STATE OF NEW YORK

2109--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. FERNANDEZ, CRUZ, SAYEGH, SIMON, GLICK, COOK, GOTTFRIED, GONZALEZ-ROJAS -- read once and referred to the Committee on Social Services -- recommitted to the Committee on Social Services in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the social services law, in relation to ensuring adequate access to information by individuals who have limited English proficiency

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

Section 1. Section 95-a of the social services law is amended by adding a new subdivision 9 to read as follows:

9. (a) The department shall develop and implement a plan to ensure adequate access to information by individuals who have limited English proficiency or otherwise require communication assistance. Notwithstanding the provisions of any general, special or local law to the contrary, and subject to appropriation, the department shall:

(i) translate necessary documents, including but not limited to, forms and instructions provided to or completed by the program beneficiaries or participants, into the twelve most common non-English languages spoken by individuals with limited-English proficiency in New York state, based on United States census data. Pursuant to section two hundred two-a of the executive law, the department may, in its discretion, offer up to four additional languages beyond the twelve most common languages. Such additional languages shall be determined by the provisions established in such section two hundred two-a.

(ii) offer, upon request, interpretation services between the entity administering the program and an individual in his or her primary language with respect to the provision of services or benefits; and

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

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(iii) offer, upon request or demonstrated need, services to an individual who requires additional assistance due to partial or total deafness, blindness, speech impediment, or cognitive impairment; and

(iv) subject to appropriation, work with the office for the aging to provide additional translation services to both agencies to assist with informing low-income and elderly households potentially eligible to receive supplemental nutrition assistance program benefits.

(b) Each commissioner of social services shall retain discretion to offer additional language translation services to low-income recipients, as necessary.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that the amendments to section 95-a of the social services law made by section one of this act shall not affect the expiration and reversion of such section and shall be deemed to expire therewith.