



1 2. FAMILY SUPPORT CENTERS SHALL PROVIDE COMPREHENSIVE SERVICES TO SUCH  
2 CHILDREN AND THEIR FAMILIES, EITHER DIRECTLY OR THROUGH REFERRALS WITH  
3 PARTNER AGENCIES, INCLUDING, BUT NOT LIMITED TO:

- 4 (A) RAPID FAMILY ASSESSMENTS AND SCREENINGS;
- 5 (B) CRISIS INTERVENTION;
- 6 (C) FAMILY MEDIATION AND SKILLS BUILDING;
- 7 (D) MENTAL AND BEHAVIORAL HEALTH SERVICES AS DEFINED IN SUBDIVISION  
8 FIFTY-EIGHT OF SECTION 1.03 OF THE MENTAL HYGIENE LAW INCLUDING COGNI-  
9 TIVE INTERVENTIONS;
- 10 (E) CASE MANAGEMENT;
- 11 (F) RESPITE SERVICES; AND
- 12 (G) OTHER FAMILY SUPPORT SERVICES.

13 3. TO THE EXTENT PRACTICABLE, THE SERVICES THAT ARE PROVIDED SHALL BE  
14 TRAUMA SENSITIVE, FAMILY FOCUSED, GENDER-RESPONSIVE, WHERE APPROPRIATE,  
15 AND EVIDENCE AND/OR STRENGTH BASED AND SHALL BE TAILORED TO THE INDIVID-  
16 UALIZED NEEDS OF THE CHILD AND FAMILY BASED ON THE ASSESSMENTS AND  
17 SCREENINGS CONDUCTED BY SUCH FAMILY SUPPORT CENTER.

18 4. FAMILY SUPPORT CENTERS SHALL HAVE THE CAPACITY TO SERVE FAMILIES  
19 OUTSIDE OF REGULAR BUSINESS HOURS INCLUDING EVENINGS OR WEEKENDS.

20 S 458-N. FUNDING FOR FAMILY SUPPORT CENTERS. 1. NOTWITHSTANDING ANY  
21 OTHER PROVISION OF LAW TO THE CONTRARY, STATE REIMBURSEMENT SHALL BE  
22 MADE AVAILABLE FOR ONE HUNDRED PERCENT OF EXPENDITURES MADE BY SOCIAL  
23 SERVICES DISTRICTS, EXCLUSIVE OF ANY FEDERAL FUNDS MADE AVAILABLE FOR  
24 SUCH PURPOSE, FOR FAMILY SUPPORT CENTERS STATEWIDE.

25 2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, FAMILY  
26 SUPPORT CENTERS SHALL BE ESTABLISHED IN EACH SOCIAL SERVICES DISTRICT  
27 THROUGHOUT THE STATE WITH THE APPROVAL OF THE OFFICE OF CHILDREN AND  
28 FAMILY SERVICES, PROVIDED HOWEVER THAT TWO OR MORE SOCIAL SERVICES  
29 DISTRICTS MAY JOIN TOGETHER TO ESTABLISH, OPERATE AND MAINTAIN A FAMILY  
30 SUPPORT CENTER AND MAY MAKE AND PERFORM AGREEMENTS IN CONNECTION THERE-  
31 WITH.

32 3. SOCIAL SERVICES DISTRICTS MAY CONTRACT WITH NOT-FOR-PROFIT CORPO-  
33 RATIONS OR UTILIZE EXISTING PROGRAMS TO OPERATE FAMILY SUPPORT CENTERS  
34 IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE AND THE SPECIFIC PROGRAM  
35 REQUIREMENTS ISSUED BY THE OFFICE. FAMILY SUPPORT CENTERS SHALL HAVE  
36 SUFFICIENT CAPACITY TO PROVIDE SERVICES TO YOUTH WITHIN THE SOCIAL  
37 SERVICES DISTRICT OR DISTRICTS WHO ARE AT RISK OF BECOMING, ALLEGED OR  
38 ADJUDICATED TO BE PERSONS IN NEED OF SUPERVISION PURSUANT TO ARTICLE  
39 SEVEN OF THE FAMILY COURT ACT, AND THEIR FAMILIES. IN ADDITION, TO THE  
40 EXTENT PRACTICABLE, FAMILY SUPPORT CENTERS MAY PROVIDE SERVICES TO YOUTH  
41 WHO ARE ALLEGED OR ADJUDICATED UNDER ARTICLE THREE OF THE FAMILY COURT  
42 ACT.

43 4. SOCIAL SERVICES DISTRICTS RECEIVING FUNDING UNDER THIS TITLE SHALL  
44 REPORT TO THE OFFICE OF CHILDREN AND FAMILY SERVICES, IN THE FORM AND  
45 MANNER AND AT SUCH TIMES AS DETERMINED BY THE OFFICE, ON THE PERFORMANCE  
46 OUTCOMES OF ANY FAMILY SUPPORT CENTER LOCATED WITHIN SUCH DISTRICT THAT  
47 RECEIVES FUNDING UNDER THIS TITLE.

