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Testimony Submitted for Record by

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New York City Council
Committee on Veterans and Committee on Aging

Hearing on

Int. 1616-2019: Reporting on Senior Veterans and Social Service and Affordable
Housing Programs for Veterans

April 20, 2021

This testimony is submitted for record. My name is James Fitzgerald and I am the Deputy Director of the NYC Veterans Alliance, a member-driven, grassroots policy advocacy and community-building organization that advances veterans and families as civic leaders. We work with more than 150 community organizations across the NYC Metro area to promote events for veterans and families posted online at OurVeterans.NYC, our year-round online resource hub visited by more than 4,000 users each month. We also remain the only organization dedicated to local-level advocacy for veterans and families here in NYC. The NYC Veterans Alliance was a key advocate for the creation of the NYC Department of Veterans' Services (DVS) to support our city's population of 210,000 veterans, plus an estimated 250,000 caregivers and family members connected with those veterans. We further provided the advocacy initiative to introduce and pass Local Law 119-2017, which added veteran and military status to NYC's Human Rights Law. Since 2015, we have offered an independent, impartial voice advocating for the NYC veterans community.

Since the outset of the COVID-19 pandemic, NYC Veterans Alliance has mobilized a Veteran Mutual Aid program to address the direct needs of the NYC-metro veteran community. Empowering a volunteer team of NYC veterans, we have successfully provided assistance and information to hundreds of veteran families throughout the five boroughs, including food assistance, housing support, financial assistance, VA benefits help, and regular check-in calls. We have received client referrals from both NYC DVS and the NYS Division of Veterans' Services when client needs have exceeded the scope of the services they provide. Our current client load is more than 200 veteran families who receive routine check-ins and assistance with referrals and accessing resources. This direct outreach is in addition to the more than eight thousand email subscribers who look to us for critical community information on a weekly basis.

The clients who have reached out to our Veterans Mutual Aid program for help have ranged in age from 18 to 96 years old, with approximately 40% of our clients being over the age of 50. Tracking and reporting of age demographics is absolutely critical to understanding the needs of our communities and how government must improve the delivery of services. Seniors have been chronically underserved, and as delivery of government services has moved to digital platforms, too many seniors have been left out by not having the ability or the means to access them. Identifying whether our senior veterans are able to access city services is absolutely essential to the function of government. It is equally important to nonprofits that are seeking better information on how to tailor their services to ensure our communities provide the support they need.

We fully support Int. 1616-2019 and any subsequent measures to improve the clarity and transparency of data that DVS and other NYC agencies report on an annual or ongoing basis. Since 2015, we have consistently offered testimonies on the shortcomings of data reported by

NYC government. All NYC agencies must continue improving its reporting to provide granular demographic data and metrics on all protected classes within the NYC Human Rights Law—to include prior military service. Government services and community organizations alike should be able to look to government data to pinpoint the intersectionality of needs so we can work with a shared understanding of where specific needs must be addressed across the five boroughs. Age is a basic demographic category that must be consistently reported. We urge the committees to pass this Introduction without delay, and to examine further opportunities to ensure DVS and other agencies provide consistent reporting of appropriate data.

This concludes our testimony. We would be glad to discuss this further with the Committees.

Testimony by the New York Legal Assistance Group (NYLAG)

Before the New York City Council Committee on Veterans and Committee on Aging

regarding:

Oversight - Supporting NYC's Aging Veteran Population

April 20, 2021

1. Testimony of Ryan Foley, Supervising Attorney, Veterans Practice, Public Benefits Unit

Chair Deutsch, Chair Chin, Council Members, and staff, good afternoon and thank you for this opportunity to speak about supporting NYC's aging Veteran population. My name is Ryan Foley, and I am the Supervising Attorney of the Veterans Practice in our Public Benefits Unit, and I lead NYLAG's Council-funded community-based Legal Services for Veterans Initiative work at the New York Legal Assistance Group (NYLAG). I am joined by my colleague Ruth Stein, who is a Senior Staff Attorney in our LegalHealth Unit's Veterans Initiative, where she staffs our Older Veterans legal clinic. I would like to briefly discuss NYLAG's work on behalf of veterans, including the impact of COVID-19, before handing it over to Ruth to speak about her clinic and the importance of increased data reporting by the Department of Veterans Services (DVS). The New York Legal Assistance Group uses the power of the law to help New Yorkers in need combat economic, racial, and social injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. NYLAG serves military veterans, immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence survivors, persons with disabilities,

patients with chronic illness or disease, low-wage workers, members of the LGBTQ community, Holocaust survivors, and others in need of free civil legal services.

