

STATE OF NEW YORK

9981--A

Cal. No. 818

IN ASSEMBLY

March 5, 2018

Introduced by M. of A. WALLACE, PHEFFER AMATO, MOSLEY -- read once and referred to the Committee on Veterans' Affairs -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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

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 and assisted
6 living residences as defined in section forty-six hundred fifty-one of
7 the public health law, and adult care facilities authorized under title
8 two of article seven of the social services law, indicating veteran or
9 veteran spouse status. Such processing shall occur by transmitting such
10 information to state counselors for review and potential linkage to
11 applicable benefits, including but not limited to federal aid and
12 attendance and a federal improved pension program. State counselors
13 shall work with county counselors or any accredited service officers of
14 an organization chartered by the congress of the United States and/or
15 recognized by the department of veterans affairs for claim represen-
16 tation as necessary and where appropriate. Such information shall be
17 protected as personal confidential information under article six-A of
18 the public officers law against disclosure of confidential material, and
19 shall be used only to assist in providing linkage to applicable benefits
20 and entitlements under federal and state law.

21 18. To include within the annual report as required by subdivision
22 eleven of this section an accounting of the number of forms received
23 from nursing homes and residential health care facilities, including
24 assisted living and assisted living residences as defined in section
25 forty-six hundred fifty-one of the public health law, and adult care

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

LBD14991-03-8

1 facilities authorized under title two of article seven of the social
2 services law, and the specific number of veterans and spouses of veter-
3 ans linked to applicable benefits, including, but not limited to federal
4 aid and attendance and a federal improved pension program. Such report
5 shall evaluate the average time taken by the division between receipt of
6 such information, transmission to veterans counselors and linkage to
7 available benefits. Such report shall also evaluate the effectiveness
8 of the program and make recommendations for improvements as necessary.
9 § 2. This act shall take effect immediately.