

# STATE OF NEW YORK

1729

2023-2024 Regular Sessions

## IN ASSEMBLY

January 20, 2023

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

AN ACT to amend the social services law, in relation to permitting appeals to the department of family assistance to be conducted by means of a conference telephone, video conference or similar communications systems with and by independent hearing officers

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

1 Section 1. Subdivision 2 of section 22 of the social services law, as  
2 added by chapter 473 of the laws of 1978, is amended to read as follows:

3 2. In connection with any appeal pursuant to this section, with or  
4 without a fair hearing, [~~the~~] each commissioner may designate and  
5 authorize one or more appropriate members of his or her staff or inde-  
6 pendent fair hearing officers to consider and decide such appeals. Any  
7 staff member or independent fair hearing officer so designated and  
8 authorized shall have authority to decide such appeals on behalf of the  
9 commissioner with the same force and effect as if the commissioner had  
10 made the decisions. Fair hearings held in connection with such appeals  
11 shall be held on behalf of the commissioner by members of his or her  
12 staff or independent fair hearing officers who are employed for such  
13 purposes or who have been designated and authorized by him or her there-

14 for. The fair hearing may be conducted by means of a conference tele-  
15 phone, video conference equipment or similar communications equipment  
16 allowing all persons participating in such hearing to hear each other at  
17 the same time. The provisions of this subdivision shall apply to fair  
18 hearings conducted pursuant to subdivision eight of section four hundred  
19 twenty-two of this chapter, and to any hearing required pursuant to this  
20 chapter concerning the denial, suspension or revocation of any permit,  
21 certificate or license, and to any hearing held pursuant to section four  
22 hundred fifty-five of this chapter.

23 § 2. This act shall take effect immediately.

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

LBD06071-01-3