

STATE OF NEW YORK

2396

2025-2026 Regular Sessions

IN SENATE

January 17, 2025

Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to creating caseload standards for adult protective services workers

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

1 Section 1. Section 20-a of the social services law, as added by chapter 107 of the laws of 1971, is amended to read as follows:

2 § 20-a. Local personnel; limitations on department's power. Notwithstanding any inconsistent provision of this chapter, the board, the commissioner or the department, acting singly or in unison, shall not have the power, directly or indirectly to prescribe the number of persons to be employed in any social services district providing the district complies with the minimum federal standards relating thereto; provided, however, that the provisions of this section shall not apply to the regulations of the office of children and family services establishing caseload standards for adult protective services workers promulgated pursuant to paragraph (a) of subdivision nine of section four hundred twenty-one of this chapter.

3 § 2. Section 421 of the social services law is amended by adding a new subdivision 9 to read as follows:

4 9. promulgate regulations, in consultation with local social services districts, relating to caseload standards for adult protective services workers. Such standards shall include, but not be limited to:

5 (a) limitations on the number of investigations which can be assigned to adult protective services workers, provided however, to the extent possible and within amounts appropriated therefor, a full time equivalent adult protective services worker shall not be assigned:

6 (i) a caseload of more than twenty initial investigations at any given time; or

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

LBD06240-01-5

1 (ii) a caseload of more than thirty ongoing cases at any given time;
2 or
3 (iii) a total caseload of more than thirty cases.
4 (b) guidance as it relates to how such investigations are assigned,
5 taking into consideration the adult protective services worker's current
6 caseload, as well as the complexity of the particular investigation or
7 case, if known. Nothing in this subdivision shall be construed to
8 prohibit the office from prescribing local social services districts
9 from establishing caseload standards that are less than what is required
10 in this subdivision.

11 § 3. The social services law is amended by adding a new section 473-f
12 to read as follows:

13 § 473-f. Annual reports. The commissioner shall prepare for inclusion
14 in the annual report required by subdivision (d) of section seventeen of
15 this chapter to be filed with the governor and the legislature prior to
16 December fifteenth of each year, a report on adult protective services.
17 The report shall, at minimum, include a monthly accounting by local
18 social services districts of the total number of adult protective
19 services workers with an indication of how many hold a supervisory posi-
20 tion, as well as the average number of active cases per adult protective
21 services worker in the preceding year.

22 § 4. Subdivision (d) of section 17 of the social services law, as
23 amended by chapter 749 of the laws of 1989, is amended to read as
24 follows:

25 (d) submit an annual report to the governor and the legislature prior
26 to the fifteenth day of December of each year. Such annual report shall
27 include the following: the affairs of the department and the status of
28 welfare programs in the state with recommendations for the improvement
29 and development of welfare programs; a report on the department's fair
30 hearing system, as required by section twenty-two of this article; a
31 written evaluation report on the delivery of child welfare services in
32 the state, as required by subdivision five of section four hundred seven
33 of this chapter; a report of the operations of the state central regis-
34 ter of child abuse and maltreatment and the various local child protec-
35 tive services, as required by section four hundred twenty-six of this
36 chapter; a report on the number and status and the findings of investi-
37 gations of deaths of children pursuant to subdivision five of section
38 twenty of this chapter; a report on the progress of the development and
39 operation of the child care review system, as required by subdivision
40 nine of section four hundred forty-two of this chapter; commencing
41 before December fifteenth, nineteen hundred eighty-four and terminating
42 on December fifteenth, nineteen hundred eighty-nine, a progress report
43 on the planning and implementation of the teenage services act as
44 required by the provisions of section four hundred nine-m of title
45 four-B of this chapter; an analysis of the information contained in the
46 registry of community facilities, as required by paragraph (b) of subdivi-
47 sion two of section four hundred sixty-three-a of this chapter; [and]
48 a report on the operation of the child support enforcement program, as
49 required by chapter six hundred eighty-five of the laws of nineteen
50 hundred seventy-five; and a report on adult protective services as
51 required by section four hundred seventy-three-f of this chapter;

52 § 5. This act shall take effect immediately; provided, however,
53 sections one and two of this act shall take effect two years after it
54 shall have become a law.