48 S 3. Subdivision 8 of section 404 of the social services law, as added  
49 by section 1 of subpart A of part G of chapter 57 of the laws of 2012,  
50 is amended to read as follows:

51 8. (a) Notwithstanding any other provision of law to the contrary[,]  
52 EXCEPT AS PROVIDED FOR IN PARAGRAPH (A-1) OF THIS SUBDIVISION, eligible  
53 expenditures during the applicable time periods made by a social  
54 services district for an approved juvenile justice services close to  
55 home initiative shall, if approved by the department of family assist-  
56 ance, be subject to reimbursement with state funds only up to the extent

1 of an annual appropriation made specifically therefor, after first  
2 deducting therefrom any federal funds properly received or to be  
3 received on account thereof; provided, however, that when such funds  
4 have been exhausted, a social services district may receive state  
5 reimbursement from other available state appropriations for that state  
6 fiscal year for eligible expenditures for services that otherwise would  
7 be reimbursable under such funding streams. Any claims submitted by a  
8 social services district for reimbursement for a particular state fiscal  
9 year for which the social services district does not receive state  
10 reimbursement from the annual appropriation for the approved close to  
11 home initiative may not be claimed against that district's appropriation  
12 for the initiative for the next or any subsequent state fiscal year.

13 (i) State funding for reimbursement shall be, subject to appropri-  
14 ation, in the following amounts: for state fiscal year 2013-14,  
15 \$35,200,000 adjusted by any changes in such amount required by subpara-  
16 graphs (ii) and (iii) of this paragraph; for state fiscal year 2014-15,  
17 \$41,400,000 adjusted to include the amount of any changes made to the  
18 state fiscal year 2013-14 appropriation under subparagraphs (ii) and  
19 (iii) of this paragraph plus any additional changes required by such  
20 subparagraphs; and, such reimbursement shall be, subject to appropri-  
21 ation, for all subsequent state fiscal years in the amount of the prior  
22 year's actual appropriation adjusted by any changes required by subpara-  
23 graphs (ii) and (iii) of this paragraph.

24 (ii) The reimbursement amounts set forth in subparagraph (i) of this  
25 paragraph shall be increased or decreased by the percentage that the  
26 average of the most recently approved maximum state aid rates for group  
27 residential foster care programs is higher or lower than the average of  
28 the approved maximum state aid rates for group residential foster care  
29 programs in existence immediately prior to the most recently approved  
30 rates.

31 (iii) The reimbursement amounts set forth in subparagraph (i) of this  
32 paragraph shall be increased if either the population of alleged juve-  
33 nile delinquents who receive a probation intake or the total population  
34 of adjudicated juvenile delinquents placed on probation combined with  
35 the population of adjudicated juvenile delinquents placed out of their  
36 homes in a setting other than a secure facility pursuant to section  
37 352.2 of the family court act, increases by at least ten percent over  
38 the respective population in the annual baseline year. The baseline year  
39 shall be the period from July first, two thousand ten through June thir-  
40 tieth, two thousand eleven or the most recent twelve month period for  
41 which there is complete data, whichever is later. In each successive  
42 year, the population of the previous July first through June thirtieth  
43 period shall be compared to the baseline year for determining any  
44 adjustments to a state fiscal year appropriation. When either population  
45 increases by ten percent or more, the reimbursement will be adjusted by  
46 a percentage equal to the larger of the percentage increase in either  
47 the number of probation intakes for alleged juvenile delinquents or the  
48 total population of adjudicated juvenile delinquents placed on probation  
49 combined with the population of adjudicated juvenile delinquents placed  
50 out of their homes in a setting other than a secure facility pursuant to  
51 section 352.2 of the family court act.

52 (iv) The social services district and/or the New York city department  
53 of probation shall provide an annual report including the data required  
54 to calculate the population adjustment to the New York city office of  
55 management and budget, the division of criminal justice services and the  
56 state division of the budget no later than the first day of September

1 following the close of the previous July first through June thirtieth  
2 period.

3 (A-1) STATE REIMBURSEMENT SHALL BE MADE AVAILABLE FOR ONE HUNDRED  
4 PERCENT OF ELIGIBLE EXPENDITURES MADE BY A SOCIAL SERVICES DISTRICT,  
5 EXCLUSIVE OF ANY FEDERAL FUNDS MADE AVAILABLE FOR SUCH PURPOSES, FOR  
6 APPROVED JUVENILE JUSTICE SERVICES UNDER AN APPROVED CLOSE TO HOME  
7 INITIATIVE PROVIDED TO YOUTH AGE SIXTEEN YEARS OF AGE OR OLDER WHEN SUCH  
8 SERVICES WOULD NOT OTHERWISE HAVE BEEN PROVIDED TO SUCH YOUTH.

9 (b) The department of family assistance is authorized, in its  
10 discretion, to make advances to a social services district in antic-  
11 ipation of the state reimbursement provided for in this section.

12 (c) A social services district shall conduct eligibility determi-  
13 nations for federal and state funding and submit claims for reimburse-  
14 ment in such form and manner and at such times and for such periods as  
15 the department of family assistance shall determine.