Given the level of need in New York City's diverse veteran population, NYLAG operates two veteran-specific legal programs. We have a medical-legal partnership with the Bronx and Manhattan VA Medical Centers and a community-based program that provides comprehensive services to veterans and their families, regardless of their discharge status and eligibility to use the VA Healthcare System.

In 2020 NYLAG assisted more than 800 veterans, 53% of whom were aged sixty or older. The issues presented by the older veteran population are wide-ranging, but often concern essential human needs such as housing, income, and healthcare, including advance planning and long-term care. COVID-19 has been devastating for the older veteran population, and we have experienced significant shifts in terms of intake flow and reported legal issues from our older veterans. Early on, it was a struggle to reach and connect to older veterans. Our clients, who were used to us being in the community - at different veteran sites as well as the VA - suddenly lost that connection, and the technological innovations we used to connect with younger veterans were simply not as effective with the older population. It took the creation of new hotlines and campaigns with our partners to make sure older veterans knew we were still at their side. Once we connected, the first wave of calls came from veterans fearful of losing their homes, a problem that has been postponed thanks to the eviction moratorium, but continues to leave our older veterans in precarious positions. Requests then shifted to older veterans who realized they could not return to work and needed information about benefits entitlement. And sadly, throughout the pandemic, we received calls from devastated veterans and their families who needed help with urgent

advance planning documents, with home and nursing home care, and with survivors' benefits.

NYLAG is grateful to the City of New York for its investment in legal services for veterans, which is critical to the work we do on behalf of the older veteran community. And we are delighted to receive funding from the NYC Department of Veterans' Services to assist veterans, including older veterans, who require discharge upgrades because they cannot access benefits due to their less than honorable discharges—benefits that could stabilize income and services for older veterans facing hardship due to the pandemic. Still, services for veterans have not been spared from budget cuts and continued and expanded funding for veterans legal services must remain a priority.

2. Testimony of Ruth Stein, Senior Staff Attorney, LegalHealth Unit

My name is Ruth Stein - I work in LegalHealth, NYLAG's medical-legal partnership, which staffs legal clinics at the Manhattan and Bronx VA Medical Centers. Due to the instability of private funding resources, we were forced to close our Older Veterans legal clinic in July 2019, and have only recently been able to reopen. This clinic is dedicated specifically to elderly, low-income VA patients whose physical and/or mental health issues – which often stem from their military service – are compounded by the impacts of aging. These veterans deal with complex, intersecting legal issues that affect their health. A veteran recently diagnosed with dementia may require advance planning, but also a pooled trust in anticipation of home care needs and to ensure the rent is paid on time. We may need to fight predatory debt collection to help a veteran to afford essential expenses. A veteran may require help with unexpected interactions between varying government benefits, such as

when the onset of Social Security creates a VA Pension overpayment. Our Older Veterans clinic works at these intersections—in VA benefits, Social Security, housing, family law, consumer issues, and advance planning — utilizing the expertise of NYLAG’s 300+ attorneys, paralegals, and financial counselors to comprehensively address veterans’ civil legal needs. Over the past year, which has been especially devastating for the vulnerable veteran community we serve, this ability to maximize resources on behalf of New York City veterans has never been more important.

To give just one case example, a 91-year-old Korean War Era veteran was recently referred to the Older Veterans clinic after hospitalization for congestive heart failure. He was in need of regular assistance with daily activities and wanted to receive his care at home, but complex VA and New York State laws meant he did not know if he qualified for assistance; meanwhile, paying for private care would ravage his savings and income at this uncertain time. With NYLAG’s help, the veteran learned how Medicaid planning and the VA benefits to which he was entitled could help him afford care safely at home. For this aging veteran, like so many others, the need for affordable home care, income support and housing were intertwined. Allowing veterans to remain safely at home is more important than ever due to the increased risks in congregate settings.

