STATE OF NEW YORK

5414

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 2021

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

AN ACT to amend the social services law, in relation to allowing persons applying for or receiving public assistance to be interviewed by phone

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

Section 1. Paragraphs (a) and (b) of subdivision 4 of section 132 of the social services law, paragraph (a) as amended by chapter 214 of the laws of 1998 and paragraph (b) as added by section 23 of part B of chapter 436 of the laws of 1997, are amended to read as follows:

(a) Investigation into the cause of the condition of a head of household or of any adult applicant or recipient and the treatment which will be helpful to such person shall include a screening for alcohol and/or substance abuse using a standardized screening instrument to be developed by the office of [~~alcoholism and substance abuse services~~] **addiction services and supports** in consultation with the department. Such screening shall be performed by a social services district at the time of application and periodically thereafter but not more frequently than every six months, unless the district has reason to believe that an applicant or recipient is abusing or dependent on alcohol or drugs, in accordance with regulations promulgated by the department. **Such screening may be conducted by telephone at the social services district's option.**

(b) When the screening process indicates that there is reason to believe that an applicant or recipient is abusing or dependent on alcohol or drugs, the social services district shall require a formal alcohol or substance abuse assessment, which may include drug testing, to be performed by an alcohol and/or substance abuse professional credentialed by the office of [~~alcoholism and substance abuse services~~] **addiction services and supports**. The assessment may be performed directly by the

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

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district or pursuant to contract with the district. **Such assessment may be conducted by telephone at the social services district's option.**

§ 2. Subdivision 3 of section 134-a of the social services law, as amended by chapter 219 of the laws of 1973, is amended to read as follows:

3. The social services official shall require that persons applying for or receiving public assistance and care be interviewed personally at a time and in a manner provided by the regulations of the department**, and such interview may be a phone interview at the social services official's option**. Applicants or recipients shall be excused from such requirements to avoid hardship, as defined by regulations of the department. Hardship shall include but not be limited to circumstances including infirmity, serious illness or physical disability.

§ 3. Subdivision 2 of section 349-a of the social services law, as added by section 36 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

2. Such inquiry shall be performed utilizing a universal screening form to be developed by the department after consultation with the office for the prevention of domestic violence and statewide domestic violence advocacy groups. **Such screening may be conducted by telephone at the social services district's option.** An individual may request such screening at any time, and any individual who at any time self identifies as a victim of domestic violence shall be afforded the opportunity for such screening.

§ 4. This act shall take effect immediately.