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

March 1, 2010

Introduced by Sens. HUNTLEY, MORAHAN, DIAZ, MONTGOMERY, STEWART-COUSINS, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the executive law, in relation to establishing the peer advocacy and mentoring program

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

Section 1. The executive law is amended by adding a new section 522-a to read as follows:

S 522-A. PEER ADVOCACY AND MENTORING PROGRAM. 1. THERE IS HEREBY CREATED WITHIN THE OFFICE OF CHILDREN AND FAMILY SERVICES, A PEER ADVOCACY AND MENTORING PROGRAM.

2. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL, IN CONSULTATION WITH THE OFFICE OF MENTAL HEALTH AND WITHIN THE AMOUNTS APPROPRIATED THEREFOR, CONTRACT WITH A NOT-FOR-PROFIT ORGANIZATION OR ORGANIZATIONS SPECIALIZING IN PROVIDING PEER SUPPORT AND ADVOCACY TO YOUTH AND THE NEEDS OF YOUTH, INCLUDING BUT NOT LIMITED TO EMOTIONAL AND BEHAVIORAL NEEDS, TO ESTABLISH A PEER ADVOCACY AND MENTORING PROGRAM. SUCH PROGRAM SHALL BE DESIGNED TO PROVIDE PEER SUPPORT, ADVOCACY AND MENTORING FOR YOUTH RESIDING IN RESIDENTIAL CARE AS SUCH TERM IS DEFINED IN PARAGRAPHS (B) AND (G) OF SUBDIVISION FOUR OF SECTION FOUR HUNDRED TWELVE-A OF THE SOCIAL SERVICES LAW.

3. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF LAW TO THE CONTRARY, PRIORITY FOR SERVICES UNDER THE PEER ADVOCACY AND MENTORING PROGRAM SHALL BE GIVEN TO YOUTH WHO WERE PLACED IN RESIDENTIAL CARE PURSUANT TO SECTION 353.3 OF THE FAMILY COURT ACT, AND WHO RESIDE IN FACILITIES DESCRIBED IN SECTION FIVE HUNDRED FOUR OF THIS ARTICLE.

4. PEER ADVOCATES ACTING AS EMPLOYEES OR VOLUNTEERS IN THE PEER ADVOCACY AND MENTORING PROGRAM SHALL: (A) BE INDIVIDUALS BETWEEN THE AGES OF SIXTEEN AND THIRTY WHO HAVE:

(I) PREVIOUSLY BEEN PLACED IN RESIDENTIAL CARE AS SUCH TERM IS DEFINED IN PARAGRAPHS (B) AND (G) OF SUBDIVISION FOUR OF SECTION FOUR HUNDRED TWELVE-A OF THE SOCIAL SERVICES LAW;

(II) EXPERIENCED DISABILITIES OR BEHAVIORAL HEALTH NEEDS; AND

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

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(III) SUCCESSFULLY COMPLETED TRAINING THAT HAS BEEN APPROVED BY THE COMMISSIONERS OF THE OFFICE OF MENTAL HEALTH AND THE OFFICE OF CHILDREN AND FAMILY SERVICES, QUALIFYING SUCH INDIVIDUALS TO WORK IN THE PEER ADVOCACY AND MENTORING PROGRAM;

(B) HAVE REASONABLE AND APPROPRIATE ACCESS TO YOUTH IN RESIDENTIAL FACILITIES AND THE OPPORTUNITY TO MEET WITH YOUTH IN A PRIVATE, CONFIDENTIAL SETTING;

(C) SERVE AS A LINK FOR YOUTH AND THEIR FAMILIES TO OTHER SUPPORTS INCLUDING THE ATTORNEY FOR THE CHILD AND THE OFFICE OF THE OMBUDSMAN AS DESCRIBED IN SECTION FIVE HUNDRED TWENTY-THREE-B OF THIS TITLE; AND

(D) NOT IDENTIFY, IN ANY WAY, OUTSIDE OF THEIR SCOPE OF EMPLOYMENT OR DUTIES AS A PEER ADVOCATE, THE NAME OR IDENTITY OF ANY YOUTH SERVED WITHIN THE PEER ADVOCACY AND MENTORING PROGRAM WITHOUT THE EXPRESS WRITTEN CONSENT OF SUCH YOUTH.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.