

2020 Annual Report

New York State

Division of Veterans' Services

*Celebrating 75 Years of Service to New York's Veteran Families*

Joel Evans, Executive Deputy Director

2 Empire State Plaza, 17<sup>th</sup> Floor

Albany, New York 12223

518-474-6114

[www.veterans.ny.gov](http://www.veterans.ny.gov)

# Table of Contents

[Table of Contents](#)

[About the Division](#)

[Mission](#)

[Executive Deputy Director's Message](#)

[Serving New York's Veterans in 2020](#)

[By the Numbers: Serving Veterans and Their Families in 2020](#)

[Annual Budget – FY 2020-21](#)

[Division of Veterans' Services Highlights in 2020](#)

[I. Direct Agency Services to Veterans and their Family Members](#)

[II. New Statewide Initiatives and Programs for Veterans and their Families](#)

[Restoration of Honor Act](#)

[Combating Food Insecurity for Veterans & Military Families](#)

[Honoring Gold Star Families](#)

[Legal Services Collaborations](#)

[Enhancing Appellate Advocacy for Veterans and their Families](#)

[Digitizing Claims Preparation, Presentation & Prosecution Statewide](#)

[III. DVS Partnerships with Other Government Entities](#)

[FreshConnect Checks](#)

[Cultivating a Collaborative Continuous Learning Network](#)

[Governor's Challenges to Prevent Suicide Among Service Members, Veterans, and their Families \(SMVF\)](#)

[New York State Legislation Directly Affecting Veterans](#)

[Restoration of Honor](#)

[Health and General Services](#)

[Homeless Veterans Assistance and the Veterans' Remembrance and Cemetery Maintenance and Operation Funds Report](#)

[Supplemental Burial Allowance Report](#)

[Gold Star Parent Annuity Program Report](#)

[Women Veterans and Diversity, Equity & Inclusion Report](#)

[Outreach Activities](#)

## About the Division

The New York State Executive Department created the Division of Veterans' Services (DVS) in 1945, tasking the Division with assisting returning World War II Service Members in their readjustment from military to civilian life. This objective soon expanded to encompass New York State's Veterans, Service Members, and their families from all eras. For the past 75 years, the Division has subsequently connected generations of Veterans, members of the Armed Forces and Uniformed Services, and their families and dependents to various economic, medical, and social benefits and services earned due to military service.

## Mission

The Division of Veterans' Services represents all of New York's Veterans, Service Members, and their families. At all times, we provide quality support, advice, and advocacy for New York State's Veterans, Service Members, and their family members, helping them obtain State and Federal benefits earned by their service to New York State and the United States of America.

## Executive Deputy Director's Message

We entered the year 2020 with great expectations as the Division of Veterans' Services (DVS) prepared to celebrate its 75th year of serving New York Veterans and their families. The celebrations came to an abrupt halt in March due to the shutdowns imposed by COVID-19.

We rose to the new challenges by creating a new work-from-home model of service delivery. Fortunately, DVS was ahead of the curve, as the agency already had the training, tools, and technology in place to achieve success in this "new normal." DVS did not skip a beat during these critical months, and the agency identified challenges and found efficient and effective solutions so we could continue our mission of serving those who served us.

DVS became a model for the state and the Veteran community. Soon after the shutdown, we started to submit claims directly to the U.S. Department of Veterans Affairs (VA) electronically. Our newly formed Appellate Unit continued holding virtual hearings for Veterans who needed resolution from the VA and could not afford any further delays. Our Learning Team trained our staff remotely and provided valuable training resources to our county and non-profit partners. The Learning Team conducted the Division's two Annual Refresher Trainings remotely, which provided the opportunity to invite guest speakers from different geographical locations to present. The Learning Team was also responsible for delivering quarterly training sessions for our staff and our partners that have been accredited by DVS.

This year also marked a year of growth with our county partners and stakeholders. Today, we have accredited 69 Veteran Service Officers in 28 county, municipal, and not-for-profit Veterans Service Agencies and Veterans Service Organizations to use our Power of Attorney to submit claims to the Department of Veterans Affairs. We signed a historic partnership agreement with the American Legion Department of New York to share training, tools, and technology. This agreement will further benefit our Veterans and family members of New York by ensuring there is no service delivery gap for the Veterans living

in our state. On Veterans Day, we signed a Memorandum of Understanding with the Columbia Lighthouse Project to provide suicide prevention training to all DVS accredited staff and institute a new "Ask Your Fellow Veterans Service Officer" initiative. This suicide prevention initiative offers Veteran Service Officers the tools to care for their mental health when potentially being re-traumatized while assisting Veterans with trauma.

