

STATE OF NEW YORK

5414

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to allowing persons applying for or receiving public assistance to be interviewed by phone

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

1 Section 1. Paragraphs (a) and (b) of subdivision 4 of section 132 of
2 the social services law, paragraph (a) as amended by chapter 214 of the
3 laws of 1998 and paragraph (b) as added by section 23 of part B of chap-
4 ter 436 of the laws of 1997, are amended to read as follows:

5 (a) Investigation into the cause of the condition of a head of house-
6 hold or of any adult applicant or recipient and the treatment which will
7 be helpful to such person shall include a screening for alcohol and/or
8 substance abuse using a standardized screening instrument to be devel-
9 oped by the office of [~~alcoholism and substance abuse services~~]
10 addiction services and supports in consultation with the department.
11 Such screening shall be performed by a social services district at the
12 time of application and periodically thereafter but not more frequently
13 than every six months, unless the district has reason to believe that an
14 applicant or recipient is abusing or dependent on alcohol or drugs, in
15 accordance with regulations promulgated by the department. Such screen-
16 ing may be conducted by telephone at the social services district's
17 option.

18 (b) When the screening process indicates that there is reason to
19 believe that an applicant or recipient is abusing or dependent on alco-
20 hol or drugs, the social services district shall require a formal alco-
21 hol or substance abuse assessment, which may include drug testing, to be
22 performed by an alcohol and/or substance abuse professional credentialed
23 by the office of [~~alcoholism and substance abuse services~~] addiction
24 services and supports. The assessment may be performed directly by the

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

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1 district or pursuant to contract with the district. Such assessment may
2 be conducted by telephone at the social services district's option.

3 § 2. Subdivision 3 of section 134-a of the social services law, as
4 amended by chapter 219 of the laws of 1973, is amended to read as
5 follows:

6 3. The social services official shall require that persons applying
7 for or receiving public assistance and care be interviewed personally at
8 a time and in a manner provided by the regulations of the department,
9 and such interview may be a phone interview at the social services offi-
10 cial's option. Applicants or recipients shall be excused from such
11 requirements to avoid hardship, as defined by regulations of the depart-
12 ment. Hardship shall include but not be limited to circumstances includ-
13 ing infirmity, serious illness or physical disability.

14 § 3. Subdivision 2 of section 349-a of the social services law, as
15 added by section 36 of part B of chapter 436 of the laws of 1997, is
16 amended to read as follows:

17 2. Such inquiry shall be performed utilizing a universal screening
18 form to be developed by the department after consultation with the
19 office for the prevention of domestic violence and statewide domestic
20 violence advocacy groups. Such screening may be conducted by telephone
21 at the social services district's option. An individual may request such
22 screening at any time, and any individual who at any time self identi-
23 fies as a victim of domestic violence shall be afforded the opportunity
24 for such screening.

25 § 4. This act shall take effect immediately.