## STATE OF NEW YORK

4821

2017-2018 Regular Sessions

## IN ASSEMBLY

February 3, 2017

Introduced by M. of A. TITUS -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to submission of evidence at fair hearings

## The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 22 of the social services law is amended by adding a new subdivision 15 to read as follows:

3 15. The department shall permit social services districts to submit 4 their evidentiary packages for any fair hearing to the department solely 5 in an electronic format and shall provide the means to facilitate the social services districts' use of any such evidentiary packages for б 7 their evidentiary presentations at the fair hearing. Nothing contained 8 in this section shall require a social services district to submit its 9 evidentiary package in an electronic format, nor shall a social services 10 district, or any other party to a fair hearing, be precluded from offer-11 ing into evidence documentation in paper format, regardless of the medium used to create, transmit, and display the evidentiary package at the 12 13 fair hearing. In cases where a person entitled to an appeal pursuant to 14 this section requests a paper copy of the evidentiary package either 15 before the hearing or at the hearing, the social services district shall 16 provide such paper copy even if such district will utilize an electronic format at the fair hearing. Requests made prior to the fair hearing 17 shall be processed in accordance with the regulations of the department. 18 19 When notifying a person entitled to an appeal to the department of the 20 scheduling of a fair hearing, the department shall state that any such 21 person may request orally or in writing a paper copy of the evidentiary 22 package to be presented by the social services district at the fair 23 hearing. 24

24 § 2. This act shall take effect on the sixtieth day after it shall 25 have become a law.

EXPLANATION--Matter in <u>italics</u> (underscored) is new; matter in brackets [-] is old law to be omitted.

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