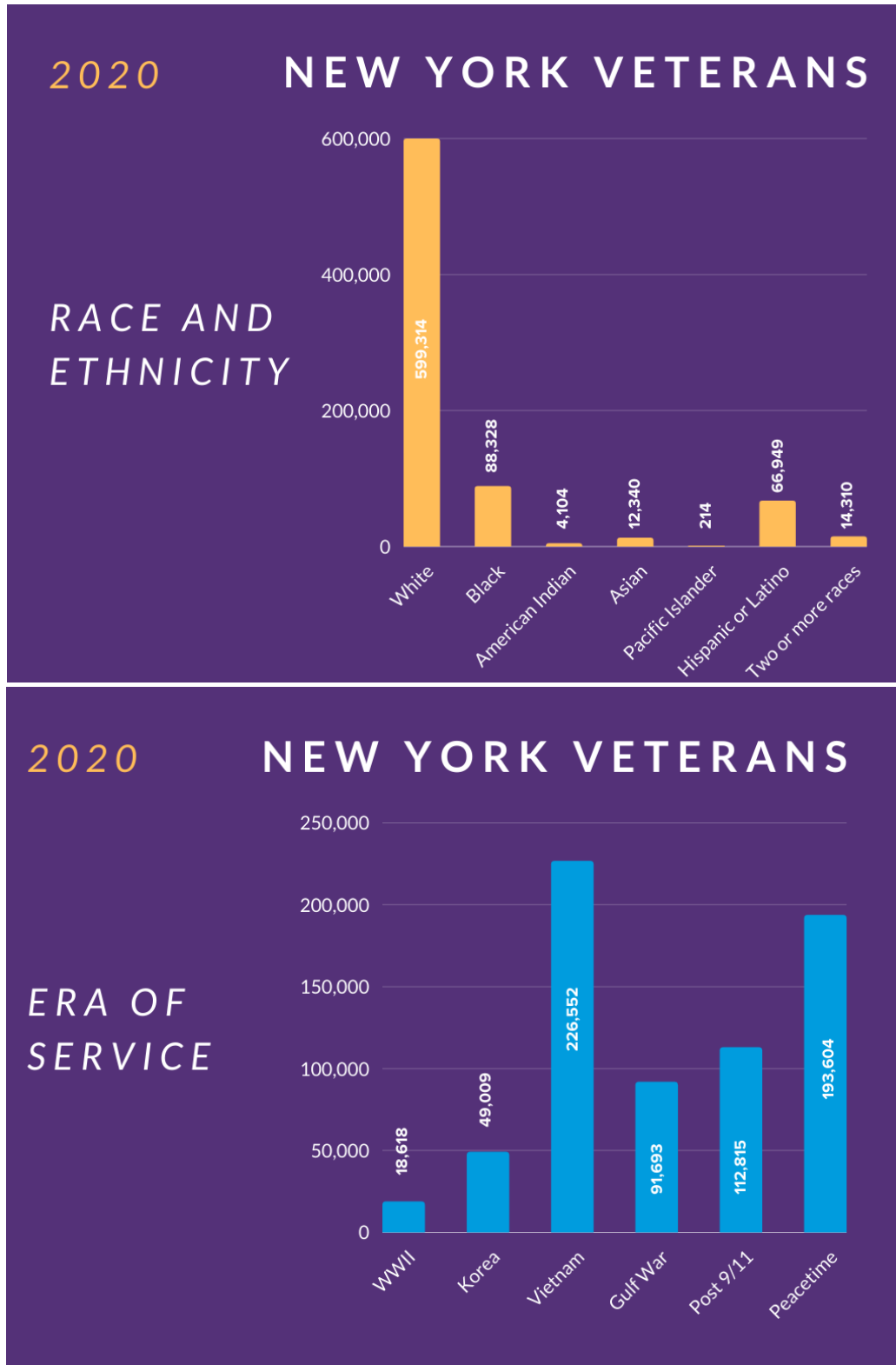
Though the pandemic has been difficult for all, you will see through this report that the Division of Veterans' Services continues its mission to care for New York's Veterans and their families.

Be well and be safe,

Joel Evans

Executive Deputy Director

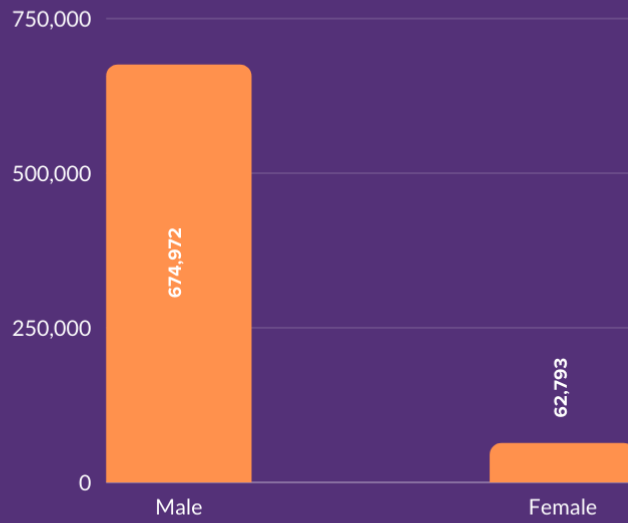
## Serving New York's Veterans in 2020



2020

## NEW YORK VETERANS

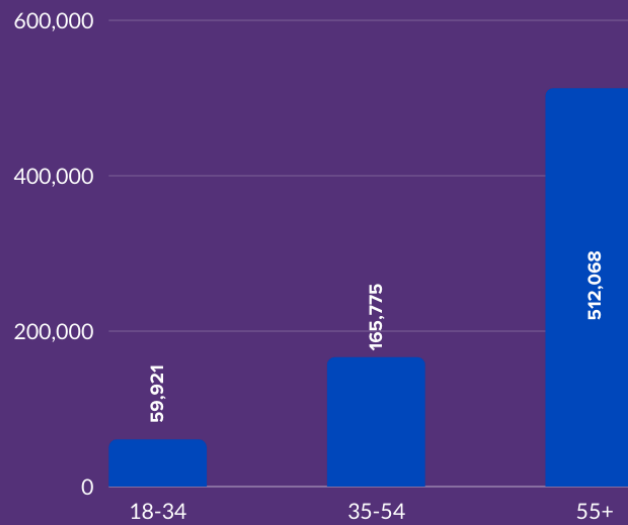
GENDER



2020

## NEW YORK VETERANS

AGE



## By the Numbers: Serving Veterans and Their Families in 2020

|   |               |
|---|---------------|
| Total Number of Veterans in New York                              | 737,765       |
| Division of Veterans' Services (DVS) Offices                      | 55            |
| VA-Accredited DVS Employees                                       | 76            |
| Money Awarded in Claims Filed by DVS Advisors (monthly recurring) | \$65 million  |
| Total Number of Blind Annuitants                                  | 3,385         |
| Total Amount of Blind Annuity Payments                            | \$4,941,756   |
| Total Number of Gold Star Parents                                 | 214           |
| Total Amount of Gold Star Parent Annuity Payments                 | \$111,322     |
| New York Residents Using Post G.I. Bill Education Benefits        | 29,313        |
| G.I. Bill-Approved Educational Facilities in New York             | 2,001         |
| Money that G.I. Bill-Approved Programs Brought Into New York      | \$590,541,000 |
| Residents of State Veterans Nursing Homes                         | 460           |



|   |                      |
|---|----------------------|
| Percentage of Beds Filled in State Veterans Nursing Homes                 | 74.75%               |
| Drivers' Licenses with Veteran Notation Issued                            | 23,951 <sup>1</sup>  |
| Businesses Certified as Service-Disabled Veteran-Owned Businesses         | 841 <sup>2</sup>     |
| Veterans Currently Listed in the State's Veterans Temporary Hiring Portal | 548                  |
| Veterans Currently Listed in the State's "55-c Program" Hiring Portal     | 345                  |
| Veterans with Disabilities Issued State Parks Lifetime Liberty Passes     | 1,165 <sup>3</sup>   |
| Number of Veterans Issued Lifetime Liberty Passes                         | 15,080               |
| Recipients of New York State's Veterans Real Property Tax Exemptions      | 503,052 <sup>4</sup> |