Tracking inquiries by aging Veterans for the essential services provided by New York City—from housing, to Medicaid, to income support—is crucial in examining the full scope of these problems and determining where needs are still not being met. NYLAG fully supports Council Member Vallone’s bill to amend Local Law 44 of 2019 requiring data on senior veterans to be included in DVS’s annual report, and encourages further collaboration between DVS and other NYC agencies serving the veteran population. It is more important

than ever to ensure we are meeting the needs of our aging Veterans, whose military-related disabilities and trauma often place them in a more vulnerable position than the general New York City aging population. And we thank these Committees for highlighting this issue and for the continued support of the work NYLAG does to help our older veterans.

Thank you for the opportunity to testify today. We look forward to engaging in further discussions about serving our veteran communities and improving their access to critical legal services and other resources.

Respectfully submitted,

New York Legal Assistance Group



**Testimony to the Committee on Veterans and the Committee on Aging of the
New York City Council**

**Delivered virtually on April 20, 2021
by Ashton Stewart, SAGEVets Program Manager**

Thank you, members of the New York City Council, for holding this budget hearing focused on Veterans' Services. My name is Ashton Stewart, and I am the manager of SAGEVets, SAGE's statewide program for lesbian, gay, bisexual, and transgender (LGBT) veterans. Support from the New York City Council has been instrumental to our SAGEVets program – allowing SAGE to engage older LGBT veterans across this great city and making a real difference in the lives of many older LGBT veterans.

SAGE is the country's first and largest organization dedicated to improving the lives of lesbian, gay, bisexual and transgender (LGBT) older people. Founded in New York City in 1978, SAGE has provided comprehensive social services and programs to LGBT older people for more than four decades. SAGEVets is one of SAGE's programs and, in fact, is the only program in the state designed for older LGBT veterans.

New York is home to approximately one million men and women who served their country in the Armed Forces – many of whom are LGBT. New York City and State are among the top ten cities and states with the highest concentrations of gay and lesbian veterans, both in number and per capita. In fact, the Urban Institute estimates there are over 38,000 lesbian and gay veterans living in New York State, with 17,000 residing in New York City.

According to a survey by the New York State LGBT Health and Human Services Network, 56% of those LGBT people who were veterans were over the age of 50. Many LGBT older veterans in New York are struggling and yet, are not accessing the services they need. In fact, according to the New York State LGBT Health and Human Services Network:

- 43% of lesbian, gay and bisexual vets live at under 200% of the Federal Poverty line; for transgender veterans, this number was nearly 60%
- 30% of lesbian, gay and bisexual veterans were homeless; 46% of transgender vets were homeless
- 34% of lesbian, gay and bisexual veterans were food insecure; over 61% of transgender vets struggle with food insecurity
- 30% of lesbian, gay and bisexual veterans and 48% of transgender vets fear discrimination from providers

SAGEVets was created to identify, support, and improve access to care among older LGBT veterans across the city and state and to respond to the swelling needs described above. further, to elevate the visibility of older LGBT veterans and their unique needs, SAGEVets program works in partnership with veteran service programs throughout the city to provide legal information and referrals for VA benefits including medical, pension, and education.

During the COVID-19 pandemic over the last year, support from the New York City Council has been crucial to enable us to reach and engage older LGBT veterans struggling. For LGBT elders and older LGBT veterans, many of whom were already facing financial insecurity, food insecurity, acute social isolation, and exacerbating health disparities, COVID-19 presented mounting challenges. Many of the LGBT older veterans who need help with food, connection, healthcare, or financial security often do not turn to the VA providers who can help for fear of discrimination. This has created a chasm between the need and access to care – one that is especially dangerous in the middle of the COVID-19 public health crisis.

SAGEVets' services are addressing many of these unmet needs. SAGEVets has conducted vigorous wellness checks among with over 400 SAGEVets participants, offered telephonic one-on-one and group support, and launched virtual programming to continue to connect older LGBT veterans to the community. Our team assesses veterans' vulnerabilities around isolation, food security, and mental and physical health. For veterans experiencing food insecurity, in partnership with the New York City Department of Veterans' Services, SAGEVets participants were able to receive non-perishable meals and our SAGEVets team connected those in need to a long-term meal delivery program. We are making referrals to remote legal counsel, teletherapy, and health care. Still, unfortunately not all service providers, including the VA, can offer the full suite of services they offered prior to the pandemic. To work around these issues, we have encouraged veterans to keep up with their primary care doctors with virtual check-ins. The Home-Based Primary Care program at the VA has been suspended, leaving especially vulnerable veterans at risk; they can, however, still conduct telephone intakes and screenings.

