



The American Legion



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MICHAEL H. McDERMOTT
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DNY-VSC-VS-001 2020

Chairman, Veterans Services Committee

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Subject: Burial of Indigent Veterans in the State of New York

TO: All American Legion Accredited Service Officers
All District, County and Post Commanders

In response to a question from the field in relation to burial of Indigent Veterans and the COVID-19 Virus, we have coordinated with the New York State Division of Veterans Services and determined that New York State General Municipal Law, Article 7-A, Section 148, 1a does in fact include our local The American Legion Posts. I have inserted the applicable law below for your information; additional information is available at this website:

<https://veterans.ny.gov/content/indigent-burial-reimbursements>

and the application is available at this website:

https://veterans.ny.gov/sites/default/files/indigent-burial-form_04apr2019.pdf.

*Notwithstanding any other provision of this section, in the case of an indigent veteran who died in a county or the city of New York leaving no funds or insurance sufficient to pay funeral and burial expenses of such veteran and such veteran has no next of kin or person of record previously designated to control his or her final disposition pursuant to section four thousand two hundred one of the public health law, such county or the city of New York may request a congressional chartered veterans' organization within the county or the city of New York where the decedent resided at the time of death, to engage the services of a funeral firm to conduct the funeral and burial services. Such organization shall incur the costs associated with such services, which shall include but not be limited to, the purchase of a suitable container for burial, the funeral director's prices for merchandise and services furnished, cost of a grave site and a military funeral service at the cemetery to which such body shall be interred. **The state shall reimburse such congressional chartered veteran organization for such funeral and burial service expenses for indigent veterans, except those expenses previously reimbursed pursuant to section one hundred forty-one of the social services law or any other law or those expenses reimbursable or payable by the federal government; provided however, that the total reimbursement pursuant to this subdivision shall not exceed two thousand dollars per burial.***

CC:

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