STATE OF NEW YORK

3873

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

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

AN ACT to amend the social services law, in relation to caseload standards for preventative services caseworkers

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

Section 1. Section 20-a of the social services law, as added by chapter 107 of the laws of 1971, is amended to read as follows:

§ 20-a. Local personnel; limitations on department's power. Notwithstanding any inconsistent provision of this chapter, the board, the commissioner or the department, acting singly or in unison, shall not have the power, directly or indirectly to prescribe the number of persons to be employed in any social services district providing the district complies with the minimum federal standards relating thereto. **Provided, however, that the provisions of this section shall not apply to the regulations of the office of children and family services establishing caseload standards for preventative case planning services promulgated pursuant to subdivision nine of section four hundred twenty-one of this chapter.**

§ 2. Paragraph (a) of subdivision 1 of section 153-k of the social services law, as added by section 15 of part C of chapter 83 of the laws of 2002, is amended to read as follows:

(a) Expenditures made by social services districts for child protective services, preventive services provided, as applicable, to eligible children and families of children who are in and out of foster care placement, independent living services, aftercare services, and adoption administration and services other than adoption subsidies provided pursuant to article six of this chapter and the regulations of the department of family assistance shall, if approved by the office of children and family services, be subject to sixty-five percent state reimbursement exclusive of any federal funds made available for such

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

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purposes, in accordance with the directives of the department of family assistance and subject to the approval of the director of the budget. **Provided however, for requirements prescribed in subdivision nine of section four hundred twenty-one of this chapter, such expenditures shall be subject to one hundred percent state reimbursement, provided that local social services districts continue to maintain expenditures related to preventative case planning services at a level equal to or greater than expenditures for such activity during the fiscal year immediately prior to the effective date of the chapter of the laws of two thousand twenty-one which amended this paragraph.**

§ 3. Section 421 of the social services law is amended by adding a new subdivision 9 to read as follows:

9. promulgate regulations in consultation with local social services districts, relating to caseload standards for preventative case planning services. Such standards shall be no more than twelve families per full-time preventative case planning services caseworker per month. Nothing in this subdivision shall be construed to prohibit the office from prescribing local social services districts from establishing caseload guidelines that are less than what is required in this subdivision.

§ 4. This act shall take effect two years after it shall have become a law; provided, however that the amendments to section 153-k of the social services law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.