

# STATE OF NEW YORK

4079

2023-2024 Regular Sessions

## IN SENATE

February 2, 2023

Introduced by Sens. BRISPORT, CLEARE, GOUNARDES, JACKSON, MANNION, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to establishing differential payment rates for child care services provided by licensed, registered or enrolled child care providers

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

1 Section 1. Section 410-x of the social services law is amended by  
2 adding a new subdivision 9 to read as follows:

3 9. A social services district shall establish differential payment  
4 rates for child care services provided by licensed, registered or  
5 enrolled child care providers as required by this subdivision.

6 (a) Local social services districts shall establish a differential  
7 payment rate for child care services provided by licensed or registered  
8 child care providers who provide care to a child or children experienc-  
9 ing homelessness. Such differential payment rate shall be fifteen  
10 percent higher than the actual cost of care or the applicable market-re-  
11 lated payment rate established by the office in regulations, whichever  
12 is less.

13 (b) Local social services districts shall establish a differential  
14 payment rate for child care services provided by licensed, registered,  
15 or enrolled child care providers who provide care to a child during  
16 nontraditional hours. Nontraditional hours shall mean care provided in  
17 the evening, night or on the weekend. Such differential payment rate  
18 shall be fifteen percent higher than the actual cost of care or the  
19 applicable market-related payment rate established by the office in  
20 regulations, whichever is less.

21 (c) Local social services districts may establish differential payment  
22 rates that are higher than the actual cost of care or applicable market  
23 rate for child care services provided in any other situation they deem

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

LBD04507-01-3

1 appropriate to incentivize licensed, registered or enrolled child care  
2 providers to serve eligible families in need of care.

3 § 2. This act shall take effect on the first of April next succeeding  
4 the date on which it shall have become a law.