STATE OF NEW YORK

9080

IN ASSEMBLY

January 31, 2022

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

AN ACT in relation to a study of the number of children in foster care who have an intellectual or developmental disability

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

Section 1. The office of children and family services, in consultation with the commissioner of mental health and the commissioner of developmental disabilities, shall conduct a study to determine the number of children who have been placed in foster care and who have been diagnosed with an intellectual or developmental disability. Such study shall include, but shall not be limited to, the following:

(a) assessing the demographics of the children in foster care with an intellectual or developmental disability, including, but not limited to, their county of residence, age, race and gender identity, and determining whether the placement of such individuals in foster care was voluntary or court ordered;

(b) evaluating the current guidelines and regulations used to oversee the placement and treatment of children with an intellectual or developmental disability; and

(c) analyzing the extent to which such children are prepared for a transition from foster care to an independent living situation.

§ 2. For purposes of this section, the following terms shall have the following meanings:

(a) "intellectual disability" shall have the same meaning as set forth in paragraph (b) of subdivision 6 of section 384-b of the social services law; and

(b) "developmental disability" shall have the same meaning as set forth in subdivision 22 of section 1.03 of the mental hygiene law.

§ 3. The office of children and family services, the commissioner of mental health and the commissioner of developmental disabilities may acquire directly from the head of any department, agency, or instrumentality of the state, available information which the departments consider useful in the discharge of their duties. All departments, agencies,

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

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and instrumentalities of the state shall cooperate with the departments with respect to such information and shall furnish all information requested by the departments to the extent permitted by law.

§ 4. The office of children and family services, the commissioner of mental health and the commissioner of developmental disabilities shall submit a report of the findings of the study conducted pursuant to section one of this act, to the governor, the temporary president of the senate, the speaker of the assembly and the minority leaders of the senate and assembly no later than one year following the effective date of this act. The report shall also include recommendations on how to consistently maintain a record of the number of children who have been placed in foster care who have been diagnosed with an intellectual or developmental disability, recommendations to improve the placement and treatment of children in foster care and recommendations to further develop existing guidelines and regulations to prepare children who have an intellectual or developmental disability for a transition to an independent living situation.

§ 5. This act shall take effect immediately.