STATE OF NEW YORK

2798

2023-2024 Regular Sessions

IN ASSEMBLY

January 27, 2023

Introduced by M. of A. HEVESI, CRUZ, SIMON, GUNTHER, OTIS -- read once and referred to the Committee on Children and Families

AN ACT in relation to a study of the number of children in foster care who have a developmental disability

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

Section 1. The commissioner of the office of children and family services, in consultation with the commissioner of the office for people with developmental disabilities, shall conduct a study to determine the number of children who have been placed in foster care and who have been diagnosed with a developmental disability. Such study shall include, but shall not be limited to, the following:

(a) assessing the demographics of the children in foster care with a developmental disability, including, but not limited to, their county of residence, age, race and gender identity, and determining whether the placement of such individuals in foster care was voluntary or court ordered;

(b) evaluating the current guidelines and regulations used to oversee the placement and treatment of children with a developmental disability; and

(c) analyzing the extent to which such age-appropriate children are prepared for a transition from foster care to an independent living situation.

§ 2. For purposes of this section, "developmental disability" shall have the same meaning as set forth in subdivision 22 of section 1.03 of the mental hygiene law.

§ 3. The commissioner of the office of children and family services and the commissioner of the office for people with developmental disabilities may acquire directly from the head of any department, agency, or instrumentality of the state, available non-identifiable information which the offices consider useful in the discharge of their duties. All

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

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departments, agencies, and instrumentalities of the state shall cooperate with the offices with respect to such information and shall furnish all information requested by the offices to the extent permitted by law. Information collected shall not reveal the name, social security number or any other information which may be used to identify the children or the family of the children.

§ 4. The commissioner of the office of children and family services and the commissioner of the office for people with developmental disabilities shall submit a report of the findings of the study, with any personal and identifying information redacted, conducted pursuant to section one of this act, to the governor, the temporary president of the senate, the speaker of the assembly and the minority leaders of the senate and assembly no later than one year following the effective date of this act. The report shall also include recommendations on how to consistently maintain a record of the number of children who have been placed in foster care who have been diagnosed with a developmental disability, recommendations to improve the placement and treatment of children in foster care and recommendations to further develop existing guidelines and regulations to prepare age-appropriate children who have a developmental disability for a transition to an independent living situation.

§ 5. This act shall take effect immediately.