With vaccines now available, SAGEVets joined the Manhattan VA's COVID-19 Veterans Action Committee to stay up-to-date on vaccination access and available health services. We recently partnered with the Federal Trade Commission to offer a virtual program on how to avoid COVID-19 scams. We are also helping older LGBT veterans schedule vaccination appointments.

For veterans struggling with isolation, we connected these service members to SAGEConnect, a new SAGE initiative links volunteers with LGBT elders for phone support. And, we have continued to offer our weekly Veteran Support Group telephonically.

Throughout the year, our SAGEVets program continued to create and offer inspiring virtual programs. That included a panel that featured The Steven A. Cohen Military Family Center and the Manhattan VA and was hosted by the Veterans Mental Health Coalition of NYC, focused on the evolution of mental health supportive services for LGBT veterans since the repeal of the *Don't Ask Don't Tell*. In another exciting event, for the first time ever, SAGEVets was part of the [10th Mountain Division & Fort Drum's LGBT Pride Month Observance program](#), honoring the patriotism of the U.S. military from "LGBT members, past and present, who have fought bravely to protect our nation and ensure a quality for all who call America home."

SAGEVets honored Veterans Day, by participating in the historic 2021 New York City Veterans Day Parade. SAGEVets eagerly accepted a special invitation received from the United War Veterans Council (UWVC). We were one of only 120 vehicles in a symbolic Veterans Day Motorcade representing LGBT veterans who took the oath to serve their country. SAGEVets also participated in the Virtual Line of March, an online recreation of the Parade experience.

Even in the midst of the pandemic, SAGEVets continues to raise the profile and experiences of LGBT veterans. SAGEVets worked with Senator Brad Hoylman nominate the first transgender veteran to the New York State Senate Veterans Hall of Fame. In [*Collecting & Sharing LGBTQ Veteran Stories*](#), SAGEVets collaborated with the *Intrepid Sea, Air & Space Museum*, to address the notable gap in military museums that reflect the LGBT veteran experience. SAGEVets is honored to be part of the Intrepid's program with the New York City Department of Education, *LGBTQ+ Virtual Field Trips*, designed for our City's youth and focuses on raising awareness about LGBTQ+ veterans who served during and prior to the military's discriminatory policy, Don't Ask Don't Tell.

This funding has also helped fuel SAGE's work to implement the Restoration of Honor Act (ROH), legislation that is designed to help veterans who received Other Than Honorable Discharges gain access to veteran benefits offered by the State of New York. SAGEVets assisted a 63-year-old black cisgender gay male veteran of the U.S. Navy who was one of the first to submit a meritorious ROH application. While serving, he repeatedly received 4.0 performance evaluations, the highest possible score, earned the sailor of the month award several times, and was nominated for sailor of the year by the Commanding Officers. Despite his exemplary service, a disgruntled sailor reported suspicion that Louis was gay. After a subsequent investigation, he was discharged with an other than honorable discharge for "Homosexuality." When asked how SAGEVets and the Restoration of Honor Act has helped, the veteran stated, "I have enormous admiration for the U.S. Navy, but not the policy that ended my career. I have felt haunted by this discharge every time it comes up, but going through this process of getting my discharge upgraded has helped me reenter a social space that I had avoided for far too long, and suddenly I have confidence in myself, and the quality of duty I provided the U.S. military. I would encourage others in my situation to apply for the ROH and reclaim your honor."

Last year alone, SAGEVets outreach and program activities reached over 40,000 individuals, half of whom are veterans. The program made 43 legal referrals to LGBT veterans with nine legal victories including a discharge upgrade, approved disability claims, preventing an eviction, and a ruling by the NYS Supreme Court for a change in guardianship. We were proud to receive the 2020 Black Veterans for Social Justice Gallantry Award for our commitment to our work. Earlier this year, SAGEVets won another service-connected disability case, this time for a 72-year-old Latina transgender female veteran of the U.S. Army who received a retroactive lump-sum payment over \$20,000!

In a year like no other, SAGE is so grateful for the support of the New York City Council. Please feel share this information about our programs and services with your partners and constituents. We look forward to our ongoing collaboration with the Council in our shared work to ensure that our City's older LGBT veterans can access the care, services that they deserve.



