STATE OF NEW YORK

7323--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 17, 2023

Introduced by M. of A. HEVESI -- 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 collecting data regarding alternative living arrangements for children who are at a substantial risk of maltreatment

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

Section 1. Section 412 of the social services law is amended by adding a new subdivision 10 to read as follows:

10. An "alternative living arrangement" means an agreed upon out-of-home-living arrangement for a child developed as a result of or in the context of: (a) an investigation of child maltreatment by the child protective service; (b) a differential response program, including, but not limited to Family Assessment Response and Collaborative Assessment, Response, Engagement & Support; (c) a request for respite services; (d) a request for voluntary foster care placement; or (e) an investigation regarding allegations that a child might be destitute.

§ 2. Subdivision 2 of section 424 of the social services law, as added by chapter 1039 of the laws of 1973, is amended to read as follows:

2. maintain and keep up-to-date a local child abuse and maltreatment register of all cases reported under this title together with any additional information obtained and a record of the final disposition of the report, including services offered and accepted **and any alternative living arrangement made for the care of any child**;

§ 3. The social services law is amended by adding a new section 424-c to read as follows:

§ 424-c. Alternative living arrangements. 1.(a) The office of children and family services shall collect the following data regarding

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

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alternative living arrangements and compile an annual report for the preceding calendar year on such data with respect to each local social services district:

(i) total number of alternative living arrangement agreements made;

(ii) total number of children who were the subject of alternative living arrangement agreements;

(iii) total number of children in an alternative living arrangement at the end of the calendar year, and, for such children, an indication of the average number of days they have been in an alternative living arrangement;

(iv) total number of children for whom an alternative living arrangement ended during calendar year, and, for such children, an indication of the average number of days they spent in an alternative living arrangement;

(v) total number of alternative living arrangements made during an investigation of child abuse or maltreatment pursuant to article ten of the family court act and the number of those allegations which were ultimately indicated, and the total number of alternative living arrangements made after an indication;

(vi) number of children placed with a relative or other suitable adult identified by the parent or child pursuant to an alternative living arrangement agreement;

(vii) number of children placed in respite care pursuant to section four hundred nine-a of this article;

(viii) number of children placed in Host Family Homes pursuant to regulations of the office of children and family services;

(ix) total number of children who were returned home from an alternative living arrangement agreement;

(x) total number of children removed pursuant to section one thousand twenty-one of the family court act;

(xi) total number of children removed pursuant to section one thousand twenty-four of the family court act regarding whom no proceeding was initiated under article ten of the family court act within one day of the removal;

(xii) total number of children who were the subject of a proceeding pursuant to article ten of the family court act following removal pursuant to an alternative living arrangement agreement;

(xiii) total number of children who were the subject of a voluntary placement agreement pursuant to section three hundred eighty-four-a of this article following removal pursuant to an alternative living arrangement agreement;

(xiv) total number of children who were the subject of a destitute child petition pursuant to article ten-C of the family court act following removal pursuant to an alternative living arrangement agreement;

(xv) total number of children who were the subject of a custody proceeding pursuant to article six of the family court act following removal pursuant to an alternative living arrangement;

(xvi) a descriptive list of preventive services and their utilization rates, if practicable, that were provided to parents, children and relatives or suitable persons who were the subject of an alternative living arrangement agreement in each local social services district; and

(xvii) any other information the commissioner may deem necessary to include.

(b) If practicable, such information shall be disaggregated by age, sex, race, ethnicity, and allegation type. For each local social

services district with a population of over five hundred thousand people, such information shall be disaggregated by zip code.

2. The office of children and family services shall publish the report on its website no later than ninety days following the end of the calendar year and submit such report to the governor, the speaker of the assembly, the temporary president of the senate, the chairperson and ranking member of the assembly children and families committee, and the chairperson and ranking member of the senate children and families committee, and the chairperson and ranking member of the assembly ways and means committee, and the chairperson and ranking member of the senate finance committee, by no later than September first, two thousand twenty-five and annually thereafter.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.