

STATE OF NEW YORK

5063

2025-2026 Regular Sessions

IN SENATE

February 18, 2025

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

AN ACT to amend the public health law and the veterans' services law, in relation to veteran information collected by certain facilities

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

1 Section 1. Subdivisions 1 and 3 of section 2805-o of the public health
2 law, as amended by chapter 75 of the laws of 2022, are amended to read
3 as follows:
4 1. Every nursing home and residential health care facility as defined
5 in subdivisions two and three of section two thousand eight hundred one
6 of this article and every adult care facility licensed and certified by
7 the department pursuant to title two of article seven of the social
8 services law or article forty-six-B of this chapter, including all adult
9 homes, enriched housing programs, residences for adults, assisted living
10 programs, and assisted living residences shall keep and maintain accu-
11 rate records identifying veterans and their spouses residing within such
12 facilities. Such information shall be solicited by nursing home and/or
13 residential health care facility staff upon a patient's admission, noted
14 on the admission form, and included with the patient's file by asking
15 the [~~question~~] questions "Have you or your spouse ever served in the
16 United States military?" and "Do you have a service-connected disability
17 rating through the federal VA (department of veterans affairs)?". In the
18 case of patients currently residing at such nursing homes or residential
19 health care facilities, staff shall solicit such information by asking
20 the [~~question~~] questions "Have you or your spouse ever served in the
21 United States military?" and "Do you have a service-connected disability
22 rating through the federal VA (department of veterans affairs)?" from
23 each patient residing at such institution and update the patient's file
24 to indicate veteran status.

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

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1 3. Every nursing home, residential health care facility and every
2 adult care facility licensed and certified by the department pursuant to
3 title two of article seven of the social services law or article forty-
4 six-B of this chapter, including all adult homes, enriched housing
5 programs, residences for adults, assisted living programs, and assisted
6 living residences, with the permission of individuals identifying them-
7 selves as veterans or spouses of veterans, shall transmit [~~such~~] all
8 veteran status information acquired pursuant to subdivision one of this
9 section to the [~~division~~] department of veterans' services.

10 § 2. Section 7 of the veterans' services law, as amended by chapter
11 449 of the laws of 2024, is amended to read as follows:

12 § 7. Information on status of veterans receiving assistance. Depart-
13 ments, divisions, bureaus, boards, commissions and agencies of the state
14 and political subdivisions thereof, which provide assistance, treatment,
15 counseling, care, supervision or custody in service areas involving
16 health, mental health, family services, criminal justice or employment,
17 including but not limited to the office of addiction services and
18 supports, office of mental health, office of probation and correctional
19 alternatives, office of children and family services, office of tempo-
20 rary and disability assistance, department of health, department of
21 labor, local workforce investment boards, office for people with devel-
22 opmental disabilities, and department of corrections and community
23 supervision, shall request assisted persons to provide information with
24 regard to their veteran status and military experiences. Individuals
25 identifying themselves as veterans, including individuals requesting and
26 obtaining a veteran notation on such individual's driver's license or
27 non-driver identification card pursuant to sections four hundred ninety
28 and five hundred two of the vehicle and traffic law, shall be advised
29 that the department of veterans' services and local veterans' service
30 agencies established pursuant to section fourteen of this article
31 provide assistance to veterans regarding benefits under federal and
32 state law. Information regarding veterans status and military service
33 provided by assisted persons solely to implement this section shall be
34 protected as personal confidential information under article six-A of
35 the public officers law against disclosure of confidential material, and
36 used only to assist in the diagnosis, treatment, assessment and handling
37 of the veteran's problems within the agency requesting such information
38 and in referring the veteran to the department of veterans' services for
39 information and assistance with regard to benefits and entitlements
40 under federal and state law. Any information on veteran status received
41 under section twenty-eight hundred five-o of the public health law shall
42 be documented internally and transmitted to the nearest office of the
43 department, the nearest county or city veterans' services agency, and
44 the nearest accredited veterans' service officer.

45 § 3. This act shall take effect one year after it shall have become a
46 law. Effective immediately, the addition, amendment and/or repeal of any
47 rule or regulation necessary for the implementation of this act on its
48 effective date are authorized to be made and completed on or before such
49 effective date.