

STATE OF NEW YORK

2726

2025-2026 Regular Sessions

IN ASSEMBLY

January 22, 2025

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the social services law, in relation to the definition of family for purposes of services provided by voluntary foster care agency health facilities

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

1 Section 1. Subdivision 1 of section 2999-gg of the public health law,
2 as added by section 1 of part N of chapter 56 of the laws of 2017, is
3 amended to read as follows:

4 1. In order for an authorized agency that is approved by the office of
5 children and family services to care for or board out children, to
6 provide limited health-related services as defined in regulations of the
7 department either directly or indirectly through a contract arrangement,
8 such agency shall obtain, in accordance with a schedule developed by the
9 department in conjunction with the office of children and family
10 services, a license issued by the commissioner in conjunction with the
11 office of children and family services to provide such services. Such
12 schedule shall require that all such authorized agencies operating on
13 January first, two thousand nineteen obtain the license required by this
14 section no later than January first, two thousand nineteen. Such
15 licenses shall be issued in accordance with the standards set forth in
16 this article and the regulations of the department which shall, at a
17 minimum, specify: mandated health services and to whom services may be
18 provided, which shall include, but not be limited to, nursing and behav-
19 ioral health services; general physical environment requirements; mini-
20 mum health and safety procedures; record management requirements; quali-
21 ty management activities; and managed care liaison, fiscal and billing
22 activities for youth in foster care, and their families, which for the
23 purposes of this section shall include both the birth family and the
24 foster family, and other families receiving child welfare services from

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

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1 the authorized agency or the local departments of social services. In
2 determining the criteria for licensure, regulations shall take into
3 account the size and type of each program, and shall be reasonably
4 related to the provision of medical services. Provided however, that a
5 license pursuant to this section shall not be required if such author-
6 ized agency is otherwise authorized to provide the required limited-
7 health-related services to foster children under a license issued pursu-
8 ant to article twenty-eight of this chapter or article thirty-one of the
9 mental hygiene law. For the purposes of this section, the term author-
10 ized agency shall be an authorized agency as defined in paragraph (a) of
11 subdivision ten of section three hundred seventy-one of the social
12 services law.

13 § 2. Paragraph (a) of subdivision 10 of section 371 of the social
14 services law, as amended by chapter 107 of the laws of 2007, is amended
15 to read as follows:

16 (a) Any agency, association, corporation, institution, society or
17 other organization which is incorporated or organized under the laws of
18 this state with corporate power or empowered by law to care for, to
19 place out or to board out children, or to care for youth in foster care,
20 and their families, which for the purposes of this paragraph shall
21 include both the birth family and the foster family, and other families
22 receiving child welfare services from the authorized agency or the local
23 departments of social services in the case of authorized agencies
24 licensed pursuant to section twenty-nine hundred ninety-nine-gg of the
25 public health law; which actually has its place of business or plant in
26 this state and which is approved, visited, inspected and supervised by
27 the office of children and family services or which shall submit and
28 consent to the approval, visitation, inspection and supervision of such
29 office as to any and all acts in relation to the welfare of children
30 performed or to be performed under this title; provided, however, that
31 on and after June first, two thousand seven, such term shall not include
32 any for-profit corporation or other for-profit entity or organization
33 for the purposes of the operation, management, supervision or ownership
34 of agency boarding homes, group homes, homes including family boarding
35 homes of family free homes, or institutions which are located within
36 this state;

37 § 3. This act shall take effect on the ninetieth day after it shall
38 have become a law.