

2691

2015-2016 Regular Sessions

I N S E N A T E

January 28, 2015

Introduced by Sen. GOLDEN -- 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 directing the office of children and family services to establish workload standards for child protective services workers

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

1 Section 1. Section 20-a of the social services law, as added by chap-
2 ter 107 of the laws of 1971, is amended to read as follows:
3 S 20-a. Local personnel; limitations on department's power. Notwith-
4 standing any inconsistent provision of this chapter, the board, the
5 commissioner or the department, acting singly or in unison, shall not
6 have the power, directly or indirectly to prescribe the number of
7 persons to be employed in any social services district providing the
8 district complies with the minimum federal standards relating thereto;
9 PROVIDED, HOWEVER, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY
10 TO THE REGULATIONS OF THE OFFICE OF CHILDREN AND FAMILY SERVICES ESTAB-
11 LISHING WORKLOAD STANDARDS FOR CHILD PROTECTIVE SERVICES WORKERS PROMUL-
12 GATED PURSUANT TO PARAGRAPH (C) OF SUBDIVISION FOUR OF SECTION FOUR
13 HUNDRED TWENTY-ONE OF THIS CHAPTER.
14 S 2. Subdivision 4 of section 421 of the social services law is
15 amended by adding a new paragraph (c) to read as follows:
16 (C) PROMULGATE REGULATIONS RELATING TO WORKLOAD STANDARDS FOR CHILD
17 PROTECTIVE SERVICES, WHICH SHALL BE NO MORE THAN FIFTEEN ACTIVE CASES
18 PER MONTH PER FULL TIME CHILD PROTECTIVE SERVICES WORKER. NOTHING IN
19 THIS PARAGRAPH SHALL BE CONSTRUED TO FORBID THE OFFICE FROM PROMULGATING
20 REGULATIONS THAT REQUIRE AN AVERAGE WORKLOAD STANDARD OF LESS THAN
21 FIFTEEN ACTIVE CASES PER MONTH PER FULL TIME CHILD PROTECTIVE SERVICES
22 WORKER.

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

LBD05876-01-5

1 S 3. Paragraph (c) of subdivision 1 of section 423 of the social
2 services law, as amended by chapter 83 of the laws of 1995, is amended
3 to read as follows:

4 (c) The child protective service shall have a sufficient staff,
5 SUBJECT TO THE PROVISIONS OF PARAGRAPH (C) OF SUBDIVISION FOUR OF
6 SECTION FOUR HUNDRED TWENTY-ONE OF THIS TITLE, of sufficient qualifica-
7 tions to fulfill the purposes of this title and be organized in such a
8 way as to maximize the continuity of responsibility, care and service of
9 individual workers toward individual children and families. A social
10 services district shall have flexibility in assigning staff to the child
11 protective service provided that each staff assigned to such service has
12 the staff qualifications and has received the training required by the
13 department regulations promulgated pursuant to subdivisions four and
14 five of section four hundred twenty-one of this title.

15 S 4. This act shall take effect on the seven hundred thirtieth day
16 after it shall have become a law.