

3498--A

Cal. No. 68

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

Introduced by M. of A. PEOPLES-STOKES, MAYER, CLARK, ROZIC -- Multi-Sponsored by -- M. of A. GALEF -- read once and referred to the Committee on Children and Families -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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 SIXTY
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 FIVE DAYS OF RECEIV-
14 ING SAID NOTICE, AND WITHIN TWENTY DAYS OF RECEIVING SAID NOTICE SHALL
15 NOTIFY ALL LICENSED, REGISTERED AND LEGALLY-EXEMPT CHILD CARE PROVIDERS
16 IN THE AFFECTED DISTRICT, THE STATE CHILD CARE RESOURCE AND REFERRAL
17 AGENCY, THE LOCAL CHILD CARE RESOURCE AND REFERRAL AGENCY, AS WELL AS
18 ALL CERTIFIED EMPLOYEE ORGANIZATIONS REPRESENTING LICENSED, REGISTERED
19 AND LEGALLY-EXEMPT CHILD CARE PROVIDERS IN THE AFFECTED DISTRICT. SAID
20 NOTICE MAY BE MADE BY E-MAIL OR REGULAR MAIL IN THE FORM OF A LETTER OR
21 POSTCARD, AND SHALL INFORM THE RECIPIENT OF THE DATE OF THE PROPOSED

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

LBD03983-02-3

1 CHANGE AND A DESCRIPTION OF THE PROPOSED CHANGE. THE NOTICE SHALL ALSO
2 REQUEST THAT CHILD CARE PROVIDERS THAT RECEIVE THE NOTICE IMMEDIATELY
3 POST THE NOTICE IN A PLACE WHICH IS LIKELY TO BE SEEN BY THE FAMILIES
4 WHO HAVE CHILDREN IN THE PROVIDER'S CARE AND THAT CERTIFIED EMPLOYEE
5 ORGANIZATIONS REPRESENTING LICENSED, REGISTERED AND LEGALLY-EXEMPT CHILD
6 CARE PROVIDERS IN THE AFFECTED DISTRICT POST THE NOTICE ON THEIR OFFI-
7 CIAL WEBSITE. THIS NOTICE SHALL NOT BE CONSIDERED AS A SUBSTITUTE FOR
8 ANY NOTICE TO PARENTS WHICH IS REQUIRED BY LAW.

9 (B) IN ORDER TO ALLOW FAMILIES TIME TO PROPERLY PLAN FOR THEIR FINAN-
10 CIAL NEEDS AND FOR THE SAFETY, SOCIAL AND EMOTIONAL NEEDS OF THEIR CHIL-
11 DREN, IN THE EVENT THAT A SOCIAL SERVICES DISTRICT PROPOSES TO AMEND ITS
12 CONSOLIDATED SERVICES PLAN OR TO SUBMIT AN ANNUAL PLAN UPDATE THAT
13 INCREASES THE PARENTAL CO-PAYMENT MULTIPLIER FOR CHILD CARE ASSISTANCE
14 SO THAT FAMILIES RECEIVING SUBSIDIES WOULD PAY AN INCREASED PERCENTAGE
15 OF THEIR INCOME AS A CHILD CARE CO-PAYMENT, THE LOCAL SOCIAL SERVICES
16 DISTRICT SHALL NOTIFY THE OFFICE OF CHILDREN AND FAMILY SERVICES OF THAT
17 FACT AT LEAST SIXTY DAYS BEFORE THE EFFECTIVE DATE OF THE PROPOSED
18 CHANGE IN ELIGIBILITY LEVEL. THE OFFICE OF CHILDREN AND FAMILY SERVICES
19 SHALL POST NOTICE OF THE PROPOSED CHANGE ON THE OFFICE'S WEBSITE WITHIN
20 FIVE DAYS OF RECEIVING SAID NOTICE, AND WITHIN TWENTY DAYS OF RECEIVING
21 SAID NOTICE SHALL NOTIFY ALL LICENSED, REGISTERED AND LEGALLY-EXEMPT
22 CHILD CARE PROVIDERS IN THE AFFECTED DISTRICT, THE STATE CHILD CARE
23 RESOURCE AND REFERRAL AGENCY, THE LOCAL CHILD CARE RESOURCE AND REFERRAL
24 AGENCY, AS WELL AS ALL CERTIFIED EMPLOYEE ORGANIZATIONS REPRESENTING
25 LICENSED, REGISTERED AND LEGALLY-EXEMPT CHILD CARE PROVIDERS IN THE
26 AFFECTED DISTRICT. SAID NOTICE MAY BE MADE BY E-MAIL OR REGULAR MAIL IN
27 THE FORM OF A LETTER OR POSTCARD, AND SHALL INFORM THE RECIPIENT OF THE
28 DATE OF THE PROPOSED CHANGE AND A DESCRIPTION OF THE PROPOSED CHANGE.
29 THE NOTICE SHALL ALSO REQUEST THAT CHILD CARE PROVIDERS THAT RECEIVE THE
30 NOTICE IMMEDIATELY POST THE NOTICE IN A PLACE WHICH IS LIKELY TO BE SEEN
31 BY THE FAMILIES WHO HAVE CHILDREN IN THE PROVIDER'S CARE AND THAT CERTI-
32 FIED EMPLOYEE ORGANIZATIONS REPRESENTING LICENSED, REGISTERED AND LEGAL-
33 LY-EXEMPT CHILD CARE PROVIDERS IN THE AFFECTED DISTRICT POST THE NOTICE
34 ON THEIR OFFICIAL WEBSITE. THIS NOTICE SHALL NOT BE CONSIDERED AS A
35 SUBSTITUTE FOR ANY NOTICE TO PARENTS WHICH IS REQUIRED BY LAW.

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