

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1573
Committee Substitute Favorable 5/20/09

Short Title: Help Homeless Veterans Receive Benefits. (Public)

Sponsors:

Referred to:

May 5, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO FACILITATE THE IDENTIFICATION OF VETERANS, HOMELESS
3 VETERANS IN PARTICULAR, IN ORDER TO ASSIST SUCH PERSONS IN
4 OBTAINING BENEFITS TO WHICH THEY MAY BE ENTITLED.

5 Whereas, a substantial portion of persons in this State who are homeless at some
6 point in their lives are veterans who may be entitled to benefits that could improve their quality
7 of life; and

8 Whereas, one of the main challenges to providing homeless veterans with benefits
9 to which they may be entitled is identifying who is a veteran for benefit purposes; and

10 Whereas, the Carolina Homeless Information Network (CHIN), a program of the
11 North Carolina Housing Coalition, Inc., a nonprofit corporation, is a statewide, centralized
12 electronic data collection tool that is used to aggregate information about the characteristics and
13 service needs of individuals experiencing homelessness, and is capable of recording whether
14 such individuals self-identify as veterans; and

15 Whereas, the Department of Correction and the Division of Mental Health,
16 Developmental Disabilities, and Substance Abuse Services of the Department of Health and
17 Human Services come into contact with significant numbers of people in this State and are
18 ideally situated to ask such persons whether or not they are veterans; and

19 Whereas, allowing those agencies to access CHIN would allow them to assist in the
20 identification of homeless veterans and would facilitate the provision of benefits to eligible
21 individuals; and

22 Whereas, identifying veterans who are eligible for benefits can help those veterans
23 obtain benefits even if they are not homeless; and

24 Whereas, facilitating the provision of federal benefits to eligible veterans will free
25 up State funds and other resources; Now, therefore,
26 The General Assembly of North Carolina enacts:

27 **SECTION 1.** Article 2 of Chapter 148 of the General Statutes is amended by
28 adding a new section to read:

29 **"§ 148-12.1. Inquiries about service in the military; participation in Carolina Homeless**
30 **Information Network.**

31 (a) The Secretary of Correction shall adopt rules providing that the following inquiries
32 be made of each prisoner when the prisoner is received in the State prison system:

33 (1) Whether the prisoner has ever served in the active or reserve components of
34 the Army, Marine Corps, Navy, Air Force, Air Guard, National Guard,
35 Coast Guard, or Merchant Marine.



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1 (2) Whether the prisoner consents to this information being shared with other
2 State, local, and federal agencies and entered into the Carolina Homeless
3 Information Network (CHIN) database, if applicable.

4 (b) The Secretary of Correction shall adopt rules requiring that prior to making the
5 inquiries required by subsection (a) of this section, each prisoner be informed that the reason
6 the prisoner's military service history is being inquired about is in order to assist in determining
7 whether the person may be eligible upon release from prison for any benefits by virtue of the
8 prisoner's status as a veteran. The rules adopted pursuant to this subsection shall also require
9 the Department to follow its normal policies regarding obtaining informed consent in making
10 the inquiries required by this section.

11 (c) If a prisoner reports having previously served in any of the branches of the military
12 set forth in subdivision (1) of subsection (a) of this section and consents to the release of that
13 information, the Secretary may share that information with the U.S. Department of Veterans
14 Affairs, the Division of Veterans Affairs of the Department of Administration, and any other
15 local, State, or federal agency for the sole purpose of facilitating the incarcerated veteran's
16 eligibility for, and access to, benefits through those agencies.

17 (d) The Department of Correction shall enter into an agency participation agreement
18 with the North Carolina Housing Coalition, Inc., a nonprofit corporation, regarding access and
19 use of the Carolina Homeless Information Network (CHIN) Homeless Management
20 Information System. This agreement shall provide for the recording in the CHIN database of
21 information obtained pursuant to this section pertaining to the veteran status of persons in the
22 CHIN database.

23 (e) The requirements of this section shall be interpreted consistent with federal law, and
24 information obtained pursuant to this section shall not be a public record under Chapter 132 of
25 the General Statutes."

26 **SECTION 2.** Article 82 of Chapter 15A of the General Statutes is amended by
27 adding a new section to read:

28 **"§ 15A-1343.4. Inquiries about veteran status; participation in Carolina Homeless**
29 **Information Network.**

30 (a) The Secretary of Correction shall adopt rules providing that the following inquiries
31 be made of each offender on probation:

32 (1) Whether the offender has ever served in the active or reserve components of
33 the Army, Marine Corps, Navy, Air Force, Air Guard, National Guard,
34 Coast Guard, or Merchant Marine.

35 (2) Whether the offender consents to this information being shared with other
36 State, local, and federal agencies and entered into the Carolina Homeless
37 Information Network (CHIN) database, if applicable.

