

# NEW YORK STATE ASSEMBLY

Carl E. Heastie, Speaker

Maritza Davila, Chair



## 2023 ANNUAL REPORT

COMMITTEE ON  
Social Services



Maritza Davila  
Assembly Member 53rd District

# THE ASSEMBLY STATE OF NEW YORK ALBANY

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Alcoholism and Drug Abuse  
Children and Families  
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Legislative Women's Caucus  
Puerto Rican/Hispanic Task Force  
Task Force on Women's Issues

December 15th, 2023

Honorable Carl E. Heastie  
Speaker of The Assembly  
Legislative Office Building, Room 932  
Albany, NY, 12248

Dear Speaker Heastie:

On behalf of the Assembly Standing Committee on Social Services, I respectfully submit the 2023 Annual Report. Throughout the year, the Committee worked to improve funding for essential safety net services that many New Yorkers rely on in the pursuit of financial independence. The Committee also focused its efforts towards successfully expanding support services for the victims of human trafficking and domestic violence, to ensure that those most affected receive the necessary care.

With the implementation of the enacted budget for the State Fiscal Year 2023-24, the Committee was successful in increasing economic stability of public assistance (PA) recipients and making it easier for PA recipients to receive assistance for claims of stolen benefits. The Committee was able to do so by including a provision that allows for a one-time exemption of the earned income of a public assistance recipient for six months following the completion of an educational or vocational training program, and by prohibiting local social service districts from requiring a police report to verify a claim of stolen benefits.

The Committee was also successful in the passing of several pieces of legislation that will provide for an in-depth assessment of human trafficking within the State. Such legislation includes expanding membership of the Inter-Agency Task Force on Human Trafficking, as well as directing the Task Force to evaluate the role of social media in human trafficking. The Committee added to its success with legislation that will create an automated identification system to identify and match recipients of certain public benefits with utility corporation's affordability programs, expanding income exemptions, and eliminating asset tests when determining eligibility for public assistance.

The Committee is pleased with its success over the year and remains eager to continue advancing legislation to enhance New York State's safety net and supportive services for the empowerment of its residents, as they strive for self-sufficiency. Thank you for your leadership and your continuous support. I look forward to working with you and our colleagues throughout the 2024 legislative session as we look to build upon our previous successes and further bolster the crucial services that provide a path to become self-reliant for the most vulnerable individuals and families in our State.

Sincerely,

A handwritten signature in cursive script that reads "Maritza Davila".

Maritza Davila  
Chair  
Assembly Committee on Social Services

**2023 ANNUAL REPORT  
OF THE  
NEW YORK STATE ASSEMBLY  
STANDING COMMITTEE ON SOCIAL SERVICES**

**Maritza Davila  
Chair**

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Jeffrion Aubry  
Manny De Los Santos  
Simcha Eichenstein  
Phara Souffrant Forest  
Jessica Gonzalez-Rojas  
Grace Lee  
Steven Raga  
Karina Reyes  
Tony Simone  
Michaelle C. Solages  
Daniel Rosenthal

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Lester Chang  
Andrew Goodell  
Brian Maher (Ranker)  
Matthew Simpson

**Committee Staff**

Jonathan Harkavy, Committee Clerk

**Program and Counsel Staff**

Janice Nieves, Assistant Secretary for Program and Policy  
Nicholas Strock, Principal Analyst  
Gabriella Cavanagh, Associate Counsel  
Sarah Conklin, Executive Secretary

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## I. INTRODUCTION

The Assembly Social Services Committee has jurisdiction over legislation affecting programs providing financial and support services to disadvantaged households in New York State. The work of the Committee also affects the elderly, and people living with disability or visual impairment, residing in the community and residential care facilities. The statutory basis for these programs is contained in the State Social Services Law.

The Committee works with the Committees on Health, Children and Families, Aging, Labor, and Housing. The Committee has legislative oversight responsibilities for programs administered by the Office of Temporary and Disability Assistance (OTDA).

OTDA is responsible for supervising programs that provide assistance and support to eligible families and individuals in the state. Some of OTDA's functions include: providing temporary cash assistance; providing assistance in paying for food; providing heating and energy assistance; overseeing New York State's child support enforcement program; determining certain aspects of eligibility for Social Security Disability benefits; monitoring housing and homeless services programs; and providing assistance to targeted immigrant populations.

