

STATE OF NEW YORK

7726

2021-2022 Regular Sessions

IN ASSEMBLY

May 20, 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 or other digital means; and to amend a chapter of the laws of 2021 amending the social services law relating to allowing persons applying for or receiving public assistance to be interviewed by phone, as proposed in legislative bills numbers S.3223-A and A.5414, in relation to the effectiveness thereof

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, as amended by a chapter of the laws of 2021
3 amending the social services law relating to allowing persons applying
4 for or receiving public assistance to be interviewed by phone, as
5 proposed in legislative bills numbers S.3223-A and A.5414, are amended
6 to read as follows:

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

20 (b) When the screening process indicates that there is reason to
21 believe that an applicant or recipient is abusing or dependent on alco-
22 hol or drugs, the social services district shall require a formal alco-
23 hol or substance abuse assessment, which may include drug testing, to be

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

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1 performed by an alcohol and/or substance abuse professional credentialed
2 by the office of addiction services and supports. The assessment may be
3 performed directly by the district or pursuant to contract with the
4 district. Such assessment may be conducted by telephone or other digital
5 means at the [~~social services district's option~~] request of the appli-
6 cant or recipient.

7 § 2. Subdivision 3 of section 134-a of the social services law, as
8 amended by a chapter of the laws of 2021 amending the social services
9 law relating to allowing persons applying for or receiving public
10 assistance to be interviewed by phone, as proposed in legislative bills
11 numbers S.3223-A and A.5414, is amended to read as follows:

12 3. The social services official shall require that persons applying
13 for or receiving public assistance and care be interviewed personally at
14 a time and in a manner provided by the regulations of the department,
15 and the social services official may provide the option of a phone
16 interview or other digital means for such interview [~~may be a phone~~
17 ~~interview~~] at the [~~social services official's option. Applicants or~~
18 ~~recipients shall be excused from such requirements to avoid hardship, as~~
19 ~~defined by regulations of the department. Hardship shall include but not~~
20 ~~be limited to circumstances including infirmity, serious illness or~~
21 ~~physical disability~~] request of the applicant or recipient.

22 § 3. Subdivision 2 of section 349-a of the social services law, as
23 amended by a chapter of the laws of 2021 amending the social services
24 law relating to allowing persons applying for or receiving public
25 assistance to be interviewed by phone, as proposed in legislative bills
26 numbers S.3223-A and A.5414, is amended to read as follows:

27 2. Such inquiry shall be performed utilizing a universal screening
28 form to be developed by the department after consultation with the
29 office for the prevention of domestic violence and statewide domestic
30 violence advocacy groups. Such screening may be conducted by telephone
31 or other digital means at the [~~social services district's option~~]
32 request of the applicant or recipient. An individual may request such
33 screening at any time, and any individual who at any time self identi-
34 fies as a victim of domestic violence shall be afforded the opportunity
35 for such screening.

36 § 4. Section 4 of a chapter of the laws of 2021 amending the social
37 services law relating to allowing persons applying for or receiving
38 public assistance to be interviewed by phone, as proposed in legislative
39 bills numbers S.3223-A and A.5414, is amended to read as follows:

40 § 4. This act shall take effect [~~immediately~~] on the one hundred twen-
41 tieth day after it shall have become a law. Effective immediately the
42 office of temporary and disability assistance, in consultation with the
43 office for the prevention of domestic violence as well as any other
44 public or private agency, shall undertake and complete on or before such
45 effective date such measures as may be necessary and appropriate to
46 develop the necessary protocols with respect to telephonic screenings,
47 assessments and applications for public assistance.

48 § 5. This act shall take effect immediately; provided however, that
49 sections one, two and three of this act shall take effect on the same
50 date and in the same manner as a chapter of the laws of 2021 amending
51 the social services law relating to allowing persons applying for or
52 receiving public assistance to be interviewed by phone, as proposed in
53 legislative bills numbers S.3223-A and A.5414, takes effect.