

# STATE OF NEW YORK

8894

## IN SENATE

April 27, 2022

Introduced by Sen. HARCKHAM -- 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 including certain programs and facilities in the definition of provider or provider agency

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; juvenile detention facilities subject to the certifi-  
7 cation of the office of children and family services; programs estab-  
8 lished pursuant to article nineteen-H of the executive law; programs and  
9 facilities licensed under New York state to provide services to chil-  
10 dren; non-residential or residential programs or facilities licensed or  
11 operated by the office of mental health or the office for people with  
12 developmental disabilities except family care homes; including head  
13 start programs which are funded pursuant to title V of the federal  
14 economic opportunity act of nineteen hundred sixty-four, as amended;  
15 early intervention service established pursuant to section twenty-five  
16 hundred forty of the public health law; preschool services established  
17 pursuant to section forty-four hundred ten of the education law; special  
18 act school districts as enumerated in chapter five hundred sixty-six of  
19 the laws of nineteen hundred sixty-seven, as amended; programs and  
20 facilities licensed by the office of alcoholism and substance abuse  
21 services; residential schools which are operated, supervised or approved  
22 by the education department; health homes, or any subcontractor of such  
23 health homes, who contracts with or is approved or otherwise authorized  
24 by the department of health to provide health home services to all those  
25 enrolled pursuant to a diagnosis of a developmental disability as  
26 defined in subdivision twenty-two of section 1.03 of the mental hygiene  
27 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.