---

<sup>1</sup> Data from November 2020

<sup>2</sup> Data from November 2020

<sup>3</sup> Data from November 2020

<sup>4</sup> Data from 2019

## Annual Budget – FY 2020-21

|  |                     |
|--|---------------------|
| State Operations                                     |                     |
| Administration (General Fund)                        | \$480,000           |
| Veterans Benefits Advising Program (General Fund)    | \$6,242,000         |
| Veterans Education (Special Revenue Federal)         | \$2,025,000         |
| <b>Subtotal - State Operations</b>                   | <b>\$8,747,000</b>  |
| Aid to Localities                                    |                     |
| Aid to Localities (not including Community Projects) | \$12,284,000        |
| Special Revenue - Federal                            | \$500,000           |
| <b>Subtotal - Aid to Localities</b>                  | <b>\$12,784,000</b> |
| Reappropriations                                     |                     |
| State Operations                                     | \$4,627,000         |
| Aid to Localities                                    | \$12,813,000        |
| <b>Total reappropriations</b>                        | <b>\$17,440,000</b> |
|  |                     |
| <b>Agency Total</b>                                  | <b>\$38,971,000</b> |

## Division of Veterans' Services Highlights in 2020

### I. Direct Agency Services to Veterans and their Family Members

#### Veterans Benefits Advisors Assisting Veterans and their Families

The most extensive single program in the Division of Veterans' Services (DVS) is the Veterans Benefits Advising Program. The agency's Veterans Benefits Advisors, all of whom are Veterans accredited by the United States Department of Veterans Affairs (VA), secure and maintain a substantial portion of the federal VA benefits paid annually to Veterans and their dependents in New York State. Veterans Benefits Advisors currently staff 55 field offices located throughout every region of New York.

In 2020, DVS's Veterans Benefits Advisors filed 7,050 claims and generated more than \$65 million in new and recurring monthly VA benefits payments for New York State Veterans and their dependents. DVS files primarily Fully Developed Claims, significantly reducing the VA's processing time and the waiting period before the claimant starts receiving benefits. Additionally, DVS's Veterans Benefits Advisors help Veterans access the VA's network of health care, State Veterans' Homes, and nursing homes, as well as many local public assistance programs and private venues offering initiatives to assist Veterans and their families.

## Veterans Education Program

The Veterans Education Program staff, stationed at office locations in Albany and New York City, investigates and approves post-secondary educational and vocational institutions after determining whether they provide a legitimate and quality education. This federally mandated approval process enables Veterans and their dependents to use VA educational benefits at academic institutions and facilities throughout New York.

There are 2,001 approved educational programs in New York State, with around 29,313 Veterans presently utilizing these educational opportunities. These programs currently bring approximately \$590,541,000 into New York State.

## Gold Star Parent Annuity Program

New York's Gold Star Parents — mothers and fathers (including adoptive and step-parents) of Service Members killed in action, as defined by federal law — are eligible to receive a biannual annuity payment from the State. As of November 2020, a total of approximately 214 New York Gold Star Parents receive this annuity from the State in bi-annual installments. In 2020, New York State paid a total of \$111,322.80 to Gold Star Parent Annuitants.

In 2018 Governor Cuomo signed a bill raising the annual amount of the Gold Star Parent Annuity. This new legislation amended the Executive Law to provide a yearly increase in the rate of compensation for Gold Star Parents. It allows for an annual increase at a rate equal to the percentage increase of benefits set by the U.S. Department of Veterans Affairs. The Gold Star Parent Annuity annual payout for 2021 will be \$525, an increase of 1.3% over the current amount.

All Gold Star Parents residing and domiciled in New York State are eligible for this annuity, regardless of their household income.

## Blind Annuity Program

New York State provides an annuity for legally blind wartime Veterans and un-remarried surviving spouses of legally blind wartime Veterans who reside and are domiciled within New York State. Blindness need not be a service-connected disability to qualify. DVS evaluates eligibility for all Blind Annuity applicants. As of November 2020, an average of 3,385 New York Blind Annuitants received this annuity from the State on a monthly basis. In 2020, New York State paid a total of \$4,941,756 to Blind Annuitants. In 2021, the annual Blind Annuity payout will be \$1,482 for each recipient.

## Supplemental Burial Allowance

New York State's Supplemental Burial Allowance helps defray funeral and interment costs for Service Members dying inside a combat zone or from wounds sustained in combat. This program reimburses family members for up to \$6,000 in documented funeral and interment expenses not covered by federal benefits.

In 2020, no reimbursement requests were made from the Supplemental Burial Allowance.

## Indigent Burial Reimbursements

All individuals who served in this nation's military merit a dignified final resting place. To ensure this, DVS provides reimbursement of up to \$2,000 to a Congressionally chartered Veterans Service Organization or Veterans Service Agency when their county or municipal government requests that they cover the funeral and interment costs of a Veteran who passed away without sufficient funds to pay for these services.

This year, with the number of deaths unfortunately high due to the COVID-19 pandemic, this indigent burial reimbursement program provided more than \$120,000 to defray these funeral and interment costs.

## II. New Statewide Initiatives and Programs for Veterans and their Families

### Restoration of Honor Act

In 2019, Governor Cuomo signed the Restoration of Honor Act into law in New York State. The Restoration of Honor Act authorizes DVS to restore access to State Veterans Benefits to Veterans who have an Other-Than-Honorable Discharge (OTH) or a General Under Honorable Conditions Discharge due to any of the following:

- Sexual Orientation
- Gender Identity
- Post-Traumatic Stress Disorder (PTSD)
- Traumatic Brain Injury (TBI)
- Military Sexual Trauma (MST)

In November 2020, the Restoration of Honor Act became effective and decisions began to be sent out. DVS conducted its own digital campaigns across social media to further inform veterans and their families about the Restoration of Honor Act. Additionally, in an effort to spread awareness and gain consensus within the Veterans sphere on this program, DVS engaged in community partnerships with over 15 local organizations across the state through which the following action items (where applicable) were completed:

- Informed organization's public-facing staff about the Restoration of Honor Act;
- Discussed the Restoration of Honor Act during a virtual event with their community or clientele;
- Shared the Restoration of Honor Act information on their organization's website; and
- Shared the Restoration of Honor Act information via social media channels.

In an effort to ensure a seamless implementation process, training to our partner organizations, Veterans Service Organizations, and county partners were all conducted

prior to the effective date and continue to be made available to any organizations that request one. All state agencies with public-facing staff completed Restoration of Honor Act implementation training during 2020.

Those who receive an “honorable” discharge for the purposes of State Veterans Benefits through the Restoration of Honor Act are able to access over 50 potential benefits and programs that were previously unavailable to them. It also presents the opportunity for DVS staff to assist these veterans with upgrading their official discharge status with the Boards of Military Records for their service branch, creating an opportunity for further life-changing programs and benefits. In only a month-and-a-half of the Restoration of Honor Act’s existence, DVS received 22 Restoration of Honor Act applications. DVS has already granted seven favorable Restoration of Honor determinations, and is working with all of the other applicants to help them track down military records and medical records that will likely prove to be favorable to their cases. In December 2020, DVS and the New York State Bar Association also launched a new partnership where volunteer attorneys will provide *pro bono* assistance to Veterans seeking to file Restoration of Honor applications.