16 (d) Notwithstanding any inconsistent provision of law or regulation of  
17 the department of family assistance, state reimbursement shall not be  
18 made for any expenditure made for the duplication of any grant or allow-  
19 ance for any period.

20 (e) Claims submitted by a social services district for reimbursement  
21 shall be paid after deducting any expenditures defrayed by fees, third  
22 party reimbursement, and any non-tax levy funds including any donated  
23 funds.

24 (f) The office of children and family services shall not reimburse any  
25 claims for expenditures for residential services that are submitted more  
26 than twenty-two months after the calendar quarter in which the expendi-  
27 tures were made.

28 (g) Notwithstanding any other provision of law, the state shall not be  
29 responsible for reimbursing a social services district and a district  
30 shall not seek state reimbursement for any portion of any state disal-  
31 lowance or sanction taken against the social services district, or any  
32 federal disallowance attributable to final federal agency decisions or  
33 to settlements made, when such disallowance or sanction results from the  
34 failure of the social services district to comply with federal or state  
35 requirements, including, but not limited to, failure to document eligi-  
36 bility for the federal or state funds in the case record. To the extent  
37 that the social services district has sufficient claims other than those  
38 that are subject to disallowance or sanction to draw down the full annu-  
39 al appropriation, such disallowance or sanction shall not result in a  
40 reduction in payment of state funds to the district unless the district  
41 requests that the department use a portion of the appropriation toward  
42 meeting the district's responsibility to repay the federal government  
43 for the disallowance or sanction and any related interest payments.

44 (h) Rates for residential services. (i) The office shall establish the  
45 rates, in accordance with section three hundred ninety-eight-a of this  
46 [chapter] TITLE, for any non-secure facilities established under an  
47 approved juvenile justice services close to home initiative. For any  
48 such non-secure facility that will be used primarily by the social  
49 services district with an approved close to home initiative, final  
50 authority for establishment of such rates and any adjustments thereto  
51 shall reside with the office, but such rates and any adjustments thereto  
52 shall be established only upon the request of, and in consultation with,  
53 such social services district.

54 (ii) A social services district with an approved juvenile justice  
55 services close to home initiative for juvenile delinquents placed in  
56 limited secure settings shall have the authority to establish and

1 adjust, on an annual or regular basis, maintenance rates for limited  
2 secure facilities providing residential services under such initiative.  
3 Such rates shall not be subject to the provisions of section three  
4 hundred ninety-eight-a of this [chapter] TITLE but shall be subject to  
5 maximum cost limits established by the office of children and family  
6 services.

7 S 4. Paragraph (a) of subdivision 1 of section 409-a of the social  
8 services law, as amended by chapter 87 of the laws of 1993, subparagraph  
9 (i) as amended by chapter 342 of the laws of 2010, and subparagraph (ii)  
10 as amended by section 22 of part C of chapter 83 of the laws of 2002, is  
11 amended to read as follows:

12 (a) A social services official shall provide preventive services to a  
13 child and his or her family, in accordance with the family's service  
14 plan as required by section four hundred nine-e of this [chapter] ARTI-  
15 CLE and the social services district's child welfare services plan  
16 submitted and approved pursuant to section four hundred nine-d of this  
17 [chapter] ARTICLE, upon a finding by such official that (i) the child  
18 will be placed, returned to or continued in foster care unless such  
19 services are provided and that it is reasonable to believe that by  
20 providing such services the child will be able to remain with or be  
21 returned to his or her family, and for a former foster care youth under  
22 the age of twenty-one who was previously placed in the care and custody  
23 or custody and guardianship of the local commissioner of social services  
24 or other officer, board or department authorized to receive children as  
25 public charges where it is reasonable to believe that by providing such  
26 services the former foster care youth will avoid a return to foster care  
27 or (ii) the child is the subject of a petition under article seven of  
28 the family court act, [or has been determined by the assessment service  
29 established pursuant to section two hundred forty-three-a of the execu-  
30 tive law,] or by the probation service where no such assessment service  
31 has been designated, to be at risk of being the subject of such a peti-  
32 tion, and the social services official determines that the child is at  
33 risk of placement into foster care. Such finding shall be entered in the  
34 child's uniform case record established and maintained pursuant to  
35 section four hundred nine-f of this [chapter] ARTICLE. The commissioner  
36 shall promulgate regulations to assist social services officials in  
37 making determinations of eligibility for mandated preventive services  
38 pursuant to this [subparagraph] PARAGRAPH.

39 S 5. This act shall take effect immediately; provided, however, that  
40 the amendments to subdivision 8 of section 404 of the social services  
41 law made by section three of this act shall not affect the repeal of  
42 such subdivision and shall be deemed repealed therewith; provided,  
43 further, that the amendments to subparagraph (ii) of paragraph (a) of  
44 subdivision 1 of section 409-a of the social services law made by  
45 section four of this act shall not affect the expiration of such subpar-  
46 agraph and shall be deemed to expire therewith.