STATE OF NEW YORK

6125

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law and the public health law, in relation to the medical evaluation of children placed in foster care

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

Section 1. The social services law is amended by adding a new section 383-d to read as follows:

§ 383-d. Home care evaluations for foster care children. 1. Upon the completion of a comprehensive medical examination of the child, or upon a waiver of such examination by the local social services district, the foster care worker assigned to the child shall assist the foster care parent in acquiring any services deemed medically necessary for the child.

2. The foster parent must continue to allow for the provision of such services for the foster care child until such time as the authorized agency, examining physician, certified home health agency, or licensed home care services agency determines that such services are no longer necessary.

§ 2. The public health law is amended by adding a new section 3620-a to read as follows:

§ 3620-a. Home care services to children placed in foster care. 1. For purposes of this section, the term "home health care agency" shall include both a certified home health agency and a licensed home care services agency.

2. Whenever a home health care agency performs an assessment of a child to be placed in foster care, the agency must provide a copy of such assessment to the referring physician, the authorized foster care agency, and the foster parent.

3. Whenever a home health care agency provides services to a child who is in foster care, such agency must provide a monthly report on the

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

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progress and diagnosis of the child. Such report shall be provided to the referring physician, the authorized foster care agency, and the foster parent.

4. Prior to discontinuing any services, the home health care agency must inform the foster child's physician, the foster care worker, and the foster parent of such change and the reason for the change.

§ 3. This act shall take effect immediately.