### Combating Food Insecurity for Veterans & Military Families

Veterans confront food insecurity throughout the United States at higher rates than members of the general population. Among Post-9/11 Veterans, for example, Veterans face food insecurity at twice the rate of the general public. The COVID-19 pandemic, and the resulting concurrent medical and economic crises, has only worsened the challenges that many of the courageous people who served this nation confront in putting nourishing food on their tables.

To support veterans and their families experiencing food insecurity during this crisis, DVS has worked in collaboration with multiple partners to facilitate an unprecedented endeavor to distribute healthy and nourishing meals to Veterans and their families, with a focus on Veterans and their family members facing food insecurity due to hardships imposed by the

COVID-19 pandemic. This initiative was made possible by Governor Cuomo's COVID-19 Philanthropic Fund.

Since June 2020, more than 300,000 nourishing meals in total have been distributed to Veterans confronting food insecurity throughout several counties in Western New York and in the five boroughs of New York City. Healthy meals have been provided by the HelloFresh corporation, from Nourish New York, and from the United States Department of Agriculture's Farmers-To-Families Food Boxes, and the state's Nourish New York program. Western New York Heroes in Williamsville and The Campaign Against Hunger in Brooklyn have served as host sites for this program, and volunteers – who sort, pack, and deliver these meals – have come from both of these organizations, as well as the New York City Department of Veterans' Services, Black Veterans for Social Justice, the National Association of Black Military Women, the New York State Health Foundation, Veterans One-Stop of Western New York, the Buffalo Police Department, the Niagara County Sheriff's Office, and more.

We are eternally grateful to these volunteers who have provided their time and talents each week during the summer, autumn, and winter months. Without them, this initiative would not have been possible.

### Honoring Gold Star Families

Memorial Day 2020 came with unprecedented challenges. Social distancing requirements necessitated by COVID-19 stopped many of the traditional in-person gatherings from occurring throughout the state. It was an honor for DVS to join forces with New York's chapter of the American Gold Star Mothers, and with Gold Star Family members throughout the state, to provide a moving online tribute that honored New Yorkers who made the ultimate sacrifice in defense of this state and nation.

We were privileged to welcome Joanne M. Steen — Gold Star Spouse, nationally certified grief and resilience counselor, and author of prizewinning books for Gold Star Families —



as our keynote speaker at this gathering. American Gold Star Mothers Chapter President Holly Baker provided remarks honoring the significance of Memorial Day and recognizing all who have given their lives in service to this nation, as did American Gold Star Mothers leaders Carrie Farley and Cindy Roberts. The Rev. Charlene Robbins offered a beautiful invocation. Gold Star Mother and visual artist Kathryn T. Cross spoke about the Tribute Journey, the nationwide program that she founded to hand-deliver her custom-made greeting cards to Veterans and Service Members from coast to coast. The program concluded with a moment of silence while a slideshow tribute played, displaying the photographs of loved ones who lost their lives in service to this nation, provided by Gold Star Families throughout New York State for this special presentation.

On September 27, 2020, DVS likewise honored Gold Star Families Day throughout the state in a unique and special way. That morning, Gold Star Families throughout New York received a digital card designed by DVS to honor the courage of these families and the service of their loved ones, along with a digital copy of Governor Cuomo's Gold Star Families Day Proclamation. That night, landmarks throughout the state — including One World Trade Center in New York City, the Mario M. Cuomo Bridge, the Alfred E. Smith Building in Albany, and the New York State Exposition Building in Syracuse — were illuminated in gold light to commemorate Gold Star Families in every region of New York.

It is our honor and our privilege to serve New York State's Gold Star Families in every way that we can. New York will always work on their behalf, keeping alive the memories of their loved ones who gave everything to defend this state and nation and the values for which they stand.

### Legal Services Collaborations

DVS's continued devotion to connecting Veterans with much-needed legal resources reached new heights this year. Despite all of the challenges that the COVID-19 pandemic posed, DVS remained a key conduit between Veterans and attorneys offering high-quality representation in a wide variety of practice areas, including landlord-tenant cases,

preparation of advance care directives, discharge upgrade appeals, and consumer protection matters.

The Justice For Heroes grant, now in its third consecutive year, provided funding to five law schools — Albany, Buffalo, Hofstra, Syracuse, and Touro — with clinics, pro bono projects, or practicums focused on addressing Veterans' previously unmet legal needs. DVS co-sponsored the annual Veterans Legal Clinic with the Feerick Center for Social Justice at Fordham Law School, working with the project's leadership to convert the clinic from an in-person program to a successful virtual program. NYS DVS did the same with leaders at other law schools, such as helping Albany Law School's Veterans' Rights Pro Bono Project organize a virtual town hall series on the impacts of COVID-19 on several key aspects of Veterans' Law and providing free access to the technological tools necessary to present this series.

DVS was honored to send a delegate this year to the Legal Services Corporation's new Veterans Task Force. Deputy Director for Program Development Benjamin Pomerance joined this group of civil legal services leaders from across the nation to help organize field hearings and a Veterans Day forum on several areas of national concern for Veterans and their families, including debtor-creditor cases, Family Law matters, Housing Law issues, discharge upgrade appeals, improving services for Veterans with "bad paper" discharges, and enhancing military cultural competency among the legal profession overall. The recommendations of the Legal Services Corporation's Veterans Task Force will be published in 2021.

DVS was also proud to continue its close collaboration with the Veterans Committee of the New York State Bar Association (NYSBA). In December 2020, DVS worked with NYSBA and the nationally recognized military cultural competency-focused not-for-profit PsychArmor Institute to establish a brand-new "Veterans-Ready Attorney" online training curriculum. Thanks to the generosity of PsychArmor Institute, attorneys in New York State are offered access to the courses in this training curriculum free of charge. Attorneys

completing all of the courses in this curriculum receive a “Veteran-Ready Attorney” designation, which they can share on their social media profiles and other forms of advertising, verifying to Veterans and their families that the attorney has gone the extra mile to gain a higher level of competency about military service and some of the challenges and experiences that can be unique to military service. This new collaboration will lead to a greater number of attorneys across New York State representing the legal interests of Veterans and their families with a higher level of cultural competency and overall knowledge.

