

# STATE OF NEW YORK

8968--A

Cal. No. 225

## IN SENATE

January 21, 2026

Introduced by Sens. SCARCELLA-SPANTON, ADDABBO, GALLIVAN, ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the mental hygiene law, in relation to establishing a veteran suicide mortality review board

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

1 Section 1. The mental hygiene law is amended by adding a new article  
2 79-A to read as follows:

### ARTICLE 79-A

#### VETERAN SUICIDE MORTALITY REVIEW BOARD

5 Section 79.51 Veteran suicide mortality review board; establishment and  
6 purpose.

7 79.53 Membership.

8 79.55 Powers and duties.

9 79.57 Reporting.

10 79.59 Staffing and resources.

11 § 79.51 Veteran suicide mortality review board; establishment and  
12 purpose.

13 1. There is hereby established within the office, in consultation with  
14 the department of health and the department of veterans' services, a  
15 veteran suicide mortality review board, hereinafter "the board".

16 2. The board is authorized to conduct a multidisciplinary review of  
17 suicide deaths among veterans and shall perform the following tasks:

18 (a) identify trends and systemic factors contributing to veteran  
19 suicide;

20 (b) assess gaps in services, access to care, and institutional prac-  
21 tices;

22 (c) develop evidence-based recommendations for prevention and policy  
23 improvement;

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

LBD14433-05-6

1 (d) promote collaboration among relevant state, local, and federal  
2 agencies; and

3 (e) identify initiatives or make recommendations that would enhance or  
4 build upon New York state's participation in federal veteran suicide  
5 programs, including the U.S. Substance Abuse and Mental Health Services  
6 Administration/VA Suicide Mortality review framework and the Governor's  
7 Challenge to Prevent Veteran Suicide.

8 3. As used in this article the term "veteran" shall have the same  
9 meaning as defined in subdivision ten of section six hundred seventy-  
10 seven of the county law.

11 § 79.53 Membership.

12 1. The board shall be composed of at least thirteen members appointed  
13 by the governor including the following:

14 (a) the commissioner of health, or their designee;

15 (b) the commissioner of mental health, or their designee who shall be  
16 the chair of the board;

17 (c) the state commissioner of veterans' services, or their designee;

18 (d) two representatives of county medical examiners or coroners;

19 (e) one representative from the state conference of local mental  
20 hygiene directors established under article forty-one of this chapter;

21 (f) two licensed clinicians experienced in mental health and suicide  
22 prevention;

23 (g) two public health experts with experience in mortality review or  
24 epidemiology; and

25 (h) up to three additional members with expertise in veterans' issues,  
26 community mental health, or suicide prevention.

27 2. Members shall serve for three year terms, and may serve until a  
28 successor is appointed.

29 3. A majority of the membership of the board shall constitute a  
30 quorum.

31 4. When any member of the board fails to attend three consecutive  
32 regular meetings, unless such absence is for good cause, that membership  
33 may be deemed vacant for purposes of the appointment of a successor.

34 5. Meetings of the board shall be held at least twice a year but may  
35 be held more frequently as deemed necessary, subject to request of the  
36 office.

37 6. Members of the board shall be indemnified under section seventeen  
38 of the public officers law.

39 7. Members of the board shall not be compensated for their partic-  
40 ipation on the board but shall receive reimbursement for their ordinary  
41 and necessary expenses of participation.

42 8. Membership on the board shall not disqualify any person from hold-  
43 ing any public office or employment.

44 § 79.55 Powers and duties.

45 1. The board shall have the following powers and duties:

46 (a) Case review of deaths by suicide of individuals identified as  
47 veterans, including those recently separated from military service. In  
48 addition to any other information collected pursuant to this article,  
49 the board shall review completed forms received from the department of  
50 veterans' services pursuant to subdivision thirty-five of section four  
51 of the veterans' services law. The board shall assess the cause of  
52 suicide, factors leading to suicide, and the preventability for each  
53 suicide death reviewed.

54 (b) Coordination with federal and state partners, including U.S.  
55 Substance Abuse and Mental Health Services Administration (SAMHSA), the  
56 U.S. Department of Veterans Affairs (VA), and other agencies involved in

1 veteran suicide prevention. The commissioner is authorized to enter into  
2 memoranda of understanding with the federal government to facilitate  
3 such cooperation including data sharing and access to relevant records,  
4 including but not limited to VA records, provided that the commissioner  
5 shall ensure that such agreements adequately protect the confidentiality  
6 of veteran information consistent with state law.

7 (c) Issue evidence-based recommendations for system improvements,  
8 policy, and preventive interventions.

