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

4693

2013-2014 Regular Sessions

I N S E N A T E

April 18, 2013

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to people receiving public assistance

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

Section 1. Section 131 of the social services law is amended by adding a new subdivision 9-a to read as follows:

9-A. ALL APPLICANTS OR RECIPIENTS OF ANY FORM OR CATEGORY OF PUBLIC ASSISTANCE OR BENEFITS SHALL BE REQUIRED TO SUBMIT TO DRUG TESTING. THE COMMISSIONER OF HEALTH SHALL ESTABLISH RULES AND REGULATIONS REGARDING: (A) THE METHOD OF TESTING; (B) THE FREQUENCY OF TESTING, WHICH SHALL INCLUDE THE INITIAL TEST AND CONTINUING RANDOM TESTING TO VERIFY COMPLIANCE WITH THIS SECTION; (C) THE SUBSTANCES FOR WHICH THERE WILL BE TESTING; AND (D) THRESHOLD LEVELS FOR EACH SUCH SUBSTANCE. ANY INDIVIDUAL EXCEEDING THE ESTABLISHED THRESHOLDS SHALL IMMEDIATELY BECOME INELIGIBLE FOR FURTHER PUBLIC ASSISTANCE UNTIL SUCH INDIVIDUAL HAS ENROLLED IN A DRUG REHABILITATION PROGRAM CERTIFIED BY THE COMMISSIONER OF HEALTH AND CONTINUES ACTIVE PARTICIPATION IN SUCH PROGRAM THROUGH COMPLETION. AN ACTIVE PARTICIPANT SHALL NOT BE LIABLE FOR THE COSTS OF TREATMENT. A REFUSAL TO SUBMIT TO ANY DRUG TEST SHALL IMMEDIATELY RENDER THE REFUSING INDIVIDUAL INELIGIBLE FOR FURTHER PUBLIC ASSISTANCE UNTIL SUCH INDIVIDUAL CONSENTS TO A DRUG TEST AND COMPLIES WITH THE REQUIREMENTS OF THIS SECTION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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