DVS was also privileged to establish a new partnership with NYSBA this year focusing on the Restoration of Honor Act. Through this new collaboration, which went into effect on Veterans Day, attorneys throughout New York State can receive free Continuing Legal Education credits if they take a two-hour training on military cultural competency and the Restoration of Honor Act and then represent a Veteran free of charge in a Restoration of Honor Act application. This partnership will lead to better Restoration of Honor Act applications being presented to DVS, likely leading to faster adjudication and more favorable outcomes for these cases. Already, 18 attorneys have graciously volunteered their time to do this work.

Access to justice remains a necessity for Veterans and their families. DVS is grateful to continuously join forces with the many legal services organizations, law schools, law firms, and NYSBA leaders who devote their time and talents to serving the legal needs of the New Yorkers who have courageously served our state and nation.

### Enhancing Appellate Advocacy for Veterans and their Families

2020 was the first full year for DVS’s new Appellate Unit, which focuses primarily on representing New York’s Veterans and their families in appeals presented before the United States Board of Veterans’ Appeals.

During its inaugural year of work, the Appellate Unit prepared more than 180 appeals to present before the Board. For each of these appeals, the members of the unit developed a thoroughly researched and well-crafted brief, with accompanying exhibits, to present before the Veterans Law Judge assigned to each case. This level of specialized appellate attention permits DVS to bring forward high-quality appeals that maximize the chances of success in each case.

This year, the Appellate Unit also entered into DVS's first-ever partnership with the National Veterans' Legal Services Program (NVLSP). Through this new collaboration, NVLSP's attorneys review the Board of Veterans' Appeals' decisions in cases handled by DVS. If NVLSP identifies errors of law committed by the Board of Veterans' Appeals, NVLSP's attorneys will bring the case to the United States Court of Appeals for Veterans Claims – and, if necessary, to higher levels of appellate review such as the United States Court of Appeals for the Federal Circuit – at no financial cost to the claimant.

Lastly, the Appellate Unit staff serve as the adjudicators of the Restoration of Honor Act applications submitted by Veterans seeking restoration of eligibility to Veterans benefits offered by New York State. Under this new law, described in greater detail above, Veterans who unjustly received a General Under Honorable Conditions discharge or an Other Than Honorable Conditions discharge on the basis of their sexual orientation, gender expression, service-related post-traumatic stress disorder, traumatic brain injury, or military sexual trauma are able to gain eligibility for more than 50 Veterans' benefits that are based on the applicant's character of discharge.

### Digitizing Claims Preparation, Presentation & Prosecution Statewide

Office closures and remote work necessitated by COVID-19 created immediate challenges in a system historically based on person-to-person contact. In March, when the United States Department of Veterans Affairs closed their Regional Offices to the public in Buffalo and New York City, these difficulties intensified.

DVS quickly and successfully addressed this issue by working with Tyler Technologies, designers of DVS's web-enabled case management software (VetOps), and with the IT team at the VA. By embedding a new electronic interface into VetOps, DVS gained the ability to prepare a full claims package and deliver that claims package to the Department of Veterans Affairs virtually, without needing to print a single sheet of paper. This permitted DVS's Veterans Benefits Advisors to continue submitting claims and appeals for federal benefits without facing delays. It also allowed all of DVS's Veterans Benefits Advisors to receive an immediate date-stamped receipt verifying when the Department of Veterans Affairs received the claim package, ensuring that the Veteran received the correct effective date when the federal government granted the claim.

DVS was able to use COVID-19 emergency funding at the outset of the pandemic to purchase 50 additional concurrent user licenses for VetOps. This allowed DVS to offer access to VetOps to County and City Veterans Service Agencies across New York State free of charge. As a result, Veterans Service Officers throughout the state whose offices had closed due to the pandemic were able to continue serving Veterans and their families successfully within their jurisdictions.

### Expanding the National Purple Heart Hall of Honor

On Veterans Day 2020, DVS Executive Deputy Director Joel Evans was proud to join Lieutenant Governor Kathy Hochul for the dedication of the newly expanded National Purple Heart Hall of Honor in New Windsor, New York, the community in Orange County where George Washington established the Badge of Military Merit, the medal that inspired the modern-day Purple Heart. This dedication ceremony celebrated the completion of a \$17 million expansion of the Hall of Honor, adding 4,300 square feet of new and refurbished exhibit space that emphasizes the stories of the courageous individuals who earned the Purple Heart.

At this dedication ceremony, Lieutenant Governor Hochul unveiled a plaque honoring the life of service lived by the late New York State Senator William Larkin, Jr., a Veteran who

served honorably for 23 years in the United States Army, retiring as a Lieutenant Colonel. During Senator Larkin's 40 years of political service in the New York State Assembly and the New York State Senate, he earned a reputation as a staunch advocate for Veterans and military families. His efforts were instrumental in establishing the Purple Heart Hall of Honor in 2006 and subsequently securing \$10 million for the expansion and improvement of this hallowed ground that has become an iconic destination for Veterans and their families throughout the nation.

DVS has held several programs at the Hall of Honor since its inception, and looks forward to working with the Hall of Honor's devoted leadership to continue and strengthen this collaboration in the newly refurbished facility. Throughout DVS's outreach and advocacy efforts, we will continue to encourage Veterans who have earned the Purple Heart, and family members of Veterans who have earned the Purple Heart, to work with the Hall of Honor's leadership so the stories of their service will be told and always remembered.

### III. DVS Partnerships with Other Government Entities

#### FreshConnect Checks

The "FreshConnect" program began in 2014 as a collaboration between the Division of Veterans' Services and the New York State Department of Agriculture and Markets (AGM). The program gives booklets of "FreshConnect" checks to Veterans, Service Members, and members of their families worth \$2 a piece (\$20 total booklet value), redeemable for fresh food products at New York's farmer's markets.

2020 marked the sixth year of DVS's partnership with AGM to distribute FreshConnect Checks to Veterans, Service Members, and their families. Despite the new challenges brought by COVID-19, DVS distributed \$94,780 worth of FreshConnect checks during this year's farmers' market season. DVS adapted by creating an almost completely digital system for distribution and working closely with community organizations for the

distribution of FreshConnect checks. In the past six years, DVS has distributed more than 450,000 FreshConnect checks to Veterans, Service Members, and their families.

Feedback regarding this program from recipients and participants remains overwhelmingly positive. At the National Association of State Directors of Veterans Affairs conference in February 2020, DVS gained national recognition by receiving a “Pillars of Excellence” award from the Secretary of the United States Department of Veterans Affairs honoring the success of the FreshConnect program. DVS and AGM plan to resume this statewide partnership during the 2021 farmer’s market season.

