

# STATE OF NEW YORK

8677

## IN SENATE

March 29, 2022

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to child advocacy centers

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

1 Section 1. Subdivision 3 of section 424-a of the social services law,  
2 as amended by section 14-a of part H of chapter 56 of the laws of 2019,  
3 is amended to read as follows:

4 3. For purposes of this section, the term "provider" or "provider  
5 agency" shall mean: an authorized agency; the office of children and  
6 family services; a private, nonprofit incorporated agency that meets the  
7 state office of children and family services program standards for child  
8 advocacy centers; juvenile detention facilities subject to the certif-  
9 ication of the office of children and family services; programs estab-  
10 lished pursuant to article nineteen-H of the executive law; non-residen-  
11 tial or residential programs or facilities licensed or operated by the  
12 office of mental health or the office for people with developmental  
13 disabilities except family care homes; including head start programs  
14 which are funded pursuant to title V of the federal economic opportunity  
15 act of nineteen hundred sixty-four, as amended; early intervention  
16 service established pursuant to section twenty-five hundred forty of the  
17 public health law; preschool services established pursuant to section  
18 forty-four hundred ten of the education law; special act school  
19 districts as enumerated in chapter five hundred sixty-six of the laws of  
20 nineteen hundred sixty-seven, as amended; programs and facilities  
21 licensed by the office of alcoholism and substance abuse services; resi-  
22 dential schools which are operated, supervised or approved by the educa-  
23 tion department; health homes, or any subcontractor of such health  
24 homes, who contracts with or is approved or otherwise authorized by the  
25 department of health to provide health home services to all those  
26 enrolled pursuant to a diagnosis of a developmental disability as  
27 defined in subdivision twenty-two of section 1.03 of the mental hygiene  
28 law and enrollees who are under twenty-one years of age under section

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

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1 three hundred sixty-five-1 of this chapter, or any entity that provides  
2 home and community based services to enrollees who are under twenty-one  
3 years of age under a demonstration program pursuant to section eleven  
4 hundred fifteen of the federal social security act; publicly-funded  
5 emergency shelters for families with children, provided, however, for  
6 purposes of this section, when the provider or provider agency is a  
7 publicly-funded emergency shelter for families with children, then all  
8 references in this section to the "potential for regular and substantial  
9 contact with individuals who are cared for by the agency" shall mean the  
10 potential for regular and substantial contact with children who are  
11 served by such shelter; and any other facility or provider agency, as  
12 defined in subdivision four of section four hundred eighty-eight of this  
13 chapter, in regard to the employment of staff, or use of providers of  
14 goods and services and staff of such providers, consultants, interns and  
15 volunteers.

16 § 2. This act shall take effect immediately.