

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:

- 1 Section 1. The executive law is amended by adding a new section 163-b  
2 to read as follows:  
3 S 163-B. NEW YORK STATE SERVICE CORPS. 1. THERE IS HEREBY CREATED  
4 WITHIN THE EXECUTIVE DEPARTMENT A NEW YORK STATE SERVICE CORPS, ADMINIS-  
5 TERED BY THE NEW YORK STATE COMMISSION ON NATIONAL AND COMMUNITY SERVICE  
6 ESTABLISHED PURSUANT TO EXECUTIVE ORDER 4.179 DATED DECEMBER THIRTIETH,  
7 NINETEEN HUNDRED NINETY-THREE, IN CONJUNCTION AND COORDINATION WITH THE  
8 DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION AND THE  
9 DEPARTMENT OF HEALTH.  
10 2. THE NEW YORK STATE SERVICE CORPS SHALL PROVIDE SERVICE OPPORTU-  
11 NITIES FOR INTERESTED APPLICANTS, INCLUDING YOUTH, YOUNG UNEMPLOYED MEN  
12 AND WOMEN, RECENT HIGH SCHOOL, COLLEGE, AND POST-SECONDARY GRADUATES, AS  
13 WELL AS RECENT RETIREES AND INDIVIDUALS WHO HAVE RECENTLY COMPLETED OR  
14 ARE PURSUING A HIGH SCHOOL EQUIVALENCY EXAMINATION OR PROGRAM. SUCH  
15 SERVICE OPPORTUNITIES SHALL INCLUDE, BUT NOT BE LIMITED TO, (I) RESIDEN-  
16 TIAL AND NON-RESIDENTIAL CORPS OPPORTUNITIES; (II) ONE- AND TWO-YEAR  
17 FELLOWSHIP PROGRAMS; (III) INTERNSHIP OPPORTUNITIES FOR CURRENTLY  
18 ENROLLED STUDENTS; (IV) PROGRAMS AUTHORIZED UNDER ANY OTHER SECTION OF  
19 LAW INCLUDING BUT NOT LIMITED TO NEW YORK STATE SERVICE CORPS - GREEN  
20 JOBS, CONSERVATION, AND REVITALIZATION TRACKS AND NEW YORK STATE SERVICE  
21 CORPS - HEALTH SERVICES TRACK.  
22 3. ALL FELLOWSHIP AND INTERNSHIP OPPORTUNITIES MAINTAINED BY THE  
23 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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1 PROVIDING UNIQUE OPPORTUNITIES TO YOUTH, YOUNG ADULTS, GRADUATES AND  
2 RETIREES, AND SHALL NOT WHOLLY REPLACE WORK CURRENTLY PERFORMED BY ANY  
3 CIVIL SERVICE TITLE.

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

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

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

15 New York state [conservation] SERVICE corps - GREEN JOBS, CONSERVA-  
16 TION, AND REVITALIZATION TRACKS. 1. [A] THE New York state [conserva-  
17 tion corps] SERVICE CORPS - GREEN JOBS, CONSERVATION, AND REVITALIZATION  
18 TRACKS (hereafter referred to as the "corps") within the office is here-  
19 by established for the following purposes:

- 20 a. To protect air, fish, forest, land, water and wildlife;
- 21 b. To help maintain and improve botanical gardens, historic sites,  
22 libraries, museums, parks, parkways, refuges, trails, zoos and other  
23 recreational, ARTISTIC OR CULTURAL investments;
- 24 c. To aid agricultural, fishing, forestry and tourist industries;
- 25 d. To provide jobs and job training for young unemployed men and  
26 women, especially from disadvantaged backgrounds, AS WELL AS RECENT  
27 GRADUATES OF HIGH SCHOOL, HIGH SCHOOL EQUIVALENCY, COLLEGE, AND  
28 POST-SECONDARY PROGRAMS, to act as a stepladder to permanent employment;
- 29 e. To foster co-operation among civilian and governmental agencies in  
30 order to educate the public about state resources;
- 31 f. To reinforce the "I Love New York" campaign;
- 32 g. To take advantage of the capital investment in facilities and  
33 equipment already in place from the programs of youth and young adult  
34 and civilian conservation corps paid for by federal dollars;
- 35 h. To educate the participants about our natural environment and  
36 cultural heritage, teach first aid and disaster procedures, and to  
37 otherwise encourage them to further their education; and
- 38 i. To do such other projects which provide disaster relief, increase  
39 energy conservation, PROMOTE GREEN JOBS, improve fire prevention, beau-  
40 tify highways, control insects and rodents, upgrade public lands,  
41 PROMOTE RESILIENCY AGAINST HARM FROM CHANGES IN WEATHER PATTERNS OR  
42 GENERAL CLIMATE CHANGE, ENHANCE ART AND CULTURAL RESOURCES, and revital-  
43 ize [urban areas] CITIES, TOWNS, AND VILLAGES.

