

STATE OF NEW YORK

10540--A

IN ASSEMBLY

May 28, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hevesi) --
read once and referred to the Committee on Children and Families --
committee discharged, bill amended, ordered reprinted as amended and
recommitted to said committee

AN ACT to amend the social services law, the education law and the
public health law, in relation to providing supports and services for
youth suffering from adverse childhood experiences

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

1 Section 1. The social services law is amended by adding a new section
2 131-aaa to read as follows:

3 § 131-aaa. Availability of adverse childhood experiences services.
4 Each local social services district shall be required to provide appli-
5 cants and recipients of public assistance who are a parent, guardian,
6 custodian or otherwise responsible for a child's care, with educational
7 materials developed pursuant to subdivision two of section three hundred
8 seventy-c of the social services law to educate them about adverse
9 childhood experiences, the importance of protective factors and the
10 availability of services for children at risk for or suffering from
11 adverse childhood experiences. The educational materials may be made
12 available electronically and shall be provided at the time of applica-
13 tion, recertification and any other instances the applicant or recipient
14 makes contact with the local social services district.

15 § 2. Article 5 of the social services law is amended by adding a new
16 title 12-A to read as follows:

TITLE 12-A

SUPPORTS AND SERVICES FOR YOUTH SUFFERING FROM ADVERSE

CHILDHOOD EXPERIENCES

20 Section 370-c. Supports and services for youth suffering from adverse
21 childhood experiences.

22 § 370-c. Supports and services for youth suffering from adverse child-
23 hood experiences. 1. Youth suffering from or at risk of adverse child-
24 hood experiences, as defined in paragraph (c) of subdivision one of
25 section twenty-d of this chapter, shall be eligible for a range of

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

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1 appropriate services and supports, which shall be beneficial to the
2 health and well-being of the youth. Such services shall be culturally
3 competent, evidence based and trauma informed and include, but not be
4 limited to appropriate health and behavioral health services covered
5 under subdivision seven of section twenty-five hundred ten of the public
6 health law and subdivision two of section three hundred sixty-five-a of
7 this article; preventive services provided pursuant to subdivision two
8 of section four hundred fifty-eight-m of this chapter, enhancement of
9 protective factors and any other services necessary to serve youth
10 suffering from adverse childhood experiences.

11 2. The office of children and family services, in consultation with
12 the office of temporary and disability assistance, the office of mental
13 health, the office of addiction services and supports and the department
14 of health, shall develop or utilize existing educational materials to be
15 used to educate parents, guardians and other authorized individuals
16 about adverse childhood experiences including the environmental events
17 that may impact or lead to adverse childhood experiences, the importance
18 of protective factors and the availability of services for children at
19 risk of or suffering from adverse childhood experiences. Such informa-
20 tion shall be made available electronically and shall be posted on each
21 agency's website.

22 § 3. Subdivision 7 of section 390 of the social services law is
23 amended by adding a new paragraph (c) to read as follows:

24 (c) The office of children and family services shall implement a
25 statewide campaign to educate parents and other potential consumers of
26 child day care programs about adverse childhood experiences, the impor-
27 tance of protective factors, and the availability of services for chil-
28 dren at risk for or experiencing adverse childhood experiences as
29 defined in paragraph (c) of subdivision one of section twenty-d of this
30 chapter. Such statewide campaign, shall include but is not limited to,
31 providing all licensed, registered and enrolled child care providers
32 with educational materials developed pursuant to subdivision two of
33 section three hundred seventy-c of this chapter. The educational materi-
34 als may be made available electronically and shall be provided to
35 parents and other potential consumers at the time of enrollment and once
36 every six months during the time of their child's enrollment.

37 § 4. Section 305 of the education law is amended by adding a new
38 subdivision 59 to read as follows:

39 59. The commissioner shall make available educational materials devel-
40 oped pursuant to subdivision two of section three hundred seventy-c of
41 the social services law to every school district and board of cooper-
42 ative educational services for the purpose of educating parents, guardi-
43 ans and other authorized individuals responsible for the child's care
44 about adverse childhood experiences, the importance of protective
45 factors, and the availability of services for children at risk for or
46 experiencing adverse childhood experiences. The commissioner shall
47 provide that such educational materials are made available online pursu-
48 ant to subdivision two of section three hundred seventy-c of the social
49 services law.

50 § 5. The public health law is amended by adding a new section 2509-b
51 to read as follows:

52 § 2509-b. Availability of adverse childhood experiences services.
53 Every pediatrics healthcare provider licensed pursuant to article one
54 hundred thirty-one of the education law shall be required to provide the
55 parent, guardian, custodian or other authorized individual of a child
56 that the pediatrician sees in their official capacity, with educational

1 materials developed pursuant to subdivision two of section three hundred
2 seventy-c of the social services law. Such materials may be provided
3 electronically and shall be used to inform and educate them about
4 adverse childhood experiences, the importance of protective factors and
5 the availability of services for children at risk for or experiencing
6 adverse childhood experiences.

7 § 6. Subdivision 7 of section 2510 of the public health law, as
8 amended by chapter 428 of the laws of 2013, is amended to read as
9 follows:

10 7. "Covered health care services" means: the services of physicians,
11 optometrists, nurses, nurse practitioners, midwives and other related
12 professional personnel which are provided on an outpatient basis,
13 including routine well-child visits; diagnosis and treatment of illness
14 and injury; inpatient health care services; laboratory tests; diagnostic
15 x-rays; prescription and non-prescription drugs and durable medical
16 equipment; radiation therapy; chemotherapy; hemodialysis; outpatient
17 blood clotting factor products and other treatments and services
18 furnished in connection with the care of hemophilia and other blood
19 clotting protein deficiencies; emergency room services; hospice
20 services; emergency, preventive and routine dental care, including
21 medically necessary orthodontia but excluding cosmetic surgery; emergen-
22 cy, preventive and routine vision care, including eyeglasses; speech and
23 hearing services; and, inpatient and outpatient mental health, alcohol
24 and substance abuse services as defined by the commissioner in consulta-
25 tion with the superintendent. For youth at risk for or experiencing
26 adverse childhood experiences, as defined in subdivision one of section
27 three hundred seventy-c of the social services law, covered health care
28 services shall also include: (a) children's mental health rehabilitation
29 services including, but not limited to, those covered by medical assist-
30 ance pursuant to title eleven of article five of the social services
31 law, community psychiatric support and treatment services, and psychoso-
32 cial rehabilitation services, assuming such children's mental health
33 rehabilitation services are provided by individuals acting within their
34 lawful scope of practice as established under the education law; and (b)
35 trauma informed care that includes the identification of and appropriate
36 reaction and treatment to adverse childhood experiences. "Covered health
37 care services" shall not include drugs, procedures and supplies for the
38 treatment of erectile dysfunction when provided to, or prescribed for
39 use by, a person who is required to register as a sex offender pursuant
40 to article six-C of the correction law, provided that any denial of
41 coverage of such drugs, procedures or supplies shall provide the patient
42 with the means of obtaining additional information concerning both the
43 denial and the means of challenging such denial.

44 § 7. This act shall take effect on the thirtieth day after it shall
45 have become a law.