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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. DINOWITZ, ENGLEBRIGHT, SCHROEDER, ZEBROWSKI,
J. RIVERA, PHEFFER, BROOK-KRASNY, ABBATE, BARRON, BENEDETTO -- Multi-
Sponsored by -- M. of A. BRENNAN, COLTON, FARRELL, GALEF, HOOPER,
JAFFEE, MAISEL, PAULIN, REILLY, SPANO, SWEENEY, TITONE, WEINSTEIN --
read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to authorizing the state
office for the aging to implement a caregiver support program for
grandparents and other older relatives who are caring for children

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

1 Section 1. The elder law is amended by adding a new section 224 to
2 read as follows:
3 S 224. GRANDPARENT CAREGIVER SUPPORT PROGRAM. 1. THE DIRECTOR IS HERE-
4 BY AUTHORIZED AND DIRECTED, TO THE EXTENT APPROPRIATIONS ARE AVAILABLE
5 THEREFOR, TO DEVELOP AND ESTABLISH A GRANDPARENT CAREGIVER SUPPORT
6 PROGRAM FOR THE PURPOSE OF PROVIDING SUPPORT SERVICES TO GRANDPARENTS OR
7 OTHER OLDER ADULT RELATIVE CAREGIVERS WHO ARE PROVIDING PRIMARY CARE FOR
8 A CHILD.
9 2. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION:
10 (A) "GRANDPARENT OR OTHER OLDER ADULT RELATIVE CAREGIVERS" SHALL MEAN
11 A GRANDPARENT OR STEPGRANDPARENT OF A CHILD OR A RELATIVE OF A CHILD BY
12 BLOOD OR MARRIAGE WHO:
13 (I) IS SIXTY YEARS OF AGE OR OLDER, AND
14 (II) LIVES WITH THE CHILD, AND
15 (III) PROVIDES PRIMARY CARE FOR THE CHILD BECAUSE THE BIOLOGICAL OR
16 ADOPTIVE PARENTS ARE UNWILLING OR UNABLE TO SERVE AS THE PRIMARY CARE-
17 GIVER OF THE CHILD, AND
18 (IV) IS THE CUSTODIAN OR GUARDIAN OF THE CHILD, OR IS RAISING THE
19 CHILD INFORMALLY.

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

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1 (B) "CHILD" SHALL MEAN AN INDIVIDUAL WHO IS EIGHTEEN YEARS OF AGE OR
2 YOUNGER.

3 3. THE GRANDPARENT CAREGIVER SUPPORT PROGRAM MAY INCLUDE, BUT IS NOT
4 LIMITED TO:

5 (A) THE CREATION OF GRANDPARENT CAREGIVER RESOURCE CENTERS BY LOCAL
6 OFFICES FOR THE AGING IN NEW YORK STATE,

7 (B) TECHNICAL ASSISTANCE AND TRAINING FOR GRANDPARENT AND OTHER OLDER
8 ADULT RELATIVE CAREGIVERS SUPPORT GROUPS,

9 (C) INFORMATION AND REFERRAL FOR GRANDPARENT AND OTHER OLDER ADULT
10 RELATIVE CAREGIVERS,

11 (D) ASSISTANCE TO GRANDPARENTS AND OTHER OLDER ADULT RELATIVE CAREGIV-
12 ERS IN GAINING ACCESS TO AVAILABLE SERVICES,

13 (E) COUNSELING TO GRANDPARENTS AND OTHER OLDER ADULT RELATIVE CAREGIV-
14 ERS IN MAKING DECISIONS AND SOLVING PROBLEMS RELATING TO THEIR CAREGIV-
15 ING ROLES, AND

16 (F) THE PUBLICATION AND DISSEMINATION OF PRINTED MATERIAL RELATED TO
17 SERVICES AVAILABLE TO GRANDPARENTS AND OTHER OLDER ADULT RELATIVE CARE-
18 GIVERS.

19 S 2. This act shall take effect immediately.