The Legislature enacted the Social Services Law to authorize the administration of basic temporary assistance and emergency support programs statewide. The local Departments of Social Services (DSS), or Human Resource Administration (HRA) in New York City, implement the Social Service Law to provide temporary help to individuals and families with their economic and social services needs to assist them in reaching self-sufficiency. These programs include Family Assistance, Safety Net Assistance, Emergency Assistance to Needy Families with Children, Emergency Assistance for Adults, and certain parts of the Supplemental Security Income Program.

- Family Assistance (FA) - FA is a federally funded temporary assistance (TA) program for families. FA can only be provided to a family that includes a minor child living with a parent or caretaker relative, or to a pregnant woman. As a TANF-funded program, FA is subject to the state 60-month lifetime limit on assistance.
- Safety Net Assistance (SNA) - established by the Welfare Reform Act (WRA) of 1997 to provide assistance to individuals and families who are ineligible for Family Assistance (FA) or other federal temporary assistance programs. The SNA program is comprised of cash and non-cash components.
- Emergency Assistance to Needy Families with Children (EAF) - is a federally funded program which provides assistance to deal with crisis situations threatening a family with a child under the age of 18, or under 19 and attending full-time secondary school or the equivalent level of vocational or technical training. EAF is designed to meet needs resulting from a sudden occurrence or a set of circumstances that was unforeseen and beyond the applicant's control that demand immediate attention.
- Emergency Assistance for Adults (EAA) - are grants to assist aged, blind or disabled individuals and couples who have been determined eligible for or are receiving Federal Supplemental Security Income (SSI) benefits or additional state payments and applied for such assistance to meet emergency needs that cannot be met by the regular monthly benefits of SSI and additional state payments.
- Supplemental Security Income (SSI) Program - established by Congress in 1974 under Title XVI of the Social Security Act. The Social Security Administration (SSA) administers the program which provides a federal grant to individuals and couples who are aged, blind, or disabled.

## Homeless Services

Local social services districts also have a responsibility to provide services and assistance to individuals in an effort to prevent homelessness, to meet the temporary housing and other immediate needs of eligible homeless persons, and to assist homeless persons in securing permanent housing. Individuals eligible for such assistance are those who are both homeless and eligible for TA.

## Domestic Violence

The federal Wellstone-Murray Family Violence Option allows states to address the safety needs of domestic violence victims and their children within the state's TANF plan. The Family Violence Option includes procedures for screening for domestic violence, assessment, and service referrals.

## Supplemental Nutrition Assistance Program (SNAP)

New York administers the federal Supplemental Nutrition Assistance Program (SNAP), which issues monthly benefits that can be used to purchase food at authorized retail food stores. Benefits are provided through an electronic benefit card, similar to a debit or credit card. Eligibility and benefit levels are based on household size, income, expenses, and other factors.

Any person has the right to file an application for a type of temporary assistance or care with the local social services district at any time. Each applicant for services is required to meet all eligibility requirements in order to receive benefits. OTDA has created a website, [mybenefits.ny.gov](http://mybenefits.ny.gov), where individuals are able to learn about available benefits and the requirements to receive such benefits.

## II. SIGNIFICANT LEGISLATION – 2023

### A. HUMAN TRAFFICKING

#### **Evaluating the Use of Social Media in Human Trafficking**

**A.5505 (Rosenthal, L.)/S.395 (Cleare)**

Chapter 497 of 2023

This law requires the New York state interagency task force on human trafficking to investigate connections between social media and human trafficking.

#### **Expanding the Interagency Taskforce on Human Trafficking**

**A.7360 (Lee)/S.7451 (Persaud)**

Chapter 496 of 2023

This law extends the Interagency task force on Human Trafficking for four years to 2027 and expands the membership to include the Secretary of State to the members of the task force. It also updates the name of the Office of Addiction Support and Services (OASAS).

### B. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

#### **Disregarding Income of Individuals Participating in Specific Pilot Programs**

**A.991 (Rosenthal, L.)/ S.1353 (Brisport)**

Chapter 118 of 2023

This law requires the Office of Temporary and Disability Assistance to seek any federal waivers from the federal government that may be necessary to exclude the income provided to an individual who has participated in an authorized pilot program for the purposes of determining SNAP eligibility.

