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

6302

I N S E N A T E

(PREFILED)

January 6, 2016

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

AN ACT to amend the executive law, in relation to establishing the New York state service corps; to amend the parks, recreation and historic preservation law and the public health law, in relation to the New York state service corps - health services track; and to repeal title 2-B of article 2 of the public health law, relating to the New York state health service corps

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

Section 1. The executive law is amended by adding a new section 163-b to read as follows:

S 163-B. NEW YORK STATE SERVICE CORPS. 1. THERE IS HEREBY CREATED WITHIN THE EXECUTIVE DEPARTMENT A NEW YORK STATE SERVICE CORPS, ADMINISTERED BY THE NEW YORK STATE COMMISSION ON NATIONAL AND COMMUNITY SERVICE ESTABLISHED PURSUANT TO EXECUTIVE ORDER 4.179 DATED DECEMBER THIRTIETH, NINETEEN HUNDRED NINETY-THREE, IN CONJUNCTION AND COORDINATION WITH THE DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION AND THE DEPARTMENT OF HEALTH.

2. THE NEW YORK STATE SERVICE CORPS SHALL PROVIDE SERVICE OPPORTUNITIES FOR INTERESTED APPLICANTS, INCLUDING YOUTH, YOUNG UNEMPLOYED MEN AND WOMEN, RECENT HIGH SCHOOL, COLLEGE, AND POST-SECONDARY GRADUATES, AS WELL AS RECENT RETIREES AND INDIVIDUALS WHO HAVE RECENTLY COMPLETED OR ARE PURSUING A HIGH SCHOOL EQUIVALENCY EXAMINATION OR PROGRAM. SUCH SERVICE OPPORTUNITIES SHALL INCLUDE, BUT NOT BE LIMITED TO, (I) RESIDENTIAL AND NON-RESIDENTIAL CORPS OPPORTUNITIES; (II) ONE- AND TWO-YEAR FELLOWSHIP PROGRAMS; (III) INTERNSHIP OPPORTUNITIES FOR CURRENTLY ENROLLED STUDENTS; (IV) PROGRAMS AUTHORIZED UNDER ANY OTHER SECTION OF LAW INCLUDING BUT NOT LIMITED TO NEW YORK STATE SERVICE CORPS - GREEN JOBS, CONSERVATION, AND REVITALIZATION TRACKS AND NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK.

3. ALL FELLOWSHIP AND INTERNSHIP OPPORTUNITIES MAINTAINED BY THE COMMISSION UNDER THIS SECTION SHALL BE EDUCATIONAL IN NATURE, FOCUSED ON

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

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PROVIDING UNIQUE OPPORTUNITIES TO YOUTH, YOUNG ADULTS, GRADUATES AND RETIREES, AND SHALL NOT WHOLLY REPLACE WORK CURRENTLY PERFORMED BY ANY CIVIL SERVICE TITLE.

4. APPLICANTS FOR ANY FELLOWSHIP OR INTERNSHIP UNDER THIS SECTION SHALL BE PLACED IN OPPORTUNITIES THAT ARE DEEMED MOST LIKELY TO FURTHER AN APPLICANT'S STATED EDUCATIONAL AND PROFESSIONAL INTERESTS, IN ORDER TO PROVIDE THE MAXIMUM EDUCATIONAL VALUE POSSIBLE.

5. THE COMMISSION SHALL MAINTAIN AND OPERATE A UNIFIED APPLICATION PROCESS FOR SERVICE CORPS OPPORTUNITIES AND SHALL WORK WITH APPROPRIATE AGENCIES TO DEVELOP AND ADMINISTER SERVICE CORPS PROGRAMS.

S 2. The section heading and subdivisions 1 and 3 of section 3.23 of the parks, recreation and historic preservation law, as amended by chapter 128 of the laws of 1987, paragraph (a) of subdivision 3 as amended by chapter 717 of the laws of 1988, are amended to read as follows:

New York state [conservation] SERVICE corps - GREEN JOBS, CONSERVATION, AND REVITALIZATION TRACKS.

