STATE OF NEW YORK

4109

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

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

AN ACT to amend the social services law, the education law and the public health law, in relation to providing supports and services for youth suffering from adverse childhood experiences

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

Section 1. The social services law is amended by adding a new section 131-aaa to read as follows:

§ 131-aaa. Availability of adverse childhood experiences services. Each local social services district shall be required to provide applicants and recipients of public assistance who are a parent, guardian, custodian or otherwise responsible for a child's care, with educational materials developed pursuant to subdivision two of section three hundred seventy-c of the social services law to educate them about adverse childhood experiences, the importance of protective factors and the availability of services for children at risk for or suffering from adverse childhood experiences. The educational materials may be made available electronically and shall be provided at the time of application, recertification and any other instances the applicant or recipient makes contact with the local social services district.

§ 2. Article 5 of the social services law is amended by adding a new title 12-A to read as follows:

TITLE 12-A

SUPPORTS AND SERVICES FOR YOUTH SUFFERING FROM ADVERSE CHILDHOOD EXPERIENCES

Section 370-c. Supports and services for youth suffering from adverse childhood experiences.

§ 370-c. Supports and services for youth suffering from adverse childhood experiences. 1. Youth suffering from or at risk of adverse childhood experiences, as defined in paragraph (c) of subdivision one of

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

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section twenty-d of this chapter, shall be eligible for a range of appropriate services and supports, which shall be beneficial to the health and well-being of the youth. Such services shall be culturally competent, evidence based and trauma informed and include, but not be limited to appropriate health and behavioral health services covered under subdivision seven of section twenty-five hundred ten of the public health law and subdivision two of section three hundred sixty-five-a of this article; preventive services provided pursuant to subdivision two of section four hundred fifty-eight-m of this chapter, enhancement of protective factors and any other services necessary to serve youth suffering from adverse childhood experiences.

2. The office of children and family services, in consultation with the office of temporary and disability assistance, the office of mental health, the office of addiction services and supports and the department of health, shall develop or utilize existing educational materials to be used to educate parents, guardians and other authorized individuals about adverse childhood experiences including the environmental events that may impact or lead to adverse childhood experiences, the importance of protective factors and the availability of services for children at risk of or suffering from adverse childhood experiences. Such information shall be made available electronically and shall be posted on each agency's website.

§ 3. Subdivision 7 of section 390 of the social services law is amended by adding a new paragraph (c) to read as follows:

(c) The office of children and family services shall implement a statewide campaign to educate parents and other potential consumers of child day care programs about adverse childhood experiences, the importance of protective factors, and the availability of services for children at risk for or experiencing adverse childhood experiences as defined in paragraph (c) of subdivision one of section twenty-d of this chapter. Such statewide campaign, shall include but is not limited to, providing all licensed, registered and enrolled child care providers with educational materials developed pursuant to subdivision two of section three hundred seventy-c of this chapter. The educational materials may be made available electronically and shall be provided to parents and other potential consumers at the time of enrollment and once every six months during the time of their child's enrollment.

§ 4. Section 305 of the education law is amended by adding a new subdivision 59 to read as follows:

59. The commissioner shall make available educational materials developed pursuant to subdivision two of section three hundred seventy-c of the social services law to every school district and board of cooperative educational services for the purpose of educating parents, guardians and other authorized individuals responsible for the child's care about adverse childhood experiences, the importance of protective factors, and the availability of services for children at risk for or experiencing adverse childhood experiences. The commissioner shall provide that such educational materials are made available online pursuant to subdivision two of section three hundred seventy-c of the social services law.

§ 5. The public health law is amended by adding a new section 2509-b to read as follows:

§ 2509-b. Availability of adverse childhood experiences services. Every pediatrics healthcare provider licensed pursuant to article one hundred thirty-one of the education law shall be required to provide the parent, guardian, custodian or other authorized individual of a child

that the pediatrician sees in their official capacity, with educational materials developed pursuant to subdivision two of section three hundred seventy-c of the social services law. Such materials may be provided electronically and shall be used to inform and educate them about adverse childhood experiences, the importance of protective factors and the availability of services for children at risk for or experiencing adverse childhood experiences.

§ 6. Subdivision 7 of section 2510 of the public health law, as amended by chapter 428 of the laws of 2013, is amended to read as follows:

7. "Covered health care services" means: the services of physicians, optometrists, nurses, nurse practitioners, midwives and other related professional personnel which are provided on an outpatient basis, including routine well-child visits; diagnosis and treatment of illness and injury; inpatient health care services; laboratory tests; diagnostic x-rays; prescription and non-prescription drugs and durable medical equipment; radiation therapy; chemotherapy; hemodialysis; outpatient blood clotting factor products and other treatments and services furnished in connection with the care of hemophilia and other blood clotting protein deficiencies; emergency room services; hospice services; emergency, preventive and routine dental care, including medically necessary orthodontia but excluding cosmetic surgery; emergency, preventive and routine vision care, including eyeglasses; speech and hearing services; and, inpatient and outpatient mental health, alcohol and substance abuse services as defined by the commissioner in consultation with the superintendent. For youth at risk for or experiencing adverse childhood experiences, as defined in subdivision one of section three hundred seventy-c of the social services law, covered health care services shall also include: (a) children's mental health rehabilitation services including, but not limited to, those covered by medical assistance pursuant to title eleven of article five of the social services law, community psychiatric support and treatment services, and psychosocial rehabilitation services, assuming such children's mental health rehabilitation services are provided by individuals acting within their lawful scope of practice as established under the education law; and (b) trauma informed care that includes the identification of and appropriate reaction and treatment to adverse childhood experiences. "Covered health care services" shall not include drugs, procedures and supplies for the treatment of erectile dysfunction when provided to, or prescribed for use by, a person who is required to register as a sex offender pursuant to article six-C of the correction law, provided that any denial of coverage of such drugs, procedures or supplies shall provide the patient with the means of obtaining additional information concerning both the denial and the means of challenging such denial.

§ 7. This act shall take effect on the thirtieth day after it shall have become a law.