#### **Creating a Taskforce to Explore the Practicality of a State-Funded SNAP Program**

**A.5933 (Gonzalez-Rojas)/ S.7692 (Salazar)**

Referred to Ways and Means

This bill would establish a task force to examine, evaluate, and determine the feasibility of establishing a state-funded version of SNAP to encompass undocumented individuals who are currently excluded from receiving SNAP due to their immigration status.

### C. PUBLIC ASSISTANCE (PA)

#### **Increasing Public Assistance Exemptions of Resources and Income**

**A.5689 (Davila)/ S.2705A (Persaud)**

Referred to Ways and Means

This bill would expand the current income and resources exemptions that are allowable when applying for public assistance.

#### **Eliminating Asset Tests When Determining Public Assistance Eligibility**

**A.3539 (Gonzalez-Rojas)/ A.4519 (Fernandez)**

Referred to Ways and Means

This bill would exempt and disregard all assets held by a household when calculating the amount of benefits for such households under any public assistance program.

## **D. OTHER LEGISLATIVE INITIATIVES**

### **Providing an Allowance for the Cost of Child Diapers**

**A.2872 (Solages)/ S.1210 (Persaud)**

Referred to Ways and Means

This bill would allow districts to provide a diaper allowance of up to \$80 every three months, per eligible child, to assist in the purchasing of diapers for children two years and under.

### **Automated Identification of Affordability Program Participants**

**A.4876 (Solages)/ S.4548 (Parker) – Chapter Amendment**

Delivered to Governor

This bill would require OTDA to establish a statewide program to provide automated identification of eligible individuals for participation in utility corporation energy affordability programs. An individual would be considered eligible to receive assistance if they are currently eligible for public assistance or any other income-based assistance program identified by the Public Service Commission in consultation with OTDA.

### **Establishing a NYS Self-Sufficiency Standard Report**

**A.1539A (Joyner)/ S.2143-A (Persaud)**

Referred to Ways and Means

This bill would require the Department of Labor to conduct a study that would measure the income adequacy in New York State by determining the amount of income necessary to meet the basic needs of families. This law defines basic needs to include, but are not limited to, housing, childcare, food, health care, transportation, and miscellaneous items.

### **Exempting the Unearned Income of a Child**

**A.2488 (Hevesi)/ No Same-As**

Referred to Ways and Means

This bill would allow a caregiver to exclude any unearned income of a child from the public assistance household.

### **Expanding Access to Rental Arrears Assistance**

**A.5512 (Rosenthal, L.)/ S.2944 (Kavanagh)**

Referred to Ways and Means

This bill would remove the requirement that an individual needs a court proceeding initiated against them in order to qualify for rent arrears assistance.

## **E. BILLS THAT HAVE PASSED BOTH HOUSES**

### **Establishing An Emergency Heating Energy Assistance Program Benefit**

**A.4956 (Solages)/ S.4546 (Parker)**

Delivered to Governor

This bill would codify the emergency heating energy assistance program in statute and expand eligibility for assistance to prior to individuals having their power shut off or scheduled for shut off or can show that they have arrears and will likely have their utilities shut off.



**Establishing a Fiscal Benefit Cliff Taskforce**

**A.7424A (Davila)/S.7259-A (Persaud)**

Vetoed Memo. 62

This bill would establish a good cause exception and prohibit local social services districts from establishing paternity or seeking child support when an applicant or recipient of public assistance has established good cause not to cooperate with the district as it relates to paternity and child support pursuant to state regulations and federal law.

### III. SFY 2023-24 STATE BUDGET HIGHLIGHTS

#### A. Overview of the TANF Block Grant

The nation's welfare system was dramatically reformed with the enactment of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The federal law adopted a "work first" approach, eliminated the entitlement to cash assistance, and imposed time limits, work requirements and sanctions on recipients. The cornerstone of the law was the creation of the TANF block grant, which provides states funds for their cash assistance and welfare-to-work programs.

