STATE OF NEW YORK

7706

IN SENATE

January 7, 2022

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law and the public health law, in relation to veteran access to certain benefits

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

Section 1. Section 368-a of the executive law, as added by a chapter of the laws of 2021 amending the executive law and the public health law relating to certain questions regarding veterans on intake forms for admission and residency, as proposed in legislative bills numbers S. 2977-A and A. 6100-A, is amended to read as follows:

§ 368-a. Intake forms for admission and residency. 1. The division, in cooperation with the office of temporary and disability assistance[~~, the office of mental health~~] and any other state department, office, division or agency the division deems necessary, shall require that all intake forms for admission or residency to any [~~homeless~~] **temporary** shelter **that is reimbursed from state or state-administered grants or funds** shall ask an applicant [~~on their intake forms~~]: "Have you **or anyone in your household** ever [~~served~~] **been** in the **United States** military?". [~~Such homeless shelter~~] **Each social services district or social services district's designee** shall in writing advise all individuals **applying for temporary housing assistance and** identifying themselves as having [~~served~~] **been** in the United States military that the division of veterans' services and local veterans' service agencies established pursuant to section three hundred fifty-seven of this article provide assistance to veterans regarding benefits available under federal and state law. Such written information shall include the name, address and telephone number of the New York state division of veterans' services, the nearest division of veterans' services office, the nearest county or city veterans' service agency and the nearest accredited veterans' service officer. [~~Every homeless shelter~~] **Each social services district or social services district's designee**, with the permission of such individual's identifying themself as a veteran, shall transmit such veteran's status information to the division of veterans' services.

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

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2. The division, in cooperation with the office of temporary and disability assistance and any other state department, office, division or agency the division deems necessary, shall encourage all other temporary shelter providers to share information to increase veteran access to benefits by:

(a) providing information on the division website including:

(i) potential questions for inclusion on intake forms including, but not limited to: "Have you or anyone in your household ever been in the United States military?";

(ii) advising such providers that all individuals identifying themselves as having been in the United States military that the division and local veterans' service agencies provide assistance to veterans regarding benefits available under federal and state law; and

(iii) the address and telephone number of the division, county and city veterans' service agencies and accredited veterans' service officers; and

(b) facilitating the transmission of such veteran's status information, with the permission of individuals identifying themselves as a veteran, to the division.

§ 2. Section 2805-o of the public health law, as amended by a chapter of the laws of 2021 amending the executive law and the public health law relating to certain questions regarding veterans on intake forms for admission and residency, as proposed in legislative bills numbers S. 2977-A and A. 6100-A, is amended to read as follows:

§ 2805-o. Identification of veterans and their spouses by nursing homes, residential health care facilities, and [~~assisted living residences~~] adult care facilities. 1. Every nursing home and residential health care facility as defined in subdivisions two and three of section two thousand eight hundred one of this article and [~~assisted living residences as defined in section forty-six hundred fifty-one of this chapter~~] every adult care facility licensed and certified by the department pursuant to title two of article seven of the social services law or article forty-six-B of this chapter, including all adult homes, enriched housing programs, residences for adults, assisted living programs, and assisted living residences shall keep and maintain accurate records identifying veterans and their spouses residing within such facilities. Such information shall be solicited by nursing home and/or residential health care facility staff upon a patient's admission, noted on the admission form, and included with the patient's file by asking the question "Have you or your spouse ever served in the United States military?". In the case of patients currently residing at such nursing homes or residential health care facilities, staff shall solicit such information by asking the question "Have you or your spouse ever served in the United States military?" from each patient residing at such institution and update the patient's file to indicate veteran status.

2. Every nursing home, residential health care facility and [~~assisted living residences~~] every adult care facility licensed and certified by the department pursuant to title two of article seven of the social services law or article forty-six-B of this chapter, including all adult homes, enriched housing programs, residences for adults, assisted living programs, and assisted living residences shall in writing advise all individuals identifying themselves as veterans or spouses of veterans that the division of veterans' services and local veterans' service agencies established pursuant to section three hundred fifty-seven of the executive law to provide assistance to veterans and their spouses regarding benefits under federal and state law. Such written information

shall include the name, address and telephone number of the New York state division of veterans' services, the nearest division of veterans' services office, the nearest county or city veterans' service agency and the nearest accredited veterans' service officer.

3. Every nursing home, residential health care facility and [~~assisted living residence~~] **every adult care facility licensed and certified by the department pursuant to title two of article seven of the social services law or article forty-six-B of this chapter, including all adult homes, enriched housing programs, residences for adults, assisted living programs, and assisted living residences**, with the permission of individuals identifying themselves as veterans or spouses of veterans, shall transmit such veteran status information to the division of veterans' services.

4. Any person who violates the provisions of this section shall be subject to a civil fine not to exceed fifty dollars per violation but in no event shall any fine exceed one thousand dollars.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 amending the executive law and the public health law relating to certain questions regarding veterans on intake forms for admission and residency, as proposed in legislative bills numbers S. 2977-A and A. 6100-A, takes effect.