

2691

2015-2016 Regular Sessions

I N   S E N A T E

January 28, 2015

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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.

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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.