New York received \$2.442 billion for the Family Assistance program through the federal TANF block grant. The 2023-24 state budget included approximately \$1.5 billion to support benefit payments to low-income New Yorkers.

#### B. TANF Programs and Allocations

New York's TANF program has developed into the state's most critical system of support and assistance for children and families who struggle to make ends meet. In New York, programs including wage supplements, tax credits, job training and skill development, case management and counseling, child care, and transportation were developed to assist families in need during the transition from poverty to self-sufficiency through work. For several years, New York has been authorized to utilize TANF funds not only for families eligible for federal assistance through the FA program, but also for families whose income does not exceed 200% of the federal poverty level.

The 2023-24 budget included a Flexible Fund for Family Services (FFFS) to provide local districts with a block grant. In order for a program to receive funding out of the TANF surplus, it must meet one of the four TANF purposes:

1. Provide assistance to needy families;
2. End the dependence of needy parents by promoting job preparation, work and marriage;
3. Prevent and reduce out-of-wedlock pregnancies; and
4. Encourage the formation and maintenance of two-parent families.

Below is a breakdown of state spending of the TANF dollars for the SFY 2023-24:

#### **CHILD CARE INVESTMENTS**

The childcare subsidy program provided by local social services districts enables an income-eligible parent or caretaker to work or engage in other approved activities by helping parent(s)/caretaker(s) to pay some or all of the cost of child care services. A total of \$1.032 billion in combined state and federal funds was included in the budget to provide subsidies to parents.

#### **EMPLOYMENT AND TRANSITIONAL INITIATIVES**

*Rochester-Genesee Regional Transportation Authority (RGRTA)*: This program provides a monthly bus pass to allow eligible individuals from seven member counties to travel to and from work, or to participate in work-related activities. In Wayne County, funds are used to support the transportation costs of individuals who use the WATS Demand Response Bus Services or TANF work participation activities. Funds are also used to extend the WATS service hours to accommodate employees at Kraft. RGRTA was awarded \$82,000 in the budget.

*Summer Youth Employment Program (SYEP):* The purpose of the TANF SYEP is to provide eligible youth with a quality employment and educational experience during the summer months. For many youths, this is their first introduction to the world of work. Valuable lessons which center on employment, including work ethic, appropriate workplace behavior, interaction with co-workers and supervisors, receiving a paycheck and money management are learned. \$47.1 million was allocated to fund the employment program.

*Non-Residential Domestic Violence Screening:* Non-residential domestic violence services are designed to support safety and self-sufficiency needs for domestic violence survivors and their children. An additional \$200,000 was allocated in the enacted budget to support these critical services.

*Wage Subsidy Program:* Employers are reimbursed for wages and related benefits that the employer paid to the participant during the subsidy period. Using wage subsidies as a hiring incentive, nonprofit agencies work with employers to develop positions for individuals who have been unable to find employment through conventional means. This program was allocated \$475,000 to provide subsidies.

*ACCESS – Welfare to Careers:* Metropolitan College's Welfare-to-Careers Consortium Program is collaboration among three major higher educational institutions in New York City (Metropolitan College, Medgar Evers College and Pace University). The Consortium affords participants the opportunity to earn their two-year degree or a baccalaureate degree, thereby greatly increasing their chances of gaining permanent, full-time employment at a sustainable salary level. \$800,000 was allocated for the ACCESS program.

*Disability Advocacy Program:* This program provides for the legal representation of individuals whose federal disability benefits have been denied or may be discontinued and received \$6.8 million in this year's budget.

## **FLEXIBLE FUND FOR FAMILY SERVICES (FFFS)**

The FFFS encompasses a number of Temporary Assistance for Needy Families (TANF) programs administered by local departments of social services that are funded with the Federal TANF Services Block Grant. The SFY 2023-24 allocations for FFFS is \$964 million.