38 (b) The Secretary of Correction shall adopt rules requiring that prior to making the
39 inquiries required by subsection (a) of this section, each offender on probation be informed that
40 the reason the offender's military service history is being inquired about is in order to assist in
41 determining whether the offender may be eligible for any benefits by virtue of the offender's
42 veteran status. The rules adopted pursuant to this subsection shall also require the Department
43 to follow its normal policies regarding obtaining informed consent in making the inquiries
44 required by this section.

45 (c) If an offender on probation reports having previously served in any of the branches
46 of the military set forth in subdivision (1) of subsection (a) of this section and consents to the
47 release of that information, the Secretary may share that information with the U.S. Department
48 of Veterans Affairs, the Division of Veterans Affairs of the Department of Administration, and
49 any other local, State, or federal agency for the sole purpose of facilitating the offender's
50 eligibility for, and access to, benefits through those agencies.

1 (d) The Department of Correction shall enter into an agency participation agreement
2 with the North Carolina Housing Coalition, Inc., a nonprofit corporation, regarding access and
3 use of the Carolina Homeless Information Network (CHIN) Homeless Management
4 Information System. This agreement shall provide for the recording in the CHIN database of
5 information obtained pursuant to this section pertaining to the veteran status of persons in the
6 CHIN database.

7 (e) The requirements of this section shall be interpreted consistent with federal law, and
8 information obtained pursuant to this section shall not be a public record under Chapter 132 of
9 the General Statutes."

10 **SECTION 3.** Part 1 of Article 5 of Chapter 122C of the General Statutes is
11 amended by adding a new section to read:

12 **"§ 122C-210.3. Inquiries about veteran status; participation in Carolina Homeless**
13 **Information Network.**

14 (a) The Secretary of Health and Human Services shall adopt rules providing that the
15 following inquiries be made of each person who is admitted to a facility:

16 (1) Whether the person has ever served in the active or reserve components of
17 the Army, Marine Corps, Navy, Air Force, Air Guard, National Guard,
18 Coast Guard, or Merchant Marine.

19 (2) Whether the person consents to this information being shared with other
20 State, local, and federal agencies and entered into the Carolina Homeless
21 Information Network (CHIN) database, if applicable.

22 (b) The Secretary of Health and Human Services shall adopt rules requiring that prior to
23 making the inquiries required by subsection (a) of this section, each person be informed that the
24 reason the person's military service history is being inquired about is in order to assist in
25 determining whether the person may be eligible for any benefits by virtue of that status. The
26 rules adopted pursuant to this subsection shall also require the Department to follow its normal
27 policies regarding obtaining informed consent in making the inquiries required by this section.

28 (c) If a person reports having previously served in any of the branches of the military
29 set forth in subdivision (1) of subsection (a) of this section and consents to the release of that
30 information, the Secretary may share that information with the U.S. Department of Veterans
31 Affairs, the Division of Veterans Affairs of the Department of Administration, and any other
32 local, State, or federal agency for the sole purpose of facilitating the person's eligibility for, and
33 access to, benefits through those agencies.

34 (d) The Department of Health and Human Services shall enter into an agency
35 participation agreement with the North Carolina Housing Coalition, Inc., a nonprofit
36 corporation, regarding access and use of the Carolina Homeless Information Network (CHIN)
37 Homeless Management Information System. This agreement shall provide for the recording in
38 the CHIN database of information obtained pursuant to this section pertaining to the veteran
39 status of persons in the CHIN database.

40 (e) The requirements of this section shall be interpreted consistent with federal law, and
41 information obtained pursuant to this section shall not be a public record under Chapter 132 of
42 the General Statutes."

43 **SECTION 4.** There is appropriated from the General Fund to the Department of
44 Correction the sum of thirty-eight thousand two hundred fifty-seven dollars (\$38,257) for the
45 2009-2010 fiscal year and the sum of thirty thousand six hundred seven dollars (\$30,607) for
46 the 2010-2011 fiscal year to purchase 100 end user licenses for the Carolina Homeless
47 Information Network (CHIN) program for training, for network access, and for other technical
48 support and maintenance costs associated with accessing the CHIN program.

49 **SECTION 5.** There is appropriated from the General Fund to the Department of
50 Health and Human Services the sum of sixty-four thousand two hundred seventy-one dollars
51 (\$64,271) for the 2009-2010 fiscal year and the sum of fifty-one thousand four hundred

1 nineteen dollars (\$51,419) for the 2010-2011 fiscal year to purchase 168 end user licenses for
2 the Carolina Homeless Information Network (CHIN) program for training, for network access,
3 and for other technical support and maintenance costs associated with accessing the CHIN
4 program.

5 **SECTION 6.** The Division of Veterans Affairs of the Department of
6 Administration shall investigate additional sources of funding to accomplish the purposes of
7 this act and shall apply for any such funding.

8 **SECTION 7.** This act becomes effective October 1, 2009.