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I N   S E N A T E

March 1, 2010

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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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

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

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

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

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

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

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

27    (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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1 (III) SUCCESSFULLY COMPLETED TRAINING THAT HAS BEEN APPROVED BY THE  
2 COMMISSIONERS OF THE OFFICE OF MENTAL HEALTH AND THE OFFICE OF CHILDREN  
3 AND FAMILY SERVICES, QUALIFYING SUCH INDIVIDUALS TO WORK IN THE PEER  
4 ADVOCACY AND MENTORING PROGRAM;

5 (B) HAVE REASONABLE AND APPROPRIATE ACCESS TO YOUTH IN RESIDENTIAL  
6 FACILITIES AND THE OPPORTUNITY TO MEET WITH YOUTH IN A PRIVATE, CONFI-  
7 DENTIAL SETTING;

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

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

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