### Cultivating a Collaborative Continuous Learning Network

The DVS Learning Team — Deputy Director Benjamin Pomerance, Associate Training Technicians Sue Doan and Will Smith, and Senior Training Technician Dennis Higgins — offer continuous education opportunities for Veterans Benefits Advisors within DVS and Veterans Service Officers throughout New York State, ensuring that advocates in New York are equipped with the best training, tools, and technologies for representing Veterans and their family members.

This year, the DVS Learning Team has developed and led two weeklong statewide online trainings. More than 140 people attended the first of these trainings, and more than 160 attended the second. The speakers at these trainings included Chief Judge Margaret Bartley of the United States Court of Appeals for Veterans Claims, Board of Veterans' Appeals Chairman Cheryl Mason, several highly experienced DVS subject-matter experts, and many of the nation's leading attorneys for Veterans and their families, including John Wells of Military-Veterans Advocacy, Beth Kubala of the Wohl Family Veterans Clinic at Syracuse University School of Law, Pete Kempner and Jessica Penkoff of Volunteers of Legal Service, Coco Culhane and Melissa Molfetas of Veteran Advocacy Project, Samantha Kubek of the New York Legal Assistance Group, and nationally recognized Elder Law attorney Victoria Collier — all of whom graciously donated their time and expertise to provide these trainings. These trainings covered topics ranging from discharge upgrade

appeals to non-service-connected pension cases to federal education benefits to a wide range of nuances regarding VA disability compensation claims. Also included in the trainings were key skills like client interviewing, evidence gathering and synthesis, and advocacy writing.

Learning Team members also offered many online topical trainings throughout the year, including trainings focused on: clear and unmistakable error cases; total disability based on individual unemployability determinations; legal standards regarding lay evidence; customer service strategies, taught by two experienced leaders at our partner SUNY Empire State College; and asbestos exposure claims, taught by nationally recognized expert Aaron Munz. Most recently, the Learning Team presented a webinar on the VA's newly revised family caregiver program regulations, attended by more than 100 Veterans' advocates from across New York State. All of these programs were made available free of charge not only to DVS employees, but also to our colleagues at all of the county and municipal Veterans Service Agencies across New York State.

Through DVS's new partnership with the National Veterans Legal Services Program (NVLSP), DVS was also able to provide access to trainings taught by NVLSP attorneys on topics including special monthly compensation cases, claims for medical conditions caused by exposure to Agent Orange, advocacy for Veterans suffering from a Traumatic Brain Injury, and representing Veterans in claims for conditions caused by military sexual trauma. All of these NVLSP trainings were made available free of charge not only to DVS employees, but also to our colleagues at all of the county and municipal Veterans Service Agencies statewide.

Forming new collaborations with county and municipal Veterans Service Agencies, and with not-for-profit Veterans Service Organizations, was a highlight of DVS's year. During 2020, DVS accredited Veterans' advocates in the following Veterans Service Agencies under DVS's Power of Attorney, providing them with an array of new trainings, tools, and technologies: Broome County, Cayuga County, Chenango County, Cortland County,



Delaware County, Dutchess County, Erie County, Franklin County, Fulton County, Genesee County, Jefferson County, Livingston County, Onondaga County, Otsego County, the City of Mount Vernon Veterans Service Agency, New York City's Department of Veterans' Services, Orleans County, Oswego County, Putnam County, Seneca County, Tompkins County, Ulster County, Wayne County, and Yates County. This brings the number of county and municipal Veterans Service Agencies with at least one staff member accredited by DVS to a total of 28 agencies.

DVS signed a Memoranda of Agreement this year with the American Legion Department of New York and with VetsFirst of the United Spinal Association, likewise focusing on sharing trainings, tools, and technologies in our combined mission as advocates for Veterans, Service Members, and their families. We highly value these partnerships, allowing us to pool our knowledge and resources with the devoted advocates from these organizations. Our shared mission of serving all Veterans, Service Members, and their families will be stronger all around because of these collaborations.

We are pleased that accreditations are already in progress for more Veterans Service Agencies and Veterans Service Organizations, and look forward to continuing to collaborate with our county, municipal, and not-for-profit Veterans' services partners to provide the best possible advocacy for all who have served in our nation's military and for their family members.

Lastly, the Learning Team engaged in a wide range of training programs with organizations across New York seeking to provide better services to Veterans and their families. During 2020, Learning Team members provided training programs for attorneys, judges, doctors, social workers, alcohol and substance use counselors, municipal political leaders, and other professionals who are now better-equipped to connect Veterans and their family members with the benefits, services, and other resources that they have earned by virtue of their military service. As of this writing, the Learning Team is now developing a Veterans-focused training framework for individuals serving as contact tracers throughout the state.

## Governor's Challenge to Prevent Suicide Among Service Members, Veterans, and their Families (SMVF)

The Governor's Challenge, a collaboration between the Substance Abuse and Mental Health Services Administrations (SAMHSA) and United States Department of Veterans Affairs, brings state and local entities together along with private and non-profit partners to work to develop and implement statewide suicide prevention best practices for SMVF, utilizing a public health approach. New York formed a delegation for this initiative in March 2020. Despite the obstacles imposed by COVID-19, this delegation continued to meet, collaborate with partners virtually, and implement positive statewide changes to address this public health crisis.

New York has the second lowest rate of veteran suicide in the country. But one suicide is one too many, and New York is dedicated to assisting those who may have suicidal ideations. The work of the Governor's Challenge has provided many opportunities for DVS to increase access to information and tools for assisting providers and staff with suicide-prevention. Some of these initiatives include:

- On Veterans Day this year, DVS signed a Memorandum of Understanding with the Columbia Lighthouse Project, a nationally-recognized suicide prevention initiative under the auspices of Columbia University and its Research Foundation for Mental Hygiene, to disseminate, implement, and fully adopt the Columbia Suicide Severity Risk Scale among all DVS offices and veterans services organizations accredited by DVS. The C-SSRS, or Columbia Protocol, is a simple-to-use, proven effective tool developed by Dr. Kelly Posner and her colleagues at Columbia Psychiatry, University of Pennsylvania, and University of Pittsburgh that employs a series of questions to identify persons at risk of suicide and then helps connect them to the care they may need. The preventative power of the Columbia Protocol is that

anyone – from doctors, teachers, and parents, to coworkers, coaches, friends, relatives, and others – can use it.<sup>5</sup>

- Additionally, DVS initiated the nation's first "Ask Your Fellow Veterans Service Officer" suicide prevention initiative, training all of New York State's Veterans Service Officers in the Columbia Protocol and developing strategies for them to utilize it with one another. In the national conversation about veterans who commit suicide, Veterans Service Officers are consistently overlooked — a classic case of forgetting to care for the caregivers. Given that Veterans Service Officers frequently have to engage in on-the-job situations that can be re-traumatizing for themselves, establishing this new protocol to care for their own mental health and well-being establishes New York as a national leader in caring for these veterans who provide essential services to their fellow veterans and to their family members.

