STATE OF NEW YORK

10586

IN ASSEMBLY

March 13, 2026

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to providing enhanced rates for child care services provided to disabled and/or developmentally delayed children

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

Section 1. Subdivision 4 of section 410-x of the social services law, as added by section 52 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

4. The amount to be paid or allowed for child care assistance funded under the block grant shall be the actual cost of care but no more than the applicable market-related payment rate established by the department in regulations. The payment rates established by the department shall be sufficient to ensure equal access for eligible children to comparable child care assistance in the substate area that are provided to children whose parents are not eligible to receive assistance under any federal or state programs. Such payment rates shall take into account the variations in the costs of providing child care in different settings and to children of different age groups[~~, and the additional costs of providing child care for children with special needs~~]. *Additionally and notwithstanding any other provision of law, the commissioner shall establish a rate differential for child care providers who provide care to a child with a diagnosed developmental delay or disability, as defined by the commissioner. Such differential shall be no less than thirty percent above the applicable market rate otherwise payable for such child care services. The commissioner shall ensure that such rate differential is sufficient to account for the additional staffing, training, accommodations, and supports necessary to provide safe, inclusive, and developmentally appropriate care to children with developmental delays and disabilities.*

§ 2. The office of children and family services, in consultation with the office for people with developmental disabilities and the department of health, shall promulgate any rules and regulations necessary to

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

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implement the provisions of this act, including but not limited to documentation requirements and eligibility criteria, provided that such requirements shall not impose undue administrative burden on families or providers.

§ 3. This act shall take effect on the first of April next succeeding the date on which 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 effective date.