

1517

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sen. FELDER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the social services law, in relation to notification to families receiving child care assistance, and to repeal certain provisions of such law relating thereto

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

1 Section 1. Subdivision 9 of section 34-a of the social services law is
2 REPEALED and a new subdivision 9 is added to read as follows:
3 9. (A) IF A SOCIAL SERVICES DISTRICT PROPOSES AN AMENDMENT TO THE
4 CHILD CARE PORTION OF ITS CHILD AND FAMILY SERVICES PLAN THAT REDUCES
5 ELIGIBILITY OR INCREASES THE FAMILY SHARE PERCENTAGE FOR CHILD CARE
6 SERVICES SUCH DISTRICT MUST: (I) NO LATER THAN THE FIRST DAY THE PUBLIC
7 NOTICE APPEARS IN A NEWSPAPER PURSUANT TO SUBDIVISION THREE OF THIS
8 SECTION OR THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY
9 SERVICES, AS APPLICABLE, PROMINENTLY POST ON THE DISTRICT'S WEBSITE A
10 NOTICE OF THE PROPOSED AMENDMENT DESCRIBING THE CATEGORIES OF FAMILIES
11 WHOSE CASES WILL BE IMPACTED; AND (II) AT THE TIME THE PUBLIC NOTICE IS
12 SUBMITTED TO THE NEWSPAPER FOR PUBLICATION IN ACCORDANCE WITH SUBDIVI-
13 SION THREE OF THIS SECTION OR THE REGULATIONS OF THE OFFICE OF CHILDREN
14 AND FAMILY SERVICES, AS APPLICABLE, PROVIDE A COPY OF SUCH NOTICE TO THE
15 OFFICE OF CHILDREN AND FAMILY SERVICES.
16 (B) IF A SOCIAL SERVICES DISTRICT IMPLEMENTS ITS PROCESS FOR CLOSING
17 CHILD CARE CASES, AS SET FORTH IN ITS APPROVED CHILD AND FAMILY SERVICES
18 PLAN, DUE TO THE DISTRICT DETERMINING THAT IT CANNOT MAINTAIN ITS
19 CURRENT CASELOAD BECAUSE ALL OF THE AVAILABLE FUNDS ARE PROJECTED TO BE
20 NEEDED FOR OPEN CASES, THE DISTRICT MUST: (I) NO LATER THAN THE DAY THE
21 SOCIAL SERVICES DISTRICT BEGINS TO SEND INDIVIDUAL NOTICES TO IMPACTED
22 FAMILIES IN ACCORDANCE WITH SUBDIVISION EIGHT OF SECTION FOUR HUNDRED
23 TEN-W OF THIS CHAPTER, PROMINENTLY POST A NOTICE ON THEIR WEBSITE THAT
24 STATES THAT SUCH DISTRICT IS IMPLEMENTING THE CHILD CARE CASE CLOSING

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

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1 PROCESS SET FORTH IN ITS APPROVED CHILD AND FAMILY SERVICES PLAN AND
2 THAT DESCRIBES THE CATEGORIES OF FAMILIES WHOSE CASES WILL BE CLOSED;
3 AND (II) IMMEDIATELY PROVIDE A COPY OF SUCH NOTICE TO THE OFFICE OF
4 CHILDREN AND FAMILY SERVICES.

5 (C) THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL PROMINENTLY POST
6 NOTICES RECEIVED PURSUANT TO PARAGRAPHS (A) OR (B) OF THIS SUBDIVISION
7 ON ITS WEBSITE.

8 S 2. Section 410-w of the social services law is amended by adding a
9 new subdivision 8 to read as follows:

10 8. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATIONS TO
11 THE CONTRARY, A SOCIAL SERVICES DISTRICT THAT IMPLEMENTS A PLAN AMEND-
12 MENT TO THE CHILD CARE PORTION OF ITS CHILD AND FAMILY SERVICES PLAN,
13 EITHER AS PART OF AN ANNUAL PLAN UPDATE, OR THROUGH A SEPARATE PLAN
14 AMENDMENT PROCESS, WHERE SUCH AMENDMENT REDUCES ELIGIBILITY FOR, OR
15 INCREASES THE FAMILY SHARE PERCENTAGE OF, FAMILIES RECEIVING CHILD CARE
16 SERVICES, OR THAT IMPLEMENTS THE PROCESS FOR CLOSING CHILD CARE CASES AS
17 SET FORTH IN THE DISTRICT'S APPROVED CHILD AND FAMILY SERVICES PLAN, DUE
18 TO THE DISTRICT DETERMINING THAT IT CANNOT MAINTAIN ITS CURRENT CASELOAD
19 BECAUSE ALL OF THE AVAILABLE FUNDS ARE PROJECTED TO BE NEEDED FOR OPEN
20 CASES, SHALL PROVIDE ALL FAMILIES WHOSE ELIGIBILITY FOR CHILD CARE
21 ASSISTANCE OR FAMILY SHARE PERCENTAGE WILL BE IMPACTED BY SUCH ACTION
22 WITH AT LEAST THIRTY DAYS PRIOR WRITTEN NOTICE OF THE ACTION.

23 S 3. This act shall take effect immediately; provided that section one
24 of this act shall be deemed to have been in full force and effect on the
25 same date as chapter 495 of the laws of 2014 took effect; and provided,
26 further, that section two of this act shall take effect July 1, 2015.