These initiatives, along with the continuing conversations happening with the New York Governor's Challenge team, present more innovative and effective ways for DVS to assist and connect those who served with the critical mental health care and peer-to-peer assistance they may need.

---

<sup>5</sup>Research Foundation and Columbia Lighthouse Project. 2020. "Columbia Lighthouse Project And NY State Division Of Veterans' Services Partner To Combat Veterans Suicide". *Prnewswire.Com*. <https://www.prnewswire.com/news-releases/columbia-lighthouse-project-and-ny-state-division-of-veterans-services-partner-to-combat-veterans-suicide-301171256.html>.

## New York State Legislation Directly Affecting Veterans

*These new laws directly affect New York State's Veterans and their families:*

### Restoration of Honor

#### Restoration of Honor Act (A8097/S45B)

In 2019, Governor Andrew M. Cuomo signed legislation enacting the Restoration of Honor Act, giving Veterans who were denied an honorable discharge because of their sexual orientation or gender identity, traumatic brain injury (TBI), military sexual trauma (MST) and Post-Traumatic Stress Disorder (PTSD) the right to apply to have their New York State Veterans' benefits restored. Under Don't Ask Don't Tell and similar policies, many Veterans received less than honorable discharges. While military discharge decisions can only be formally changed by the federal government, the Restoration of Honor Act allows these Veterans to apply for and claim their New York State benefits. This makes New York the first state in the nation to restore the state benefits of Veterans who received less than honorable discharges because of these traumas or because of their LGBTQIA\* identity. The Act took effect on November 12, 2020.

### Health and General Services

#### Outdoor Rx Act (S6706A/A8094A)

Governor Andrew Cuomo signed the Outdoor Rx Act on Veterans Day 2020. The law requires the New York State Division of Veterans' Services to review issues relating to veterans' ability to access state parks, lands, and facilities. The Outdoor Rx Act is the first step in identifying how New York state can better address the needs of veterans adjusting back to civilian life through outdoor activity. This legislation took effect immediately.

Studies have shown that time outdoors can be a valuable asset to traditional therapy. Outdoor-based therapeutic programs hold promise for individuals suffering from PTSD and

substance abuse disorders. Under the Act, the DVS Director, in consultation with the Office of Parks, Recreation and Historic Preservation, Department of Environmental Conservation, Department of Health, and Office of Mental Health, will review existing barriers to Veterans using state recreational facilities to the fullest.

### **New York State's First Veterans' Cemetery (S8791/A10782)**

New York State's first state-run Veterans' cemetery became several steps closer to reality in 2020 when the Governor signed a bill to expedite and encourage the establishment of a state-run Veterans Cemetery. The bill reduces the funding required to apply to the VA's National Cemetery Board and allows DVS to conduct a study of the need for a Veterans Cemetery and potential site locations before the availability of perpetual care funding must be certified.

### **Report on Veteran Homelessness (S4049/A5660)**

On June 30, 2020, DVS submitted its first report on homeless veterans in New York State, required pursuant to legislation enacted in 2019. The report included background information on federal and state programs responsible for significant progress toward ending veteran homelessness, as well as current data on New York's homeless population. The report will be updated every two years.

## Homeless Veterans Assistance and the Veterans' Remembrance and Cemetery Maintenance and Operation Funds Report

This is the report for the calendar year 2020, required by New York State Consolidated Laws, State Finance, Article 6, § 99-V, and § 97-mmmm regarding the utilization of funds for the Homeless Veterans Assistance and the Veterans' Remembrance and Cemetery Maintenance and Operation funds.

The total dollars in the Homeless Veterans Assistance Fund as of October 2020 is \$987,901. No funds were disbursed in the calendar year 2020.

The total dollars in the Veterans Cemetery Maintenance Fund as of October 2020 is \$505,521. No funds were disbursed in the calendar year 2020.

The Division of Veterans' Services understands that funds are not currently sufficient to meet the programmatic needs outlined by the laws governing these funds. As such, no process for the awarding of funds has been designated.

## Supplemental Burial Allowance Report

This report is submitted per the requirements contained in Section 354-b(4)(i) of New York State's Executive Law.

During the calendar year 2020, there were no payments of the \$6,000 Supplemental Burial Allowance paid out by DVS, as DVS did not receive any applications from individuals eligible for Supplemental Burial Allowance.

There were no new rules or regulations promulgated in the calendar year 2020 related to the supplemental burial allowance.

## Gold Star Parent Annuity Program Report

This report is submitted per the requirements contained in Section 367(4) of New York State's Executive Law.

New York State's Gold Star Parent Annuity continues to recognize the ultimate sacrifice paid by New Yorkers during military service. While no amount of money can ever replace the loss of a child in combat, New York provides this annuity in honor of the deceased Service Member and his or her family and in recognition of their tremendous sacrifice.

In 2018, Governor Cuomo signed legislation amending the Executive Law to allow for an annual increase at a rate equal to the percentage increase of benefits set by the U.S. Department of Veterans' Services. Additionally, the term 'Gold Star Parent' for this Annuity now includes any biological parent, step-parent, and parent by adoption who was serving in the role of a parent to the Service Member at the time of the Service Member's death.

As of November 2020, New York State paid a total of \$111,322 in Gold Star Parent Annuity payments.

## Women Veterans and Diversity, Equity & Inclusion Report

DVS is committed to honoring the service and sacrifice of all those who have served in the United States Armed Forces and New York State Militia, and is likewise committed to diversity, equity, and inclusion in all agency programs and outreach to ensure no Veteran is left behind in New York State. New York State's Veterans population is broadly diverse: of the state's 737,765 Veterans, 25 percent are racial and ethnic minorities, and 8.5 percent are women.

Throughout 2020, DVS worked to renew and expand outreach and services to ensure all Veterans and family members are served equitably, regardless of age, race, creed, color, national origin, sexual orientation, gender identity or expression, sex, marital status, disability, branch or era of service, or discharge status. The role of the Deputy Director for

Diversity, Equity & Inclusion (DEI) encompasses the duties and responsibilities of the Women Veterans Program Coordinator (WVPC) in addition to implementing DEI outreach and initiatives.