1. [A] THE New York state [conservation corps] SERVICE CORPS - GREEN JOBS, CONSERVATION, AND REVITALIZATION TRACKS (hereafter referred to as the "corps") within the office is hereby established for the following purposes:

a. To protect air, fish, forest, land, water and wildlife;

b. To help maintain and improve botanical gardens, historic sites, libraries, museums, parks, parkways, refuges, trails, zoos and other recreational, ARTISTIC OR CULTURAL investments;

c. To aid agricultural, fishing, forestry and tourist industries;

d. To provide jobs and job training for young unemployed men and women, especially from disadvantaged backgrounds, AS WELL AS RECENT GRADUATES OF HIGH SCHOOL, HIGH SCHOOL EQUIVALENCY, COLLEGE, AND POST-SECONDARY PROGRAMS, to act as a stepladder to permanent employment;

e. To foster co-operation among civilian and governmental agencies in order to educate the public about state resources;

f. To reinforce the "I Love New York" campaign;

g. To take advantage of the capital investment in facilities and equipment already in place from the programs of youth and young adult and civilian conservation corps paid for by federal dollars;

h. To educate the participants about our natural environment and cultural heritage, teach first aid and disaster procedures, and to otherwise encourage them to further their education; and

i. To do such other projects which provide disaster relief, increase energy conservation, PROMOTE GREEN JOBS, improve fire prevention, beautify highways, control insects and rodents, upgrade public lands, PROMOTE RESILIENCY AGAINST HARM FROM CHANGES IN WEATHER PATTERNS OR GENERAL CLIMATE CHANGE, ENHANCE ART AND CULTURAL RESOURCES, and revitalize [urban areas] CITIES, TOWNS, AND VILLAGES.

3. The corps shall consist of the following components:

a. Summer: for youth enrollees, aged fourteen--[eighteen] TWENTY-FOUR;

b. Seasonal: for unemployed young adult enrollees, aged sixteen--twenty-four;

c. Non-residential: for young adult enrollees, aged sixteen--twenty-four;

d. Residential: for young adult enrollees, aged eighteen--twenty-five;

e. Volunteer: for interested persons of any age who are members of an organized group which has proper leadership and insurance;

f. Crew Leader: for young adults, aged eighteen and over;

g. Staff: for adults, aged twenty-one and up, who are needed for the few positions enrollees or crew leaders cannot fill; [and]

h. Director: for adults, aged twenty-five and up, who are in charge of local or state projects, residential camps, or overall program of corps[.]; AND

I. FELLOW: FOR YOUNG ADULT ENROLLEES, WHO WILL RECEIVE AN EDUCATIONAL AND PROFESSIONAL BENEFIT FROM THE EXPERIENCE PROVIDED ANY PROGRAM OPERATED UNDER THIS SECTION, AND WHO SHALL WORK FOR A SET-TERM OF ONE OR TWO-YEARS AS DETERMINED BY THE OFFICE.

S 3. Title 2-B of article 2 of the public health law is REPEALED and a new title 2-B is added to read as follows:

TITLE 2-B

NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK

SECTION 231. NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK.
232. POWERS AND DUTIES.

S 231. NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK. 1. THE COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT THE NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK (HEREINAFTER "CORPS"). THE COMMISSIONER SHALL, IN CONJUNCTION WITH THE NEW YORK STATE COMMISSION ON NATIONAL AND COMMUNITY SERVICE, HAVE CENTRAL RESPONSIBILITY FOR ADMINISTERING THE PROVISIONS OF THIS TITLE WITH RESPECT TO INCREASING THE AVAILABILITY OF HEALTH SERVICES IN CERTAIN ELIGIBLE FACILITIES AND INSTITUTIONS.

2. FOR PURPOSES OF THIS TITLE: (A) "HEALTH CORPS PROFESSIONAL" MEANS A NURSE, PHYSICIAN'S ASSISTANT, DENTAL HYGIENIST, OCCUPATIONAL THERAPIST, SPEECH-LANGUAGE PATHOLOGIST, AUDIOLOGIST, PHYSICAL THERAPIST, MIDWIFE, OTHER HEALTH PROFESSIONAL OTHER THAN A PHYSICIAN OR DENTIST, OR ANY OTHER PROFESSIONAL WITH DEMONSTRATED PROFICIENCY IN EARLY CHILDHOOD HEALTH OR DEVELOPMENT WHO IS DETERMINED BY THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONERS OF EDUCATION, CORRECTIONAL SERVICES, MENTAL HEALTH, PERSONS WITH DEVELOPMENTAL DISABILITIES, SECRETARY OF STATE, AND THE PRESIDENT OF THE CIVIL SERVICE COMMISSION, TO POSSESS THE SKILLS AND TRAINING APPROPRIATE TO THE NEEDS OF ELIGIBLE INSTITUTIONS AND FACILITIES;