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**NYC Oversight Hearing for the Committee on Veterans
Visiting Nurse Service of New York (VNSNY)
VNSNY's Veterans Programs Serving Aging Veterans Population**

Tuesday, April 20, 2021

Good morning Chair Deutsch, Chair Chin, and Members of the New York City (NYC) Council Committee on Veterans and Committee on Aging. My name is Joe Vitti and I am the Director of the Hospice Veterans Program for VNSNY. I am also a post-9/11 Veteran who served in the US Army as a commissioned Military Intelligence Officer. Thank you for the opportunity to testify about ***the Hospice and Home Care Services that VNSNY's provides to our aging veteran population.***

VNSNY is the largest free-standing not-for-profit home and community-based health care organization in the United States, providing care to nearly 40,000 patients and health plan members every day. VNSNY has continuously provided critical home and community-based healthcare services to marginalized populations – *which includes veterans*. VNSNY has been there for New York throughout many of its biggest public health and natural emergencies – COVID-19 has not been any different – since *March 2020, VNSNY has cared for more than 6,000 COVID-positive New Yorkers.*

Aging Veterans in New York City

There are approximately 140,000 veterans in NYC today, 71% of whom are 55 or older. This community has diverse and complex physical and mental health needs that the VA (our nation's largest healthcare system) addresses with a multitude of services and benefits. However, because of the complexity of the VA system and systemic poor health literacy among veterans, many veterans never fully access or utilize the benefits they need.

As NYC's veteran population continues to age, it is becoming even more important to make these services available, as well as provide community outreach so that they know about their full VA benefits. Unfortunately for many veterans who are eligible for VA benefits who but have not had contact with the VA, navigating the system can be incredibly difficult and time consuming.

VNSNY's Veterans Healthcare Services

VNSNY Hospice is the largest home care and hospice provider to veterans in the New York State.

- VNSNY's Hospice Veterans Program is a Level 5 *We Honor Veterans Program* serving all five boroughs of NYC. This national collaboration between the U.S. Department of Veterans Affairs (VA) and the National Hospice and Palliative Care Organization (NHPCO) empowers hospice professionals to meet the needs of dying veterans.
- VNSNY's Veterans Home Health Care Program tailors our high-quality home health care to the particular needs of veterans.

Together, VNSNY Veterans Healthcare Services provided quality care in the home to 1,580 veterans in 2020.

- By borough: Bronx: 185 (12%), Brooklyn: 319 (20%), Manhattan: 479 (30%), Queens: 389 (25%), Staten Island: 208 (13%)
- By period served: WWII: 221 (14%), Korea: 337 (22%), Cold War: 278 (18%), Vietnam: 509 (32%), Gulf War/Operations Enduring Freedom/Iraqi Freedom: 33 (1%), Other: 202 (13%)
- On average, our veterans have eight to ten chronic conditions in contrast with our general patient population, which has three to four. Veterans' top three conditions in our hospice are heart failure, COPD and cancer. In our home care it is surgical recovery, cancer and medication management. Behavioral health conditions are also prevalent, particularly those related to PTSD, schizophrenia and injuries sustained in conflict.

Both programs provide veterans and their families with a skilled veteran liaison who assists and guides them with accessing the many benefits and services available through the VA as well as other VNSNY veterans programs and services, including behavioral health. In addition to bringing years of experience from VA hospital sites and active duty sites, our staff is diverse in ethnicity, and gender, and type of military service, which helps us bring culturally competent care when addressing a veteran's issues. VNSNY's programs are available to all eligible veterans, no matter their health status, economic status, military branch, or combat status.

We have continued to provide care throughout COVID-19 and have conducted virtual events with community organizations and veteran service organizations (i.e. the American Legion), and our liaisons have been providing telehealth visits, securing benefits like home-delivered meals, and advocating for our veterans' VA services and benefits.

As a community-based organization, we also work with the NYC Department of Veterans Services (DVS) and social service programs to coordinate additional care of benefits – such as access to home-delivered meals. We welcome opportunities to grow our collaboration with DVS, as we work to make sure that all veterans have access to the services they need to live healthy lives. We think VNSNY can be particularly valuable both as a provider of home-based services, and as a liaison to help veterans with the VA benefits to which they are entitled.

