

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:

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 ANY FORM REQUIRED TO BE COMPLETED AT
4 APPLICATION OR RECERTIFICATION FOR THE PURPOSE OF OBTAINING FINANCIAL
5 ASSISTANCE PURSUANT TO THIS CHAPTER, THE FORM SHALL CONTAIN THE FOLLOW-
6 ING QUESTIONS: "HAVE YOU SERVED IN THE UNITED STATES ARMED FORCES?" AND
7 "HAS SOMEONE IN YOUR FAMILY SERVED IN THE UNITED STATES MILITARY?" WHEN
8 AFFIRMATIVE ANSWERS TO SUCH QUESTIONS ARE INDICATED BY THE APPLICANT OR
9 RECIPIENT, THE INDIVIDUAL WILL BE ADVISED THAT THE LOCAL SOCIAL SERVICES
10 DISTRICT SHALL PROVIDE THE DIVISION OF VETERANS' AFFAIRS WITH THEIR NAME
11 AND CONTACT INFORMATION UNLESS SUCH INDIVIDUAL OBJECTS TO THE SHARING OF
12 SUCH INFORMATION. INFORMATION REGARDING VETERANS AND MILITARY STATUS
13 SHALL BE PROTECTED AS PERSONAL CONFIDENTIAL MATERIAL, AND USED ONLY TO
14 ASSIST IN THE DIAGNOSIS, TREATMENT, ASSESSMENT AND HANDLING OF THE
15 VETERAN'S OR FAMILY MEMBER'S PROBLEMS WITHIN THE AGENCY REQUESTING SUCH
16 INFORMATION AND IN REFERRING THE VETERAN OR FAMILY MEMBER TO THE DIVI-
17 SION OF VETERANS' AFFAIRS FOR THE INFORMATION AND ASSISTANCE WITH REGARD
18 TO BENEFITS AND ENTITLEMENTS UNDER FEDERAL AND STATE LAW.

19 S 2. Section 202 of the not-for-profit corporation law is amended by
20 adding a new paragraph (g) to read as follows:

21 (G) EVERY CORPORATION RECEIVING ANY KIND OF STATE FUNDING SHALL ENSURE
22 THE PROVISION ON ANY FORM REQUIRED TO BE COMPLETED AT APPLICATION OR
23 RECERTIFICATION FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE PURSU-
24 ANT TO THIS CHAPTER, THAT THE APPLICATION FORM SHALL CONTAIN THE FOLLOW-
25 ING QUESTIONS: "HAVE YOU SERVED IN THE UNITED STATES ARMED FORCES?" AND
26 "HAS SOMEONE IN YOUR FAMILY SERVED IN THE UNITED STATES MILITARY?" WHEN
27 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.

LBD13367-03-6

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

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

13 23. TO RECEIVE, RETAIN AND CONSIDER PERSONAL CONFIDENTIAL MATERIAL TO
14 BE USED TO PROVIDE INFORMATION AND ASSISTANCE REGARDING BENEFITS AND
15 ENTITLEMENTS UNDER FEDERAL AND STATE LAW, LOCAL SERVICES DISTRICTS AND
16 CORPORATION SHALL FORWARD:(A) FROM THE OFFICE OF TEMPORARY AND DISABILI-
17 TY ASSISTANCE, RECORDS OF INDIVIDUALS WHO APPLY FOR FINANCIAL ASSISTANCE
18 PURSUANT TO THE SOCIAL SERVICES LAW, AS REPORTED BY THE OFFICE OF TEMPO-
19 RARY AND DISABILITY ASSISTANCE IN ACCORDANCE WITH PARAGRAPH (J) OF
20 SUBDIVISION THREE OF SECTION TWENTY OF THE SOCIAL SERVICES LAW; AND (B)
21 FROM NOT-FOR-PROFIT CORPORATIONS, RECORDS OF INDIVIDUALS WHO APPLY FOR
22 FINANCIAL ASSISTANCE FROM SUCH CORPORATIONS, AS REPORTED BY SUCH CORPO-
23 RATIONS IN ACCORDANCE WITH PARAGRAPH (G) OF SECTION TWO HUNDRED TWO OF
24 THE NOT-FOR-PROFIT CORPORATION LAW.

25 S 4. This act shall take effect on the sixtieth day after it shall
26 have become a law.