44 3. The corps shall consist of the following components:

- 45 a. Summer: for youth enrollees, aged fourteen--[eighteen] TWENTY-FOUR;
- 46 b. Seasonal: for unemployed young adult enrollees, aged sixteen--twen-  
47 ty-four;
- 48 c. Non-residential: for young adult enrollees, aged sixteen--twenty-  
49 four;
- 50 d. Residential: for young adult enrollees, aged eighteen--twenty-five;
- 51 e. Volunteer: for interested persons of any age who are members of an  
52 organized group which has proper leadership and insurance;
- 53 f. Crew Leader: for young adults, aged eighteen and over;
- 54 g. Staff: for adults, aged twenty-one and up, who are needed for the  
55 few positions enrollees or crew leaders cannot fill; [and]

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

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

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

10 TITLE 2-B

11 NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK

12 SECTION 231. NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK.

13 232. POWERS AND DUTIES.

14 S 231. NEW YORK STATE SERVICE CORPS - HEALTH SERVICES TRACK. 1. THE  
15 COMMISSIONER SHALL ESTABLISH WITHIN THE DEPARTMENT THE NEW YORK STATE  
16 SERVICE CORPS - HEALTH SERVICES TRACK (HEREINAFTER "CORPS"). THE COMMIS-  
17 SIONER SHALL, IN CONJUNCTION WITH THE NEW YORK STATE COMMISSION ON  
18 NATIONAL AND COMMUNITY SERVICE, HAVE CENTRAL RESPONSIBILITY FOR ADMINIS-  
19 TERING THE PROVISIONS OF THIS TITLE WITH RESPECT TO INCREASING THE  
20 AVAILABILITY OF HEALTH SERVICES IN CERTAIN ELIGIBLE FACILITIES AND  
21 INSTITUTIONS.

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

33 (B) "ELIGIBLE INSTITUTIONS AND FACILITIES" MEANS: (I) FACILITIES OPER-  
34 ATED BY THE DEPARTMENT OF CORRECTIONAL SERVICES, OFFICE OF MENTAL HEALTH  
35 AND OFFICE OF PERSONS WITH DEVELOPMENTAL DISABILITIES; (II) NON-PROFIT  
36 AGENCIES POSSESSING OPERATING CERTIFICATES ISSUED BY THE OFFICE OF  
37 MENTAL HEALTH OR OFFICE FOR PERSONS WITH DEVELOPMENTAL DISABILITIES OR  
38 UNDER CONTRACT WITH THE COMMISSION FOR THE BLIND AND VISUALLY HAND-  
39 ICAPPED; (III) NOT-FOR-PROFIT DIAGNOSTIC AND TREATMENT CENTERS LICENSED  
40 UNDER ARTICLE TWENTY-EIGHT OF THIS CHAPTER WHICH HAVE A CRITICAL SHORT-  
41 AGE OF HEALTH PERSONNEL, AS DETERMINED BY THE COMMISSIONER AND WHICH  
42 SERVE THE MEDICALLY INDIGENT AND MEDICAID ELIGIBLE PERSONS; (IV) HEALTH  
43 CARE FACILITIES OPERATED BY THE DEPARTMENT, PROVIDED THAT AT ANY TIME  
44 THE TOTAL NUMBER OF PLACEMENTS IN SUCH FACILITIES SHALL NOT EXCEED TEN  
45 PERCENT OF THE TOTAL NUMBER OF PLACEMENTS UNDER THIS SECTION; (V) IN THE  
46 CASE OF MIDWIVES, NOT-FOR-PROFIT FACILITIES LICENSED UNDER ARTICLE TWEN-  
47 TY-EIGHT OF THIS CHAPTER WHICH SERVE THE MEDICALLY INDIGENT AND MEDICAID  
48 ELIGIBLE WOMEN; AND (VI) AN EDUCATION PROGRAM OPERATED PURSUANT TO  
49 SECTION THIRTY-SIX HUNDRED TWO-EE OF THE EDUCATION LAW.

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

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

1 2. TO PLACE HEALTH CORPS PROFESSIONALS IN ELIGIBLE INSTITUTIONS AND  
2 FACILITIES PURSUANT TO AGREEMENTS WITH THE APPROPRIATE ELIGIBLE INSTI-  
3 TUTIONS AND FACILITIES;

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

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

15 5. TO DO ANY AND ALL OTHER THINGS NECESSARY TO CARRY OUT ITS FUNC-  
16 TIONS, POWERS AND DUTIES AND TO EFFECTUATE THE PURPOSES OF THIS TITLE.

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