



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

**LISA J. PINO, M.A., J.D.**  
Executive Deputy Commissioner

June 29, 2021

Re: End of NYS COVID Disaster Emergency and SHIN-NY Consent for VA and DoD MHS Facilities

Dear SHIN-NY QEs and QE VA and DoD MHS Participants:

On March 7, 2020 Governor Andrew Cuomo declared a state of emergency in New York State to address the COVID-19 pandemic. At the end of the day on June 24, 2021 this state of emergency and any allowances made under its authority will officially cease.

As part of the Department of Health's efforts, a waiver was issued on April 5, 2020 allowing for any United States Department of Veterans Affairs (VA) or Department of Defense (DoD) Military Health System (MHS) facility to access information from the SHIN-NY using the consent process in use by such VA and MHS facilities. Specifically, this waiver allowed the VA and DoD opt-out consent policies for access to the SHIN-NY.

With the ending of the waiver, opt out consent will no longer be considered valid. VA and DoD facilities will need to obtain affirmative consent from patients to access their information within the SHIN-NY as outlined in the SHIN-NY regulations.

The complete SHIN-NY regulations can be found here: <https://www.health.ny.gov/technology/regulations/>. Questions concerning this or other policies can be sent to [shin-ny@health.ny.gov](mailto:shin-ny@health.ny.gov).