

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

8137--A

I N S E N A T E

June 11, 2010

Introduced by Sens. MONTGOMERY, BRESLIN, OPPENHEIMER, SQUADRON, STAVISKY, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to notice requirements to families and providers when funding cuts are made

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

1 Section 1. Section 34-a of the social services law is amended by
2 adding a new subdivision 9 to read as follows:
3 9. (A) IN ORDER TO ALLOW FAMILIES TIME TO PROPERLY PLAN FOR THEIR
4 FINANCIAL NEEDS AND FOR THE SAFETY, SOCIAL AND EMOTIONAL NEEDS OF THEIR
5 CHILDREN, IN THE EVENT THAT A SOCIAL SERVICES DISTRICT PROPOSES TO AMEND
6 ITS CONSOLIDATED SERVICES PLAN, SUBMITS AN ANNUAL PLAN UPDATE, OR TAKES
7 ANY OTHER ACTION THAT WOULD LOWER THE FINANCIAL ELIGIBILITY LEVEL FOR
8 CHILD CARE ASSISTANCE SO THAT FAMILIES RECEIVING SUBSIDIES WOULD LOSE
9 ELIGIBILITY THEREFORE, THE LOCAL SOCIAL SERVICES DISTRICT SHALL NOTIFY
10 THE OFFICE OF CHILDREN AND FAMILY SERVICES OF THAT FACT AT LEAST NINETY
11 DAYS BEFORE THE EFFECTIVE DATE OF THE PROPOSED CHANGE IN ELIGIBILITY
12 LEVEL. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL POST NOTICE OF
13 THE PROPOSED CHANGE ON THE OFFICE'S WEBSITE WITHIN TEN DAYS OF RECEIVING
14 SAID NOTICE, AND WITHIN THIRTY DAYS OF RECEIVING SAID NOTICE SHALL NOTI-
15 FY ALL LICENSED AND REGISTERED CHILD CARE PROVIDERS IN THE AFFECTED
16 DISTRICT, THE STATE CHILD CARE RESOURCE AND REFERRAL AGENCY, AS WELL AS
17 THE LOCAL CHILD CARE RESOURCE AND REFERRAL AGENCY. SAID NOTICE MAY BE
18 MADE BY E-MAIL OR REGULAR MAIL IN THE FORM OF A LETTER OR POSTCARD, AND
19 SHALL INFORM THE RECIPIENT OF THE DATE OF THE PROPOSED CHANGE AND A
20 DESCRIPTION OF THE PROPOSED CHANGE. THE NOTICE SHALL ALSO REQUEST THAT
21 CHILD CARE PROVIDERS THAT RECEIVE THE NOTICE IMMEDIATELY POST THE NOTICE
22 IN A PLACE WHICH IS LIKELY TO BE SEEN BY THE FAMILIES WHO HAVE CHILDREN
23 IN THE PROVIDER'S CARE. THIS NOTICE SHALL NOT BE CONSIDERED AS A SUBSTI-
24 TUTE FOR ANY NOTICE TO PARENTS WHICH IS REQUIRED BY LAW.

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

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1 (B) IN ORDER TO ALLOW FAMILIES TIME TO PROPERLY PLAN FOR THEIR FINAN-
2 CIAL NEEDS AND FOR THE SAFETY, SOCIAL AND EMOTIONAL NEEDS OF THEIR CHIL-
3 DREN, IN THE EVENT THAT A SOCIAL SERVICES DISTRICT PROPOSES TO AMEND ITS
4 CONSOLIDATED SERVICES PLAN OR TO SUBMIT AN ANNUAL PLAN UPDATE THAT
5 INCREASES THE PARENTAL CO-PAYMENT MULTIPLIER FOR CHILD CARE ASSISTANCE
6 SO THAT FAMILIES RECEIVING SUBSIDIES WOULD PAY AN INCREASED PERCENTAGE
7 OF THEIR INCOME AS A CHILD CARE CO-PAYMENT, THE LOCAL SOCIAL SERVICES
8 DISTRICT SHALL NOTIFY THE OFFICE OF CHILDREN AND FAMILY SERVICES OF THAT
9 FACT AT LEAST NINETY DAYS BEFORE THE EFFECTIVE DATE OF THE PROPOSED
10 CHANGE IN ELIGIBILITY LEVEL. THE OFFICE OF CHILDREN AND FAMILY SERVICES
11 SHALL POST NOTICE OF THE PROPOSED CHANGE ON THE OFFICE'S WEBSITE WITHIN
12 TEN DAYS OF RECEIVING SAID NOTICE, AND WITHIN THIRTY DAYS OF RECEIVING
13 SAID NOTICE SHALL NOTIFY ALL LICENSED AND REGISTERED CHILD CARE PROVID-
14 ERS IN THE AFFECTED DISTRICT, THE STATE CHILD CARE RESOURCE AND REFERRAL
15 AGENCY, AS WELL AS THE LOCAL CHILD CARE RESOURCE AND REFERRAL AGENCY.
16 SAID NOTICE MAY BE MADE BY E-MAIL OR REGULAR MAIL IN THE FORM OF A
17 LETTER OR POSTCARD, AND SHALL INFORM THE RECIPIENT OF THE DATE OF THE
18 PROPOSED CHANGE AND A DESCRIPTION OF THE PROPOSED CHANGE. THE NOTICE
19 SHALL ALSO REQUEST THAT CHILD CARE PROVIDERS THAT RECEIVE THE NOTICE
20 IMMEDIATELY POST THE NOTICE IN A PLACE WHICH IS LIKELY TO BE SEEN BY THE
21 FAMILIES WHO HAVE CHILDREN IN THE PROVIDER'S CARE. THIS NOTICE SHALL NOT
22 BE CONSIDERED AS A SUBSTITUTE FOR ANY NOTICE TO PARENTS WHICH IS
23 REQUIRED BY LAW.

24 S 2. This act shall take effect on the first of January next succeed-
25 ing the date on which it shall have become a law.