

# STATE OF NEW YORK

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6100--A

2021-2022 Regular Sessions

## IN ASSEMBLY

March 10, 2021

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Introduced by M. of A. CUSICK, ASHBY -- read once and referred to the Committee on Veterans' Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law and the public health law, in relation to certain questions regarding veterans on intake forms for admission and residency

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

1 Section 1. The executive law is amended by adding a new section 368-a  
2 to read as follows:

3 § 368-a. Intake forms for admission and residency. 1. The division, in  
4 cooperation with the office of temporary and disability assistance, the  
5 office of mental health and any other state department, office, division  
6 or agency the division deems necessary, shall require that all intake  
7 forms for admission or residency to any homeless shelter shall ask an  
8 applicant on their intake forms: "Have you ever served in the mili-  
9 tary?". Such homeless shelter shall in writing advise all individuals  
10 identifying themselves as having served in the United States military  
11 that the division of veterans' services and local veterans' service  
12 agencies established pursuant to section three hundred fifty-seven of  
13 this article provide assistance to veterans regarding benefits available  
14 under federal and state law. Such written information shall include the  
15 name, address and telephone number of the New York state division of  
16 veterans' services, the nearest division of veterans' services office,  
17 the nearest county or city veterans' service agency and the nearest  
18 accredited veterans' service officer. Every homeless shelter, with the  
19 permission of such individual's identifying himself as a veteran, shall  
20 transmit such veteran's status information to the division of veterans'  
21 services.

22 § 2. Section 2805-o of the public health law, as added by chapter 158  
23 of the laws of 1993, the section heading as amended by chapter 95 of the

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

LBD01922-02-1

1 laws of 2004, and subdivisions 2 and 3 as amended by section 22 of part  
2 AA of chapter 56 of the laws of 2019, is amended to read as follows:

3 § 2805-o. Identification of veterans and their spouses by nursing  
4 homes [~~and~~], residential health care facilities and assisted living  
5 residences. 1. Every nursing home and residential health care facility  
6 as defined in subdivisions two and three of section two thousand eight  
7 hundred one of this article and assisted living residences as defined in  
8 section forty-six hundred fifty-one of this chapter shall keep and main-  
9 tain accurate records identifying veterans and their spouses residing  
10 within such facilities. Such information shall be solicited by nursing  
11 home and/or residential health care facility staff upon a patient's  
12 admission, noted on the admission form, and included with the patient's  
13 file by asking the question "Have you ever served in the United States  
14 military?". In the case of patients currently residing at such nursing  
15 homes or residential health care facilities, staff shall solicit such  
16 information by asking the question "Have you ever served in the United  
17 States military?" from each patient residing at such institution and  
18 update the patient's file to indicate veteran status.

19 2. Every nursing home [~~and~~], residential health care facility and  
20 assisted living residences shall in writing advise all individuals iden-  
21 tifying themselves as veterans or spouses of veterans that the division  
22 of veterans' services and local veterans' service agencies established  
23 pursuant to section three hundred fifty-seven of the executive law to  
24 provide assistance to veterans and their spouses regarding benefits  
25 under federal and state law. Such written information shall include the  
26 name, address and telephone number of the New York state division of  
27 veterans' services, the nearest division of veterans' services office,  
28 the nearest county or city veterans' service agency and the nearest  
29 accredited veterans' service officer.

30 3. Every nursing home [~~and~~], residential health care facility and  
31 assisted living residence, [~~upon request~~] with the permission of indi-  
32 viduals identifying themselves as veterans or spouses of veterans, shall  
33 transmit such veteran status information to the division of veterans'  
34 services.

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

38 § 3. This act shall take effect on the one hundred twentieth day after  
39 it shall have become a law. Effective immediately, the addition, amend-  
40 ment and/or repeal of any rule or regulation necessary for the implemen-  
41 tation of this act on its effective date are authorized to be made and  
42 completed on or before such date.