

# STATE OF NEW YORK

9981

## IN ASSEMBLY

March 5, 2018

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

AN ACT to amend the executive law, in relation to the duties of the division of veterans' affairs concerning information about veterans received from nursing homes and residential health care facilities, including assisted living facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 17 and 18 of section 353 of the executive law,  
2 as amended by chapter 95 of the laws of 2004 and as renumbered by chap-  
3 ter 652 of the laws of 2007, are amended to read as follows:

4 17. To process all information received from nursing homes and resi-  
5 dential health care facilities, including assisted-living facilities,  
6 indicating veteran or veteran spouse status. Such processing shall occur  
7 by transmitting such information to state counselors for review and  
8 potential linkage to applicable benefits, including but not limited to  
9 federal aid and attendance and a federal improved pension program. State  
10 counselors shall work with county counselors or any accredited service  
11 officers of an organization chartered by the congress of the United  
12 States and/or recognized by the department of veterans affairs for claim  
13 representation as necessary and where appropriate. Such information  
14 shall be protected as personal confidential information under article  
15 six-A of the public officers law against disclosure of confidential  
16 material, and shall be used only to assist in providing linkage to  
17 applicable benefits and entitlements under federal and state law.

18 18. To include within the annual report as required by subdivision  
19 eleven of this section an accounting of the number of forms received  
20 from nursing homes and residential health care facilities, including  
21 assisted-living facilities, and the specific number of veterans and  
22 spouses of veterans linked to applicable benefits, including, but not  
23 limited to federal aid and attendance and a federal improved pension  
24 program. Such report shall evaluate the average time taken by the divi-  
25 sion between receipt of such information, transmission to veterans coun-  
26 selors and linkage to available benefits. Such report shall also evalu-  
27 ate the effectiveness of the program and make recommendations for  
28 improvements as necessary.

29 § 2. This act shall take effect immediately.

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

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