§ 2632. Admission to home. 1. Every veteran of the armed forces of the United States, who (i) (A) was separated or discharged under honorable conditions after serving on active duty therein for a period of not less than thirty days, or (B) has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, or (C) is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, or (ii) (A) was separated or discharged under honorable conditions after serving on active duty therein for a period of not less than thirty days or (B) has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, or (C) is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, and who was a recipient of the armed forces expeditionary medal, navy expeditionary medal or marine corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November twenty-first, nineteen hundred eighty-three, or in Panama from December twentieth, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, or in Bosnia and Herzgegovina from November twenty-first, nineteen hundred ninety-five to November first, two thousand seven, or was a recipient of the Kosovo campaign medal or (iii) (A) was separated or discharged under honorable conditions after serving on active duty therein for a period of not less than thirty days or (B) has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, or (C) is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or

dishonorable after serving on active duty therein for a period of not less than thirty days, and who served during the period of actual hostilities of either

(a) the Spanish-American war; or

(b) the incidental insurrection in the Philippines prior to July fourth, nineteen hundred two; or

(c) world war I between April sixth, nineteen hundred seventeen and November eleventh, nineteen hundred eighteen, both inclusive; or

(d) world war II between December seventh, nineteen hundred forty-one and December thirty-first, nineteen hundred forty-six, both inclusive, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense, or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or who served

as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (iv) was discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service; or

(e) Korean conflict between June twenty-seventh, nineteen hundred fifty and January thirty-first, nineteen hundred fifty-five, both inclusive; or

(f) Viet Nam conflict between November first, nineteen hundred fifty-five and May seventh, nineteen hundred seventy-five, both inclusive; or

(g) veterans who served in the United States military and were exposed to radiation during military service in a "radiation-risk activity" defined as participation in the occupation of Hiroshima or Nagasaki, Japan between August sixth, nineteen hundred forty-five through July first, nineteen hundred forty-six; were prisoners of war in Japan during World War II; onsite participation in a test involving the atmospheric detonation of a nuclear device, whether or not the testing nation was the United States; or

(h) in the Persian Gulf conflict from the second day of August, nineteen hundred ninety to the end of such conflict including military service in Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn or Operation Inherent Resolve and was the recipient of the global war on terrorism expeditionary medal or the Iraq campaign medal or the Afghanistan campaign medal; and who was a resident of the state of New York at the time of entry upon such active duty or who shall have been a resident of this state for six months next preceding the application for admission shall be entitled to admission to said home after the approval of the application by the board of visitors,

subject to the provisions of this article and to the conditions, limitations and penalties prescribed by the regulations of the department. Any such veteran or dependent, who otherwise fulfills the requirements set forth in this section, may be admitted directly to the skilled nursing facility or the health related facility provided such veteran or dependent is certified by a physician designated or approved by the department to require the type of care provided by such facilities.

2. The unremarried surviving spouse as such term is defined under section 101 of title thirty-eight of the United States Code of any such veteran, or the unremarried surviving spouse, mother or father of any such member of the armed forces of the United States who died while on active duty, notwithstanding the length of such service, shall be entitled to admission to said home after the approval of the application by the board of visitors, subject to the provisions of this article and to the conditions, limitations and penalties prescribed by the regulations of the department and by the secretary of the United States department of veterans affairs.

3. The spouse, as such term is defined under section 101 of title thirty-eight of the United States Code, of any such veteran, unless such veteran and his or her spouse have been legally separated, shall be entitled to admission to said home after the approval of the application by the board of visitors, subject to the provisions of this article and to the conditions, limitations and penalties prescribed by the regulations of the department and by the secretary of the United States department of veterans affairs.

4. No spouse or unremarried surviving spouse of such a veteran shall be admitted as a resident of said home unless married to such veteran at least one year prior to the date of application.

5. Preference in admission shall be given as follows: first, to veterans accompanied by their spouses based upon severity of illness or disability and need for care; second, to other eligible veterans pursuant to clause (ii) or (iii) of subdivision one of this section

based upon severity of illness or disability and need for care and the order of the date of the conflict or operation listed in such clauses; third, to other eligible veterans pursuant to clause (i) of subdivision one of this section based upon severity of illness or disability and need for care; fourth, to spouses and unremarried surviving spouses based upon severity of illness or disability and need for care; fifth, to mothers and fathers based upon severity of illness or disability and need for care.

6. The board of visitors shall require an applicant for admission to such home to file an affidavit of New York state residence and the affidavits of at least two householders in and residents of the county in New York state of which the applicant claims at the time of such application to be a resident; and such affidavits shall, on presentation, be accepted and received as sufficient proof, unless contradicted, of the residence of such applicant in any actions or proceedings against such county in which such residence of such applicant is material.

7. The regulations of the department shall require that each applicant for admission shall furnish a certification of all property of which he or she is possessed and of all sources of income and that, following admission, each resident shall be required to furnish further certifications as to such facts from time to time, but not oftener than at intervals of twelve months, and shall also require the payments by residents of the home from such resources or income, or both, such amounts in payment on account of the care and maintenance provided by the home as the department shall find to be reasonable.