

6823

2011-2012 Regular Sessions

I N   A S S E M B L Y

April 4, 2011

---

Introduced by M. of A. PAULIN, JAFFEE, N. RIVERA, SCARBOROUGH, COOK, GALEF, GUNTHER, SPANO -- Multi-Sponsored by -- M. of A. ABINANTI, LUPARDO, McENENY, PHEFFER, REILLY -- (at request of the Office of Children and Family Services) -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to the differential response programs for child protection assessments or investigations; and to amend chapter 452 of the laws of 2007 amending the social services law relating to establishing differential response programs for child protection assessments or investigations, in relation to making such provisions permanent

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

1     Section 1. Subdivisions 1 and 8 of section 427-a of the social  
2     services law, as added by chapter 452 of the laws of 2007, are amended  
3     to read as follows:  
4     1. Any social services district [located outside of a city with a  
5     population of more than two million] may, upon the authorization of the  
6     office of children and family services, establish a program that imple-  
7     ments differential responses to reports of child abuse and maltreatment.  
8     Such programs [would] SHALL create a family assessment and services  
9     track as an alternative means of addressing certain matters [currently]  
10    OTHERWISE investigated as allegations of child abuse or maltreatment  
11    pursuant to this title. Notwithstanding any other provision of law to  
12    the contrary, the provisions of this section [will] SHALL apply only to  
13    those cases involving allegations of abuse or maltreatment in family  
14    settings expressly included in the family assessment and services track  
15    of the differential response program, and only in those social services  
16    districts authorized by the office of children and family services to  
17    implement a differential response program. Such cases shall not be  
18    subject to the requirements otherwise applicable to cases reported to

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

LBD09249-01-1

1 the statewide central register of child abuse and maltreatment pursuant  
2 to this title, except as set forth in this section.

3 8. The office of children and family services shall [complete a]  
4 report [evaluating the implementation of any] ON THE differential  
5 response programs established pursuant to this section AS PART OF THE  
6 ANNUAL REPORT REQUIRED PURSUANT TO SECTION FOUR HUNDRED TWENTY-SIX OF  
7 THIS TITLE. [The report shall assess the effectiveness of the programs  
8 in promoting broader community involvement in meeting service needs,  
9 expanding and expediting access to appropriate services, improving the  
10 cooperation of families, reducing subsequent abuse and maltreatment  
11 reports, and promoting child safety. Such report shall also recommend  
12 whether or not to continue the provisions of this section and shall be  
13 submitted to the governor and the legislature no later than the first  
14 day of January, two thousand eleven.]

15 S 2. Section 3 of chapter 452 of the laws of 2007, amending the social  
16 services law relating to establishing differential response programs for  
17 child protection assessments or investigations, is amended to read as  
18 follows:

19 S 3. This act shall take effect immediately [and shall expire June 1,  
20 2011 when upon such date the provisions of this act shall be deemed  
21 repealed].

22 S 3. This act shall take effect on June 1, 2011; provided, however, if  
23 this act shall become a law after such date it shall take effect imme-  
24 diately and shall be deemed to have been in full force and effect on and  
25 after June 1, 2011.