

# STATE OF NEW YORK

5397

2021-2022 Regular Sessions

## IN ASSEMBLY

February 16, 2021

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to requiring social services districts to maintain a waiting list of certain families applying for child care assistance

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

1 Section 1. Section 410-z of the social services law, as added by  
2 section 52 of part B of chapter 436 of the laws of 1997, is amended to  
3 read as follows:

4 § 410-z. Reporting requirements. 1. Each social services district  
5 shall collect and submit to the [department] office of children and  
6 family services, in such form and at such times as specified by the  
7 [department] office of children and family services, such data and  
8 information regarding child care assistance provided under the block  
9 grant as the [department] office of children and family services may  
10 need to comply with federal reporting requirements.

11 2. (a) Each social services district shall maintain a waiting list of  
12 eligible families who have applied for child care assistance pursuant to  
13 this title and who have not received such assistance. Such waiting list  
14 shall contain information including, but not limited to:

15 (i) the date the child care assistance was requested;  
16 (ii) the date the child care assistance was received;  
17 (iii) the age of the child or children the assistance was requested on  
18 behalf of; and

19 (iv) the total number of families on such waiting list as of the first  
20 day of each month.

21 (b) Each district shall issue a report to the office of children and  
22 family services by October fifteenth, two thousand twenty-two, and annu-  
23 ally thereafter detailing month-to-month information required pursuant

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

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1 to this subdivision for the preceding period of October first through  
2 September thirtieth, and shall include the following:

3 (i) the average length of time for families on the waiting list;  
4 (ii) the number of families on the waiting list for each of the  
5 following time periods:

- 6 (A) less than two weeks,  
7 (B) two weeks to less than a month,  
8 (C) one month to less than three months,  
9 (D) three months to less than six months,  
10 (E) six months to less than a year, and  
11 (F) one year or more;

12 (iii) the average age of children represented on the waiting list;  
13 (iv) the number of children represented on the waiting list eligible  
14 for each:

- 15 (A) infant,  
16 (B) toddler,  
17 (C) pre-school, and  
18 (D) school-aged subsidized child care slots; and

19 (v) the number of existing infant, toddler, pre-school and school-aged  
20 subsidized child care slots;

21 (vi) the number of families who would receive child care assistance  
22 except that they are waiting for available slots in a particular child  
23 care program; and

24 (vii) other information as the district deems appropriate.

25 (c) For purposes of this subdivision, "eligible family" shall include  
26 all families with incomes at or below two hundred percent of the federal  
27 poverty level, as most recently reported by the federal department of  
28 health and human services, who are otherwise eligible, but who may have  
29 been denied assistance because the local social services district does  
30 not have enough funds to serve all eligible families and has opted to  
31 apply its funds to lower income families as a priority population.

32 3. (a) Each social services district shall collect data regarding the  
33 income of families who applied for child care assistance pursuant to  
34 this title, specifying:

35 (i) the number of families who were denied;  
36 (ii) the number of families who received such assistance; and  
37 (iii) a listing of the incomes pursuant to paragraph (b) of this  
38 subdivision of the families who applied for such assistance.

39 (b) Each district shall issue a report to the office of children and  
40 family services by October fifteenth, two thousand twenty-two, and annu-  
41 ally thereafter, detailing month-to-month information collected pursuant  
42 to this subdivision for the preceding period of October first through  
43 September thirtieth, and shall include the following:

44 (i) the number of all families who applied for and received child care  
45 assistance pursuant to this title whose:

46 (A) incomes were under one hundred one percent of the federal poverty  
47 level for their family size and were in receipt of cash public assist-  
48 ance;

49 (B) incomes were under one hundred one percent of the federal poverty  
50 level for their family size and were not in receipt of cash public  
51 assistance;

52 (C) incomes were between one hundred one percent and one hundred twen-  
53 ty-five percent of the federal poverty level for their family size;

54 (D) incomes were between one hundred twenty-six and one hundred fifty  
55 percent of the federal poverty level for their family size;

1 (E) incomes were between one hundred fifty-one percent and one hundred  
2 seventy-five percent of the federal poverty level for their family size;  
3 and

4 (F) incomes were between one hundred seventy-six and two hundred  
5 percent of the federal poverty level for their family size; and

6 (ii) the number of all families who applied for and were denied child  
7 care assistance pursuant to this title whose:

8 (A) incomes were under one hundred one percent of the federal poverty  
9 level for their family size, and who were in receipt of cash public  
10 assistance;

11 (B) incomes were under one hundred one percent of the federal poverty  
12 level for their family size and who were not in receipt of cash public  
13 assistance;

14 (C) incomes were between one hundred one percent and one hundred twen-  
15 ty-five percent of the federal poverty level for their family size;

16 (D) incomes were between one hundred twenty-six percent and one  
17 hundred fifty percent of the federal poverty level for their family  
18 size;

19 (E) incomes were between one hundred fifty-one percent and one hundred  
20 seventy-five percent of the federal poverty level for their family size;  
21 and

22 (F) incomes were between one hundred seventy-six and two hundred  
23 percent of the federal poverty level for their family size; and

24 (iii) any other information as the office of children and family  
25 services deems appropriate.

26 4. The office of children and family services shall compile such  
27 reports pursuant to paragraph (b) of subdivision two, and paragraph (b)  
28 of subdivision three of this section, into one comprehensive report  
29 containing all required information on a county by county basis. Such  
30 report shall be provided to the governor, the speaker of the assembly,  
31 the temporary president of the senate, the chairperson of the assembly  
32 committee on children and families, the chairperson of the senate  
33 committee on children and families, the chairperson of the assembly  
34 committee on social services, the chairperson of the senate committee on  
35 social services, the chairperson of the assembly ways and means commit-  
36 tee and the chairperson of the senate finance committee no later than  
37 December first, two thousand twenty-two, and annually thereafter.

38 § 2. Nothing in this act shall be construed to require local social  
39 services districts to maintain waiting lists for dates preceding the  
40 effective date of this act, or to collect data pursuant to subdivision 3  
41 of section 410-z of the social services law, as added by section one of  
42 this act, for persons who applied for subsidized child care prior to the  
43 effective date of this act.

44 § 3. This act shall take effect October 1, 2021. Effective immediate-  
45 ly, the addition, amendment and/or repeal of any rule or regulation  
46 necessary for the implementation of this act on its effective date are  
47 authorized to be made and completed on or before such effective date.