§ 661. Jurisdiction. When initiated in the family court, such court has like jurisdiction and authority to determine as county and surrogates courts in proceedings regarding the guardianship of the person of a minor or infant and permanent guardianship of a child. Such jurisdiction shall apply as follows:

(a) Guardianship of the person of a minor or infant. When making a determination regarding the guardianship of the person of a minor or infant, the provisions of the surrogate's court procedure act shall apply to the extent they are applicable to guardianship of the person of a minor or infant and do not conflict with the specific provisions of this act. For purposes of appointment of a guardian of the person pursuant to this part, the terms infant or minor shall include a person who is less than twenty-one years old who consents to the appointment or continuation of a guardian after the age of eighteen.

(b) Permanent guardianship of a child. Where the guardianship and custody of a child have been committed to an authorized agency pursuant to section six hundred fourteen of this article, or section three hundred eighty-three-c, section three hundred eighty-four or section three hundred eighty-four-b of the social services law, or where both parents of a child whose consent to the adoption of the child would have been required pursuant to section one hundred eleven of the domestic relations law or who were entitled to notice of an adoption proceeding pursuant to section one hundred eleven-a of the domestic relations law are dead, the court may appoint a permanent guardian of a child if the court finds that such appointment is in the best interests of the child. The provisions of the surrogate's court procedure act shall apply to the extent that they are applicable to a proceeding for appointment of a permanent guardian of a child and do not conflict with the specific provisions of this act. Such permanent guardian of a child shall have the right and responsibility to make decisions, including issuing any necessary consents, regarding the child's protection, education, care and control, health and medical needs, and the physical custody of the person of the child, and may consent to the adoption of the child. Provided, however, that nothing in this subdivision shall be construed to limit the ability of a child to consent to his or her own medical care as may be otherwise provided by law.

(c) Special provisions in relation to guardianship of a foster child.

Where the permanency goal for a foster child who is the subject of a proceeding under article ten or ten-A of this act is referral for legal guardianship, a petition under this article filed by a fit and willing relative or other suitable person shall be filed with the court before whom the most recent proceeding under article ten or ten-A of this act is pending. The court presiding over the proceeding pursuant to article ten or ten-A of this act may consolidate the hearing of the guardianship petition or permanent guardianship petition filed by such relative or other suitable person with the dispositional hearing under article ten of this act or a permanency hearing under article ten-A of this act, as applicable. In granting such a petition, the court must make such order in accordance with the procedures and make the findings enumerated in section one thousand fifty-five-b or one thousand eighty-nine-a of this act, as applicable.