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

2494

2009-2010 Regular Sessions

I N A S S E M B L Y

January 16, 2009

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to chemical testing for prospective foster care parents

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

Section 1. Section 378 of the social services law is amended by adding a new subdivision 6 to read as follows:

6. (A) NO SUCH LICENSE OR CERTIFICATE SHALL BE AWARDED TO A PROSPECTIVE FOSTER PARENT PRIOR TO CHEMICAL TESTING, INCLUDING, BUT NOT LIMITED TO, DRUG AND ALCOHOL TESTING. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AN APPLICATION FOR CERTIFICATION OR LICENSURE OR APPROVAL OF A PROSPECTIVE FOSTER PARENT SHALL BE DENIED WHERE SUCH CHEMICAL TESTING REVEALS A POSITIVE PRESENCE OF DRUGS OR ALCOHOL IN SUCH PROSPECTIVE FOSTER PARENT.

(B) THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL ISSUE RANDOM CHEMICAL TESTING TO FOSTER PARENTS, INCLUDING, BUT NOT LIMITED TO, DRUG TESTING.

S 2. This act shall take effect immediately.

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

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