Here is a recent example:

We recently had the privilege of veteran who had recently been diagnosed with terminal cancer. He and his wife had no other family, and his wife needed more help taking care of him than VNSNY's home care program could provide due to his declining health. We connected him to the VA Health System, which assigned him a primary care physician and gave him additional personal care hours through the VA Home Based Primary Care (HBPC) program, a VA visiting doctors program. We also helped him secure copies of his discharge papers and correct his social security number. He was then admitted to our hospice program, where he and his wife received ongoing compassionate support from our expert hospice team. He passed away peacefully this past February in the comfort of his home with his wife by his stand with the support of our interdisciplinary care team.

This is an excerpt from a letter from his wife to the VNSNY Veterans Program: *“In everyone’s lifetime, we are sometimes blessed by a guardian angel who appears at just the right time to help us through our most difficult moments. Chris has been tireless, patient, compassionate, incredibly kind and thorough in being CERTAIN that I got all the connections needed to help my cancer-ridden veteran husband chart his tragic course with the best possible quality of life for as long as I have the privilege of keeping him.” Through the veteran liaison’s “caring, skill, experience and knowledge, I am in the process of getting the best possible services available.”*

Conclusion

VNSNY’s Veterans Programs mission is to improve the lives of Veterans with unmet health care needs. Understanding the Veteran experience and assessing each veteran’s unique needs is the first step. Veterans are trained to be tough and are often reluctant to show their vulnerabilities. They are often unaware of the many benefits available to them through the VA system or supports available through community-based organizations. Without access to needed support, veterans are at greater risk for poor health outcomes. This important initiative has allowed us to engage veterans in discussions about their health goals while providing support, guidance, and linkage to appropriate services, benefits, and entitlements. We look forward to expanding our partnership with DVS and other NYC agencies to help as many veterans as we can.

Thank you again for the opportunity to testify today, and I am available to address any questions.



NEW YORK CITY COUNCIL COMMITTEES ON VETERANS AND AGING

Tuesday, April 20, 2021, 11:00 a.m.

SUBJECT: Oversight - Supporting NYC's Aging Veteran Population.

Good morning. My name is Peter Kempner. I am the Legal Director at Volunteers of Legal Service (VOLS), where I supervise the VOLS Veterans Initiative which is a part of our Elderly Project. VOLS was established in 1984 and our purpose is to leverage private attorneys to provide free legal services to low-income New Yorkers to help fill the justice gap.

Prior to the COVID-19 outbreak, the VOLS Veterans Initiative conducted free weekly legal clinics at the Manhattan Campus of the Department of Veterans Affairs' NY Harbor Health Care System where we provided free civil legal services to low-income veterans aged 60 and over. After the crisis shut the VA Hospital to outside visitors, we moved our services online and launched a legal hotline for low-income elderly veterans. The core work that VOLS does for older veterans is the drafting and execution of life planning documents which include Last Wills and Testaments, Powers of Attorney, Health Care Proxies, Living Wills and other advance directives.

The COVID-19 crisis has ravaged our veteran community. In January 2021, the United States Department of Veterans Affairs reported that more veterans had died of COVID-19 than from Operation Iraqi Freedom (which lasted from 2003 - 2010) and Operation Enduring Freedom (which lasted from 2001 - 2015), combined. In addition, a 2020 study using national Veterans Administration data showed that of veterans who tested positive for COVID-19 between February 28, 2020 and May 14, 2020, most deaths were attributed to being age 50 and older, male, and having a greater comorbidity burden. Locally we have seen the devastating impact of the pandemic on our seniors, who have suffered 80% of the COVID-related deaths in New York City. In our minds this crisis has only reinforced the urgency and importance of planning for disability and end of life. Sadly, too few seniors have properly planned for the future and we know that the New York City veteran community is a greying one. These veterans not only need access to free attorneys to help them plan for the future, but to also meet a wide variety of legal challenges that they face.

NYC Department of Veterans Services estimates there are 210,000 veterans of all economic backgrounds living in the city, 30% of whom are age 55+. VOLS serves low-income veterans living at up to 400% of the Federal Poverty Level, which considers the high cost of living in New York City and ensures that veterans with service-related disabilities can access our services. Veterans face civil legal challenges and a dearth of affordable, quality legal services. Many do not know whom to turn to for legal help. According to the Legal Services Corporation 2017 Justice Gap report, 71% of veterans faced at least one civil legal problem and 21% had six or more problems in the past year. According to the same report, veterans seek professional legal help for 21% of problems because they did not know where to look (29%), because they decided to deal with problem on own (25%), or because they were not sure if the issue was a legal matter (18%).

