STATE OF NEW YORK

4099--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. CLARK, AUBRY, LUNSFORD, REYES, SIMON, GLICK, RAGA, ROZIC, DAVILA -- read once and referred to the Committee on Children and Families -- recommitted to the Committee on Children and Families in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to the use of child care block grant funds for the statewide presumptive eligibility period for the receipt of child care assistance

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

Section 1. Subdivision 3-a of section 410-w of the social services law, as added by section 1 of part DD of chapter 56 of the laws of 2023, is amended to read as follows:

3-a. A local social services district [~~may, upon notification to the office,~~] **shall** utilize a presumptive eligibility standard to provide child care assistance, in accordance with this subdivision. The office of children and family services shall issue guidance regarding the preliminary eligibility criteria to be used by local social services districts utilizing a presumptive eligibility standard.

(a) A local social services district [~~opting to utilize a presumptive eligibility standard,~~] shall, upon receipt of an application for child care assistance, including all completed documentation required by the district, complete a preliminary eligibility determination.

(b) If the family meets the preliminary eligibility criteria, the family shall be presumed eligible for child care assistance for the period from the date of the application to the date of the final eligibility determination.

(c) [~~If, upon final determination, a family is determined to be eligible for child care assistance under subdivision one or four of this~~

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

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~~section, the social services district may utilize child care block grant funds for the presumptive eligibility period.~~

~~(d) If, upon final determination, a family is determined to be ineligible for child care assistance under subdivision one or four of this section, the social services district must utilize local funds for the presumptive eligibility period.~~

~~(e)~~] **A local social services district may utilize child care block grant funds for the presumptive eligibility period.**

(d) If, upon final determination, the application for child care services is denied, the social services district shall send written notice to the applicant of the determination of ineligibility and of the applicant's right to a fair hearing in accordance with the regulations of the office.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after May 3, 2024.