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:

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

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

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

(i) the date the child care assistance was requested;

(ii) the date the child care assistance was received;

(iii) the age of the child or children the assistance was requested on behalf of; and

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

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

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

LBD02826-01-1

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

(i) the average length of time for families on the waiting list;

(ii) the number of families on the waiting list for each of the following time periods:

(A) less than two weeks,

(B) two weeks to less than a month,

(C) one month to less than three months,

(D) three months to less than six months,

(E) six months to less than a year, and

(F) one year or more;

(iii) the average age of children represented on the waiting list;

(iv) the number of children represented on the waiting list eligible for each:

(A) infant,

(B) toddler,

(C) pre-school, and

(D) school-aged subsidized child care slots; and

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

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

(vii) other information as the district deems appropriate.

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

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

(i) the number of families who were denied;

(ii) the number of families who received such assistance; and

(iii) a listing of the incomes pursuant to paragraph (b) of this subdivision of the families who applied for such assistance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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