Studies suggest that veterans, like the population at large, have not engaged in life planning. For example, a 2015 study of veterans diagnosed with cancer found that close to half lacked a documented advance directive. A 2017 study by the University of California found that 81% of more than 2,500 veterans they surveyed did not have an advanced directive. Among the U.S. population, approximately 37% have completed an advance directive.

41% of veterans in New York identify as African American, Asian, Latino, or multiracial. Many low-income and senior individuals of color have lacked access to quality healthcare prior to and during the pandemic; they have been particularly vulnerable to COVID- 19, with 28% and 34% of deaths coming from Black and Latinx communities, respectively. In addition, studies have shown that people of color are less likely to engage in advanced care planning.

Many low-income older veterans think that because they do not have resources or wealth to pass on to the next generation, they do not need to have advance directives in place. They are wrong.

By engaging in effective life planning, elderly and disabled veterans are more likely to stay in their homes where they can age in place and live with dignity. For example, a veteran who has executed a Power of Attorney empowers their agent to seek government benefits to pay for housing costs, to sign leases, apply for and recertify housing subsidies, and deal with any issue that may arise with their landlord or housing provider. Landlords and market forces are increasingly pushing long term tenants from their homes, so taking action to stabilize housing for veterans is more urgent than ever. Health Care Proxies allow caregiver to make critical medical decisions and seek appropriate care for the veteran who entrusted them with this agency. Without these tools in place, older veterans may find themselves in a nursing home, which in New York City cost an average of \$148,000 per year per person. Veterans on Medicaid or Medicare who live in their homes will save taxpayers approximately \$1,600 per month. Effective life planning can also keep disabled and elderly veterans from falling into guardianship and other government involvement. Veterans should be afforded the opportunity to choose someone they trust to handle their affairs. Guardianship can also be costly to public coffers due to legal fees, court examiners, and the involvement of Adult Protective Services.

Our hope is that the oversight being conducted today by your two Committees, and the reporting requirements outlined in Int 1616-2019 will bring to light many of the issues that older veterans in New York City face. Cooperation between the New York City Department for the Aging and the New York City Department of Veterans Services is one key to meeting the needs of older veterans and we applaud the recognition of the intersectionality that is embodied in holding this joint hearing today.

Thank you for allowing us to submit this testimony and for supporting the needs of our older veterans.

Peter Kempner, Esq.
Legal Director



**Testimony of
Leo Asen
AARP New York**

**New York City Council
Committees on Veterans and Aging**

April 20, 2021

**Remote Hearing
New York, New York**

Contact: Kevin Jones (646) 668-7550 | kjones@aarp.org

Good morning Chairs Deutsch and Chin, and members of the Committees on Veterans and Aging. My name is Leo Asen and I am the President of AARP New York, representing the 750,000 members of the 50+ community in New York City. I am also a veteran. Thank you for providing me with the opportunity to testify today.

AARP New York fully supports Intro 1616 in order to improve reporting on senior veterans as well as reporting on social services and affordable housing programs for veterans.

There are more than 150,000 veterans in NYC, and we are lucky to have a Department of Veterans' Services in order to address their needs.

However, for many veterans, it can be hard to find the right information on the benefits and services you have earned through serving in the military, not to mention any other benefits depending on your socioeconomic status. We know accessing benefits is challenging across the board, with many key programs like SNAP or SCRIE and DRIE significantly underutilized across New York City.

Having the Department of Veterans Service collect data on inquiries by veterans will help the city understand the actual need and demand for critical services, and help connect veterans to the appropriate agencies who deliver them.

It's particularly important that we make every effort to meet the needs of senior veterans right now, when older New Yorkers have disproportionately suffered the effects of COVID-19. As the City begins to recover, senior services are crucial to address issues that have been exacerbated by the pandemic, especially with regards to food insecurity, social isolation, healthcare, and other related social services.

Veterans of all ages have done a great service to our country, and government at every level should take all steps necessary to make sure they receive any benefits to which they are entitled.

For these reasons, AARP New York fully supports Intro 1616 in order to improve reporting on senior veterans, and reporting on social services and affordable housing programs for veterans.

Thank you for your time and for the opportunity to testify today.