APPENDIX A  
SUMMARY OF ACTION ON ALL BILLS

**2023 SUMMARY SHEET**

REFERRED TO THE COMMITTEE ON Social Service

**TOTAL NUMBER OF COMMITTEE MEETINGS HELD 3**

ASSEMBLY SENATE TOTAL  
BILLS      BILLS      BILLS

**BILLS REPORTED FAVORABLE TO:**

Codes	0	0	0
Judiciary	0	0	0
Ways and Means	12	0	12
Rules	4	0	4
Floor	1	0	1
<b>TOTAL</b>	<b>17</b>	<b>0</b>	<b>17</b>

**COMMITTEE ACTION**

Held For Consideration	0	0	0
Defeated	0	0	0
Enacting Clause Stricken	1	0	0
<b>REMAINING IN COMMITTEE</b>	<b>75</b>	<b>6</b>	<b>81</b>

<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>
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APPENDIX B

**FINAL ACTION ON BILLS REPORTED BY THE  
SOCIAL SERVICES COMMITTEE 2023**

<b>ASSEMBLY BILL # SPONSOR</b>	<b>SENATE BILL # SPONSOR</b>	<b>FINAL ACTION</b>	<b>DESCRIPTION</b>
A.991 Rosenthal, L.	S.1353 Brisport	Signed, Chapter 118	This law requires the Office of Temporary and Disability Assistance to seek any federal waivers from the federal government that may be necessary to exclude the income provided to an individual who has participated in an authorized pilot program for the purposes of determining SNAP eligibility.
A.2488 Hevesi	No Same As	Reported, Referred to Way and Means	Would allow a caregiver to exclude any unearned income of a child from the public assistance household.
A.2872 Solages	S.1210 Persaud	Reported, Referred to Way and Means	Would allow districts to provide a diaper allowance of up to \$80 every three months, per eligible child, to assist in the purchasing of diapers for children two years and under.
A.3271 Hevesi	S.4419 Fernandez	Reported, Referred to Way and Means	Would provide supports and services for unaccompanied minors in New York, including mental health services, Child Health Plus (CHP), and legal representation for immigration court. This bill also establishes immigration services liaisons within the Office for New Americans (ONA).
A.3539 Gonzalez- Rojas	S.4519 Fernandez	Reported, Referred to Way and Means	Would exempt and disregard all assets held by a household when calculating the amount of benefits for such household under any public assistance program.
A.4876 Solages	S.4548 Parker	Delivered to Governor	Would require OTDA to establish a statewide program to provide automated identification of eligible individuals for participation in utility corporation energy affordability programs. An individual would be considered eligible to receive assistance if they are currently eligible for public assistance or any other income-based assistance program identified by the Public Service Commission in consultation with OTDA.
A.4956 Solages	S.4546 Parker	Delivered to Governor	Would codify the emergency heating energy assistance program in statute and expand eligibility for assistance to prior to individuals having their power shut off, or can show that they have arrears and will likely have their utilities shut off.

<b>ASSEMBLY BILL # SPONSOR</b>	<b>SENATE BILL # SPONSOR</b>	<b>FINAL ACTION</b>	<b>DESCRIPTION</b>
A.5505 Rosenthal, L.	S.395 Cleare	Signed, Chapter 497	This law requires the New York state interagency task force on human trafficking to investigate connections between social media and human trafficking.
A.5512 Rosenthal, L.	S.2944 Kavanagh	Reported, Referred to Rules	Would remove the requirement that an individual needs a court proceeding initiated against them in order to qualify for rent arrears assistance.
A.5515 Rosenthal, L.	S.1998 May	Reported, Referred to Ways and Means	Would defines "closed period of eligibility" for purposes of supplemental security income for aged, blind, and disabled persons; includes such time period in the eligibility requirements of such supplemental security income.
A.5689 Davila	S.2705-A Persaud	Reported, Referred to Ways and Means	Would expand the current income and resources exemptions that are allowable when applying for public assistance.
A.5933 Gonzalez- Rojas	S.7692 Salazar	Reported, Referred to Ways and Means	Would establishes a task force to examine, evaluate, and determine the feasibility of establishing a state-funded version of SNAP to encompass undocumented individuals who are currently excluded from receiving SNAP due to their immigration status.
A.7360 Lee	S.7451 Persaud	Signed, Chapter 496	This law extends the Interagency task force on Human Trafficking for four years to 2027, adds the Secretary of State to the members of the task force, and updates the name of OASAS.
A.7361 Davila	S.6944 Persaud	Signed, Chapter 195	This law extends for two years the income and resource exemption provisions of SSL 131-n, also known as the Welfare Reform Act Extender.
A.7362 Davila	S.6945 Persaud	Signed, Chapter 196	This law extends for two years the State's provision that allows New York State to suspend the driver's license of individuals who are delinquent in child support payments.
A.7424-A Davila	S.7259-A Persaud	Vetoed, Memo. 62	Would establishes a taskforce to study fiscal cliffs in NYS's various public assistance programs, specifically focused on the causes of fiscal cliffs and ways to reduce and/or eliminate them.
A.1539-A Joyner	S.2143-A Persaud	Referred to Ways and Means	This bill would require the Department of Labor to conduct a study that would measure the income adequacy in New York State by determining the amount of income necessary to meet the basic needs of families. This law defines basic needs to include, but are not limited to, housing, childcare, food, health care, transportation, and miscellaneous items.

