

STATE OF NEW YORK

5672

2023-2024 Regular Sessions

IN SENATE

March 13, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to ensuring adequate access to information by individuals who have limited English proficiency

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

1 Section 1. Section 95-a of the social services law is amended by
2 adding a new subdivision 9 to read as follows:

3 9. (a) The department shall develop and implement a plan to ensure
4 adequate access to information by individuals who have limited English
5 proficiency or otherwise require communication assistance. Notwith-
6 standing the provisions of any general, special or local law to the
7 contrary, and subject to appropriation, the department shall:

8 (i) translate necessary documents, including but not limited to, forms
9 and instructions provided to or completed by the program beneficiaries
10 or participants, into the twelve most common non-English languages
11 spoken by individuals with limited-English proficiency in New York
12 state, based on United States census data. Pursuant to section two
13 hundred two-a of the executive law, the department may, in its
14 discretion, offer up to four additional languages beyond the twelve most
15 common languages. Such additional languages shall be determined by the
16 provisions established in such section two hundred two-a.

17 (ii) offer, upon request, interpretation services between the entity
18 administering the program and an individual in his or her primary
19 language with respect to the provision of services or benefits; and

20 (iii) offer, upon request or demonstrated need, services to an indi-
21 vidual who requires additional assistance due to partial or total deaf-
22 ness, blindness, speech impediment, or cognitive impairment; and

23 (iv) subject to appropriation, work with the office for the aging to
24 provide additional translation services to both agencies to assist with

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

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1 informing low-income and elderly households potentially eligible to
2 receive supplemental nutrition assistance program benefits.

3 (b) Each commissioner of social services shall retain discretion to
4 offer additional language translation services to low-income recipients,
5 as necessary.

6 § 2. This act shall take effect on the ninetieth day after it shall
7 have become a law; provided, however, that the amendments to section
8 95-a of the social services law made by section one of this act shall
9 not affect the expiration and reversion of such section and shall be
10 deemed to expire therewith.