

STATE OF NEW YORK

10671

IN ASSEMBLY

August 12, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. L. Rosenthal) -- read once and referred 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 certification of the office of children and family services; programs established pursuant to article nineteen-H of the executive law; organizations and programs that provide community based services to individuals under twenty-one years of age who are under the care or oversight of any of the aforementioned provider agencies when the services provided have potential for regular and substantial contact with such individuals under twenty-one; non-residential or residential programs or facilities
7 licensed or operated by the office of mental health or the office for
8 people with developmental disabilities except family care homes; including head start programs which are funded pursuant to title V of the
9 federal economic opportunity act of nineteen hundred sixty-four, as
10 amended; early intervention service established pursuant to section
11 twenty-five hundred forty of the public health law; preschool services
12 established pursuant to section forty-four hundred ten of the education
13 law; special act school districts as enumerated in chapter five hundred
14 sixty-six of the laws of nineteen hundred sixty-seven, as amended;
15 programs and facilities licensed by the office of alcoholism and
16 substance abuse services; residential schools which are operated, supervised or approved by the education department; health homes, or any
17 subcontractor of such health homes, who contracts with or is approved or
18
19
20
21
22
23
24
25
26

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

LBD15357-03-2

1 otherwise authorized by the department of health to provide health home
2 services to all those enrolled pursuant to a diagnosis of a develop-
3 mental disability as defined in subdivision twenty-two of section 1.03
4 of the mental hygiene law and enrollees who are under twenty-one years
5 of age under section three hundred sixty-five-1 of this chapter, or any
6 entity that provides home and community based services to enrollees who
7 are under twenty-one years of age under a demonstration program pursuant
8 to section eleven hundred fifteen of the federal social security act;
9 publicly-funded emergency shelters for families with children, provided,
10 however, for purposes of this section, when the provider or provider
11 agency is a publicly-funded emergency shelter for families with chil-
12 dren, then all references in this section to the "potential for regular
13 and substantial contact with individuals who are cared for by the agen-
14 cy" shall mean the potential for regular and substantial contact with
15 children who are served by such shelter; and any other facility or
16 provider agency, as defined in subdivision four of section four hundred
17 eighty-eight of this chapter, in regard to the employment of staff, or
18 use of providers of goods and services and staff of such providers,
19 consultants, interns and volunteers.

20 § 2. This act shall take effect immediately.