**§ 350-j. Emergency assistance to needy families with children.** 1. Any inconsistent provisions of this chapter or of any other law notwithstanding, so long as federal aid is available therefor, a social services district shall provide emergency assistance as herein defined to persons eligible, including migrant workers with families.

2. For purposes of this section, the term "emergency assistance" means aid, care and services to meet the emergency needs of a child or the household in which he or she is living, in the following circumstances:

(a) where the child is under twenty-one years of age; and

(b) the child is living with, or within the previous twelve months has lived with, an adult related by blood, marriage or adoption; and

(c) in cases of applications for grants of cash assistance, such child or such household is not categorically eligible for or receiving family assistance; and

(d) such emergency needs resulted from a catastrophic occurrence or from a situation which threatens family stability and which has caused the destitution of the child and/or household; and

(e) such occurrence or situation could not have been foreseen by the applicant, was not under his or her control and, in the case of a person receiving public assistance, did not result from the loss, theft or mismanagement of a regular public assistance grant; and

(f) the emergency grant being applied for will not replace or duplicate a public assistance grant already made under section one hundred thirty-one-a of this chapter.

3. Emergency assistance to needy families with children shall be provided to the extent of items of need and services set forth in sections one hundred thirty-one and one hundred thirty-one-a of this chapter, and items of medical services set forth in section three hundred sixty-five-a of this chapter, and in amounts set forth in the regulations of the department for children who are without available resources, and when such assistance is necessary to avoid destitution or to provide them with living arrangements in a home, and such destitution or such need did not arise because such children or relatives refused without good cause to accept employment or training for employment; provided, however, that no assistance shall be provided which would

duplicate assistance under sections one hundred thirty-one and one hundred thirty-one-a of this article for which a person is eligible or would be eligible but for a sanction for violation of the requirements of title nine-B of article five of this chapter or other requirement of state law and provided further that, notwithstanding any inconsistent provision of this section or section one hundred thirty-one-a of this article, persons for whom preventive services are being provided under title four of article six of this chapter or who are living in foster care or in public, congregate or group facilities, such as residential facilities for victims of domestic violence, may, pursuant to regulations of the department within amounts specifically appropriated therefor and subject to the terms and conditions of such appropriation, receive assistance hereunder on their behalf for such services or for care in such facilities in amounts exceeding those set forth in section one hundred thirty-one-a of this article.

5. In scheduling investigations concerning applications for emergency assistance pursuant to this section, local social services districts shall give priority to such applications.