF THE EXECUTIVE LAW. WHEN AN AFFIRMATIVE
15 ANSWER TO SUCH QUESTION IS INDICATED BY AN APPLICANT, IT SHALL BE THE
16 DUTY OF SUCH CORPORATION TO FURNISH TO THE DIVISION OF VETERANS' AFFAIRS
17 THE NAME AND CONTACT INFORMATION OF SUCH INDIVIDUAL AS LISTED ON SUCH
18 INDIVIDUAL'S APPLICATION.

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

21 23. TO RECEIVE AND RETAIN:

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

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

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

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