(B) "ELIGIBLE INSTITUTIONS AND FACILITIES" MEANS: (I) FACILITIES OPERATED BY THE DEPARTMENT OF CORRECTIONAL SERVICES, OFFICE OF MENTAL HEALTH AND OFFICE OF PERSONS WITH DEVELOPMENTAL DISABILITIES; (II) NON-PROFIT AGENCIES POSSESSING OPERATING CERTIFICATES ISSUED BY THE OFFICE OF MENTAL HEALTH OR OFFICE FOR PERSONS WITH DEVELOPMENTAL DISABILITIES OR UNDER CONTRACT WITH THE COMMISSION FOR THE BLIND AND VISUALLY HANDICAPPED; (III) NOT-FOR-PROFIT DIAGNOSTIC AND TREATMENT CENTERS LICENSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER WHICH HAVE A CRITICAL SHORTAGE OF HEALTH PERSONNEL, AS DETERMINED BY THE COMMISSIONER AND WHICH SERVE THE MEDICALLY INDIGENT AND MEDICAID ELIGIBLE PERSONS; (IV) HEALTH CARE FACILITIES OPERATED BY THE DEPARTMENT, PROVIDED THAT AT ANY TIME THE TOTAL NUMBER OF PLACEMENTS IN SUCH FACILITIES SHALL NOT EXCEED TEN PERCENT OF THE TOTAL NUMBER OF PLACEMENTS UNDER THIS SECTION; (V) IN THE CASE OF MIDWIVES, NOT-FOR-PROFIT FACILITIES LICENSED UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER WHICH SERVE THE MEDICALLY INDIGENT AND MEDICAID ELIGIBLE WOMEN; AND (VI) AN EDUCATION PROGRAM OPERATED PURSUANT TO SECTION THIRTY-SIX HUNDRED TWO-EE OF THE EDUCATION LAW.

S 232. POWERS AND DUTIES. THE COMMISSIONER SHALL, IN CONSULTATION WITH THE COMMISSIONERS OF EDUCATION, CORRECTIONAL SERVICES, MENTAL HEALTH, PERSONS WITH DEVELOPMENTAL DISABILITIES, SECRETARY OF STATE, AND THE PRESIDENT OF THE CIVIL SERVICE COMMISSION, HAVE THE FOLLOWING POWERS AND DUTIES:

1. TO RECRUIT AND SELECT HEALTH CORPS PROFESSIONALS FOR SERVICE IN ELIGIBLE INSTITUTIONS AND FACILITIES;

2. TO PLACE HEALTH CORPS PROFESSIONALS IN ELIGIBLE INSTITUTIONS AND FACILITIES PURSUANT TO AGREEMENTS WITH THE APPROPRIATE ELIGIBLE INSTITUTIONS AND FACILITIES;

3. TO DEVELOP CRITERIA FOR THE SELECTION OF APPLICANTS FOR PLACEMENT UNDER THIS PROGRAM INCLUDING, BUT NOT LIMITED TO, THE STUDENT'S ACADEMIC ACHIEVEMENT, PREVIOUS WORK EXPERIENCE IN THEIR CHOSEN HEALTH PROFESSION AND A DEMONSTRATED INTEREST IN WORKING WITH INSTITUTIONALIZED POPULATIONS, COMMUNITIES WITH SERIOUS HEALTH NEEDS INCLUDING BUT NOT LIMITED TO POPULATIONS WITH HIGH RATES OF CHRONIC ILLNESS OR MEDICAID ELIGIBILITY, AND CHILDREN UNDER THE AGE OF FIVE.

4. TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OR OTHER FUNDS OR APPROPRIATIONS AS MAY BE AVAILABLE TO EFFECTUATE THE PURPOSES OF THIS TITLE SUBJECT TO THE LIMITATIONS AS TO THE APPROVAL OF EXPENDITURES AND AUDIT AS PRESCRIBED FOR STATE FUNDS BY THE STATE FINANCE LAW; AND

5. TO DO ANY AND ALL OTHER THINGS NECESSARY TO CARRY OUT ITS FUNCTIONS, POWERS AND DUTIES AND TO EFFECTUATE THE PURPOSES OF THIS TITLE.

S 4. This act shall take effect on the one hundred twentieth day after it shall have become a law.