§ 9.53 Children in the custody of social services officials or the division for youth.

(a) Admission of a child in the care and custody of a social services official or authorized agency, the director of the division for youth or a person or entity granted such custody pursuant to section seven hundred fifty-six or one thousand fifty-five of the family court act to a hospital or residential treatment facility for children and youth shall not be considered to effect a change in custody of such child and the responsibilities of such person or entity having custody of the child shall continue as described in the social services law, the executive law, the family court act and in any court order granting such custody.

(b) Persons in the custody of a social services official, authorized agency, the division for youth or another person or entity pursuant to an outstanding and valid court order shall only be released to the custody of that person or entity.

(c) Prior to the discharge or release of a child who at the time of such release remains in the custody of a social services official, authorized agency, the division for youth, or a person or entity granted such custody pursuant to section seven hundred fifty-six or one thousand fifty-five of the family court act, the facility in which the child is receiving treatment shall plan the discharge of the child as required in section 29.15 of this chapter. The facility shall prepare the plan in collaboration with the person or entity having custody of the child and it shall be the duty of such person or entity to cooperate with the facility in that effort. Notwithstanding any inconsistent provision of law, and subject to separate interagency agreements to be negotiated by the commissioner of mental health and the commissioner of social services and the commissioner of mental health and the director of the division for youth, information derived from the clinical record as required by this section may be revealed to the person or entity having custody of the child, to the extent release of such information is necessary to assure adequate discharge planning.