

7038

2011-2012 Regular Sessions

I N A S S E M B L Y

April 11, 2011

Introduced by M. of A. SCARBOROUGH -- read once and referred 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:

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

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

4 (II) EXPERIENCED DISABILITIES OR BEHAVIORAL HEALTH NEEDS; AND

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

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

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

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

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