9 2. The commissioner may request and shall receive upon request from  
10 any department, division, board, bureau, commission, local health  
11 departments or other agency of the state or political subdivision there-  
12 of or any public authority, such information, including but not limited  
13 to death records, medical records, autopsy reports, toxicology reports,  
14 hospital discharge records, and any other information that will help the  
15 board under this section to properly carry out its functions, powers and  
16 duties.

17 3. The commissioner shall receive and may solicit voluntary informa-  
18 tion, including oral or written statements, relating to any veteran  
19 suicide death or suicide attempt from any family member or other inter-  
20 ested party, including the veteran in a case of suicide attempt, relat-  
21 ing to any case that may come before the board. Oral statements received  
22 under this paragraph shall be transcribed or summarized in writing. The  
23 commissioner shall transmit such information to the board.

24 4. Before transmitting any information to the board, the commissioner  
25 shall remove all personally identifying information of the veteran,  
26 health care practitioner or practitioners, or anyone else individually  
27 named in such information, as well as the hospital or facility that  
28 treated the veteran, if applicable, and any other information, such as  
29 geographic location, that may inadvertently identify the veteran, prac-  
30 titioner or facility. This subdivision shall not preclude the transmit-  
31 ting of information to the board that is reasonably necessary to enable  
32 the board to perform an appropriate review under this section.

33 5. The commissioner and the board shall each keep confidential any  
34 information collected or received under this article that includes  
35 personally identifying information of the veteran, health care practi-  
36 tioner or practitioners or anyone else individually named in such infor-  
37 mation, as well as the hospital or facility that treated the veteran, if  
38 applicable, and any other information such as geographic location that  
39 may inadvertently identify the veteran, practitioner or facility, and  
40 shall use the information provided or received under this section solely  
41 for the purposes of improvement of the quality of health care of veter-  
42 ans and to prevent veteran suicide. This subdivision shall not preclude  
43 the transmitting of information to the board that is reasonably neces-  
44 sary to enable the board to perform an appropriate review under this  
45 section.

46 6. All records received, meetings conducted, reports, except those  
47 reports required to be issued by the board pursuant to this article, and  
48 records made and maintained by the board, and all books and papers  
49 obtained by the board shall be confidential and shall not be made open  
50 or available, including under article six of the public officers law,  
51 with access limited only to board members and those authorized in writ-  
52 ing by the commissioner. Such information shall not be discoverable or  
53 admissible as evidence in any action in any court or before any other  
54 tribunal, board, agency or person.

55 § 79.57 Reporting.

1 1. No later than one year after its first meeting and each year there-  
2 after, the board shall submit an annual report to the governor, the  
3 legislature, the commissioner, the commissioner of veterans' services  
4 and the commissioner of health summarizing:

5 (a) the board's activities including the number of veteran suicide  
6 cases reviewed;

7 (b) the number of apparent veteran suicide deaths reported by coroners,  
8 coroner's physicians or medical examiners pursuant to subdivision  
9 ten of section six hundred seventy-seven of the county law;

10 (c) trends in veteran suicides statewide, including at a minimum the  
11 most common methods of suicide;

12 (d) systemic gaps or failures contributing to veteran suicide deaths;  
13 and

14 (e) demographic information about veterans who die by suicide, includ-  
15 ing age, sex, race or ethnicity, county of residence and to the extent  
16 relevant and practicable, information about military service and medical  
17 history, including military discharge status, time elapsed since date of  
18 discharge or release from military service and date of death, service on  
19 federal or state active duty including the time and place of such  
20 service, eligibility for and/or use of VA health care services, and  
21 physical or mental health conditions including service-connected disa-  
22 bilities; and

23 (f) any other findings deemed relevant by the board, as well as the  
24 board's recommendations for policy, practice, and program improvements  
25 or best practices to contribute to the prevention of veteran suicide.

26 2. The report shall protect individual privacy, presenting only de-i-  
27 dentified or aggregated data.

28 3. The report shall also be made publicly available on the websites of  
29 the office, the department of health and the department of veterans'  
30 services.

31 § 79.59 Staffing and resources.

32 The office shall provide administrative support, staffing, and analyt-  
33 ical capacity necessary for the board to fulfill its duties. The board  
34 may also utilize existing federal or state funding, technical assist-  
35 ance, and data systems, including those provided by U.S. Substance Abuse  
36 and Mental Health Services Administration and U.S. Department of Veter-  
37 ans Affairs programs.

38 § 2. This act shall take effect on the one hundred eightieth day after  
39 it shall have become a law. The veteran suicide mortality review board  
40 established by section one of this act shall convene its first meeting  
41 within ninety days of such effective date.