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:

Section 1. Subdivisions 1 and 3 of section 2805-o of the public health law, as amended by chapter 75 of the laws of 2022, are amended to read as follows:

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 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~~] **questions** "Have you or your spouse ever served in the United States military?" **and "Do you have a service-connected disability rating through the federal VA (department of veterans affairs)?"**. 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~~] **questions** "Have you or your spouse ever served in the United States military?" **and "Do you have a service-connected disability rating through the federal VA (department of veterans affairs)?"** from each patient residing at such institution and update the patient's file to indicate veteran status.

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

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3. Every nursing home, residential health care facility and 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~~] **all** veteran status information **acquired pursuant to subdivision one of this section** to the [~~division~~] **department** of veterans' services.

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

§ 7. Information on status of veterans receiving assistance. Departments, divisions, bureaus, boards, commissions and agencies of the state and political subdivisions thereof, which provide assistance, treatment, counseling, care, supervision or custody in service areas involving health, mental health, family services, criminal justice or employment, including but not limited to the office of addiction services and supports, office of mental health, office of probation and correctional alternatives, office of children and family services, office of temporary and disability assistance, department of health, department of labor, local workforce investment boards, office for people with developmental disabilities, and department of corrections and community supervision, shall request assisted persons to provide information with regard to their veteran status and military experiences. Individuals identifying themselves as veterans, including individuals requesting and obtaining a veteran notation on such individual's driver's license or non-driver identification card pursuant to sections four hundred ninety and five hundred two of the vehicle and traffic law, shall be advised that the department of veterans' services and local veterans' service agencies established pursuant to section fourteen of this article provide assistance to veterans regarding benefits under federal and state law. Information regarding veterans status and military service provided by assisted persons solely to implement this section shall be protected as personal confidential information under article six-A of the public officers law against disclosure of confidential material, and used only to assist in the diagnosis, treatment, assessment and handling of the veteran's problems within the agency requesting such information and in referring the veteran to the department of veterans' services for information and assistance with regard to benefits and entitlements under federal and state law. **Any information on veteran status received under section twenty-eight hundred five-o of the public health law shall be documented internally and transmitted to the nearest office of the department, the nearest county or city veterans' services agency, and the nearest accredited veterans' service officer.**

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