

3498--A

Cal. No. 68

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 28, 2013

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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.