## APPENDIX C

### Legislative Hearings/Roundtables

#### **Human Trafficking in New York State**

November 30<sup>th</sup>, 2023

New York City

New York State Law recognizes two forms of human trafficking: sex trafficking and labor trafficking. The most recent and available data from National Human Trafficking Hotline shows that during 2021, there were 404 identified cases of human trafficking, with more than 600 victims in the State. It was also reported that there were over 1,600 contacts made to the hotline from New York State during the same period. The New York State Interagency Task Force on Human Trafficking, also releasing its most recent report in 2021, expressed that 344 cases of human trafficking were referred to the State from either law enforcement, a social services provider, or a legal services provider. The Interagency Task Force expressed that of the 344 referral cases, 295 cases were confirmed in the State. A breakdown of confirmed cases by region shows 127 cases identified in New York City, 52 cases in the Long Island and lower Hudson Valley regions, and 116 cases throughout the rest of the state. The confirmed cases are represented by 73% identified as sex trafficking, 22% as labor trafficking, and 3% were instances in which both types of trafficking occurred.

Over the past few legislative sessions, New York State has implemented several provisions to further protect the victims of human trafficking. Such legislation includes permitting victims of human trafficking to bring a civil action against their perpetrator to recover damages, legal expenses and other potential forms of relief, as well as extending the statute of limitations to 15 years for such actions; permitting victims of human trafficking to bring a motion to vacate any criminal convictions that were a result of having been a victim of human trafficking; and requiring law enforcement and the offices of district attorneys to inform victims of available social and legal services.

To further address the barriers that may arise when supporting victims of human trafficking, the Committee, along with the Assembly's Standing Committee on Codes and the Assembly's Standing Subcommittee on Human Trafficking held a public hearing to examine the ranges of services and protections for victims of human trafficking. Witnesses shared that the lack of funding has placed a heavy burden on service providers. Providers are often short of staff, making it difficult to provide adequate services and outreach. Advocates also expressed a concern of the lack of shelter housing specifically available for victims of human trafficking, and in particular for single adults.

#### **Veterans' Homelessness in New York State**

December 19<sup>th</sup>, 2023

New York City

Like many states across the country, New York is home to a large and diverse population of veterans. Currently, New York State has just under a thousand veterans struggling with homelessness, with a disproportionate amount being women and people of color. Military veterans have devoted themselves to preserving our values and protecting our nation, despite the costs to themselves. New York State has continued to show its gratitude for our veterans and to support them through whatever hardships that they may face. There has been some success as the rate of homeless veterans in NY has significantly declined over the last decade, but the issue has not yet been completely resolved.

To further work towards the State's goal of zero homeless veterans, the Assembly's Standing Committees on Veterans' Affairs and Social Services held a joint public hearing to assess the effectiveness of policies, services available, and current funding levels for veterans' services. Witness testimonials provided deeper insight as to what actions may be taken by the Legislature to better support service providers and our veterans' directly.

Providers advocated for an increase in data sharing agreements between government agencies and community-based organizations to provide a more accurate assessment of individuals requiring support services and the services a person may have already received. Provider's also support expanding the Medicaid 1115 Waiver program as means to better address the social determinants of health that could be preventing an individual from attaining independence. In addition to these recommendations, providers and advocates also support an increase in funding for veterans' services, including the Joseph P. Dwyer Veterans Support Program and the Discharge Upgrade Assistance Legal Services (DUALS) program.