

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1573  
PROPOSED COMMITTEE SUBSTITUTE H1573-PCS80445-RD-53

Short Title: Help Homeless Veterans Receive Benefits.

(Public)

Sponsors:

Referred to:

May 5, 2009

A BILL TO BE ENTITLED

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

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

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

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

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

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

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

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

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

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

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



\* H 1 5 7 3 - P C S 8 0 4 4 5 - R D - 5 3 \*

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

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

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

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

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

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

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

31           **§ 15A-1343.4. Inquiries about veteran status; participation in Carolina Homeless**  
32           **Information Network.**

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

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

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

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

48           (c)    If an offender on probation reports having previously served in any of the branches  
49           of the military set forth in subdivision (1) of subsection (a) of this section and consents to the  
50           release of that information, the Secretary may share that information with the U.S. Department  
51           of Veterans Affairs, the Division of Veterans Affairs of the Department of Administration, and

1 any other local, State, or federal agency for the sole purpose of facilitating the offender's  
2 eligibility for, and access to, benefits through those agencies.

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

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

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

14 **"§ 122C-210.3. Inquiries about veteran status; participation in Carolina Homeless**  
15 **Information Network.**

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

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

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

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

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

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

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

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

1           **SECTION 5.** There is appropriated from the General Fund to the Department of  
2 Health and Human Services the sum of sixty-four thousand two hundred seventy-one dollars  
3 (\$64,271) for the 2009-2010 fiscal year and the sum of fifty-one thousand four hundred  
4 nineteen dollars (\$51,419) for the 2010-2011 fiscal year to purchase 168 end user licenses for  
5 the Carolina Homeless Information Network (CHIN) program for training, for network access,  
6 and for other technical support and maintenance costs associated with accessing the CHIN  
7 program.

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

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