S T A T E O F N E W Y O R K

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I N S E N A T E

May 15, 2014

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to directing the office of children and family services to establish workload standards for child protective services workers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 20-a of the social services law, as added by chapter 107 of the laws of 1971, is amended to read as follows:

S 20-a. Local personnel; limitations on department's power. Notwithstanding any inconsistent provision of this chapter, the board, the commissioner or the department, acting singly or in unison, shall not have the power, directly or indirectly to prescribe the number of persons to be employed in any social services district providing the district complies with the minimum federal standards relating thereto; PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY SERVICES ESTABLISHING WORKLOAD STANDARDS FOR CHILD PROTECTIVE SERVICES WORKERS PROMULGATED PURSUANT TO PARAGRAPH (C) OF SUBDIVISION FOUR OF SECTION FOUR HUNDRED TWENTY-ONE OF THIS CHAPTER.

S 2. Subdivision 4 of section 421 of the social services law is amended by adding a new paragraph (c) to read as follows:

(C) PROMULGATE REGULATIONS RELATING TO WORKLOAD STANDARDS FOR CHILD PROTECTIVE SERVICES, WHICH SHALL BE NO MORE THAN FIFTEEN ACTIVE CASES PER MONTH PER FULL TIME CHILD PROTECTIVE SERVICES WORKER. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO FORBID THE OFFICE FROM PROMULGATING REGULATIONS THAT REQUIRE AN AVERAGE WORKLOAD STANDARD OF LESS THAN FIFTEEN ACTIVE CASES PER MONTH PER FULL TIME CHILD PROTECTIVE SERVICES WORKER.

S 3. Paragraph (c) of subdivision 1 of section 423 of the social services law, as amended by chapter 83 of the laws of 1995, is amended to read as follows:

(c) The child protective service shall have a sufficient staff, SUBJECT TO THE PROVISIONS OF PARAGRAPH (C) OF SUBDIVISION FOUR OF

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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SECTION FOUR HUNDRED TWENTY-ONE OF THIS TITLE, of sufficient qualifications to fulfill the purposes of this title and be organized in such a way as to maximize the continuity of responsibility, care and service of individual workers toward individual children and families. A social services district shall have flexibility in assigning staff to the child protective service provided that each staff assigned to such service has the staff qualifications and has received the training required by the department regulations promulgated pursuant to subdivisions four and five of section four hundred twenty-one of this title.

S 4. This act shall take effect on the seven hundred thirtieth day after it shall have become a law.