

3084

2015-2016 Regular Sessions

I N S E N A T E

February 2, 2015

Introduced by Sen. YOUNG -- 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 permitting appeals to the department of family assistance to be conducted by means of a conference telephone, video conference or similar communications systems with and by independent hearing officers

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

1 Section 1. Subdivision 2 of section 22 of the social services law, as
2 added by chapter 473 of the laws of 1978, is amended to read as follows:
3 2. In connection with any appeal pursuant to this section, with or
4 without a fair hearing, [the] EACH commissioner may designate and
5 authorize one or more appropriate members of his OR HER staff OR INDE-
6 PENDENT FAIR HEARING OFFICERS to consider and decide such appeals. Any
7 staff member OR INDEPENDENT FAIR HEARING OFFICER so designated and
8 authorized shall have authority to decide such appeals on behalf of the
9 commissioner with the same force and effect as if the commissioner had
10 made the decisions. Fair hearings held in connection with such appeals
11 shall be held on behalf of the commissioner by members of his staff OR
12 INDEPENDENT FAIR HEARING OFFICERS who are employed for such purposes or
13 who have been designated and authorized by him therefor. THE FAIR HEAR-
14 ING MAY BE CONDUCTED BY MEANS OF A CONFERENCE TELEPHONE, VIDEO CONFER-
15 ENCE EQUIPMENT OR SIMILAR COMMUNICATIONS EQUIPMENT ALLOWING ALL PERSONS
16 PARTICIPATING IN SUCH HEARING TO HEAR EACH OTHER AT THE SAME TIME. The
17 provisions of this subdivision shall apply to fair hearings conducted
18 pursuant to subdivision eight of section four hundred twenty-two of this
19 chapter, and to any hearing required pursuant to this chapter concerning
20 the denial, suspension or revocation of any permit, certificate or
21 license, and to any hearing held pursuant to section four hundred
22 fifty-five of this chapter.
23 S 2. This act shall take effect immediately.

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

LBD05982-01-5