In late 2019 and early 2020, DVS staff, in coordination with community partners and researchers, supported a comprehensive study of women and minority veterans in New York State conducted by the Center for a New American Security (CNAS). The study, *New York State Minority Needs Assessment*, was released in February 2020. Since the release of the study, the Deputy Director for Diversity, Equity & Inclusion has worked to implement the study's recommendations through the following actions:

- Integrating DEI concepts and population-specific information into agency training, communications, and activities to improve the cultural competence, awareness, and readiness of DVS staff and other government employees to serve Veterans who have been historically marginalized and underserved;
- Focusing internal and external communications on historic discrimination and wrongdoing leading to “bad paper” discharges rooted in racism, anti-LGBTQ+ policies, sexual assault and harassment, and other unjust circumstances in order to empower DVS and other state employees to more effectively identify and reach candidates for Restoration of Honor Act services and other efforts to recognize, honor, and serve marginalized and underserved Veterans;
- Expanding and strengthening community partnerships with organizations serving women Veterans, racial and ethnic minority Veterans, LGBTQ+ Veterans, and other underserved populations of Veterans; and
- Advocating for women, minority, and under-served Veterans to fully access VA and New York State services and benefits for which they are eligible by communicating directly with government officials about barriers to access and areas needing improvement.

Women Veterans continue to be the fastest growing subgroup of Veterans, yet have been under-served by systems that have traditionally served a male majority. The women



Veterans population is on average younger and more diverse than the male Veteran population, and their experiences and needs for healthcare and community often require tailored outreach and services to ensure they are served equitably. DVS's work to reach, serve, and advocate for women Veterans has included:

- Advocacy and partnership with the VA Center for Women Veterans in discussions about access to services, addressing and preventing gender-based harassment at VA facilities, and other concerns;
- Active participation in the National Association for State Women Veteran Coordinators (NASWVC), in which the DVS Deputy Director for Diversity, Equity & Inclusion serves as Second Vice President;
- Continued support for "Service, Symbols, Scenes & Stories: Original Artwork by Women Veterans in New York State" Exhibition, displayed in 2020 in Glens Falls;
- Strengthening community partnerships with organizations serving women Veterans across New York State;
- Training for staff and statewide government partners to improve cultural competency and more effectively reach and serve women Veterans statewide; and
- Presence at events statewide for women Veterans.

Native Americans serve in the military at the highest rate of any racial or ethnic minority, and New York State is home to eight federally recognized tribes, one state recognized tribe, and the largest metropolitan population of Native Americans and Alaska Natives in the country. Native American Veterans have also been the most historically underserved subset of Veterans. DVS's work to reach, serve, and advocate for Native American veterans has included a partnership and a Memorandum of Understanding with the New York Indian Council for referrals and services to Native American veterans in the New York City Metro area and presence at outreach events on and near tribal lands.

Lesbian, gay, and bisexual Veterans have only been able to serve in the military without concealing their identities since 2011, with prior policies mandating discharge for any Service Member known to be LGBTQ+. Transgender and non-binary individuals still face

bars and restrictions in the military as of 2020, despite high rates of military service by individuals who are transgender and gender non-conforming. Services and outreach to this historically marginalized subset of Veterans must be culturally competent and mindful of the discrimination they have faced both in the military and within the broader Veterans' community. DVS's work to reach, serve, and advocate for LGBTQ+ Veterans has included active participation in the NYS Interagency LGBTQ Task Force to improve coordination with other NYS agencies and to deepen DVS understanding and implementation of the Gender Expression Non-Discrimination Act and other state initiatives to protect individuals from discrimination based on gender, gender expression, and sexual orientation. DVS has also partnered with national and community-based organizations serving LGBTQ+ Veterans to ensure welcoming and culturally competent services to this population.

## Outreach Activities

In 2020, the Division continued to make outreach to their local Veteran communities a priority by participating in more than 150 in-person and virtual events. DVS brochures and materials were displayed at numerous additional events. The FreshConnect program continues to remain popular amongst veterans and their families. Outreach events reached a diverse audience of Veterans – from Veteran farmers to incarcerated Veterans to Native American Veterans – and took place in various settings, including legal clinics, Veteran centers, and at recognition events for holidays like Memorial Day and Veterans Day. DVS joined the United States Department of Veterans Affairs Under Secretary for Benefits Paul Lawrence for three statewide tele-town halls and an online forum in partnership with the VA Center for Women Veterans.

DVS participated in 72 outreach events in the Western Region in 2020. Forty were conducted prior to the outbreak of COVID-19 and 32 after March 18, 2020. Of note, several Western Region DVS staff volunteered to assist with the HelloFresh food distribution for Veteran families through the Governor's Nourish NY initiative. This distribution was coordinated by WNYHeroes located in Williamsville, NY. Our Veterans Benefits Advisors and Administrative Assistants logged more than 200 volunteer hours combined. This food

initiative commenced in July to provide food for Western New York veteran families. Each week, approximately \$50,000 worth of food was provided to several hundred veteran families. Each family typically received meat, produce, dairy and dry goods.

COVID-19 presented new obstacles to DVS in terms of outreach to Veterans and their families. Despite these challenges, the Veterans Benefits Advisors in the Western region of the State were creative in finding avenues to get allocated FreshConnect vouchers in the hands of New York's Veterans and their families. Veterans Benefits Advisors in the Western Region distributed approximately \$66,000 worth of FreshConnect vouchers to over 3,300 New York Veterans and their families. Recipients of the vouchers were able to obtain fresh produce and other authorized foods at participating New York State farmers markets. This program was more important than ever due to the fiscal challenges all have faced during the COVID-19 pandemic.

DVS participated in 67 outreach events in the Eastern Region. Prior to March 16, 2020, events took place in-person at locations such as at the Military Mondays Clinic at the Manhattan VA Hospital. After March 16, events were initially limited to virtual events such as video- and tele-town hall events with local and state elected officials. By August, exceptions were made for in-person events where health and safety precautions were in effect and being followed by all participants. These events included distributing FreshConnect checks at a drive-thru distribution event for seniors in Schoharie County as well as volunteering at food distribution events in Brooklyn and the Bronx. Veterans Benefits Advisors in the Eastern Region distributed \$28,780 worth of FreshConnect vouchers to 1,439 Veterans and their family members.

As an agency, DVS tackled concerns of social isolation and loneliness by sending out "buddy check" emails titled "Staying Home. Staying on Mission!" to approximately 40,000 Veterans and their family members to let them know that, despite the challenges posed by COVID-19, we are still ready and able to assist them with obtaining the federal and state benefits by virtue of their military service.

Thank you for reading the  
2020 Annual Report of the  
New York State  
Division of Veterans'  
Services.