§ 374-b. Authority to operate agency boarding home. 1. An authorized agency which is not a court, public board, commission, or official, is hereby empowered and permitted to operate agency boarding homes in compliance with regulations of the department; and a social services official who is authorized to place children in family homes and institutions, pursuant to section three hundred ninety-eight, may be authorized by the department to operate agency boarding homes, in compliance with such regulations, if such official applies for such authority and demonstrates to the department his need therefor and that suitable care is not otherwise available for children and/or minors under the care of such official through an authorized agency under the control of persons of the same religious faith as such children. No agency boarding home shall care for more than six children or minors except that such a home may provide care for more than six brothers and sisters of the same family. Such homes shall be subject to supervision, visitation and inspection by the department and shall also be subject to visitation and inspection by the board.

2. (a) If an authorized agency plans to establish one or more boarding homes within a municipality, it shall notify the chief executive officer of the municipality in writing of its intentions and include in such notice a description of the nature, size and the community support requirements of the program.

(b) For purposes of this subdivision, "municipality" means an incorporated village, if a facility is to be located therein; a town, if the facility is to be located therein, and not simultaneously within an incorporated village; or a city, except that in the city of New York, the community board with jurisdiction over the area in which such a facility is to be located shall be considered the municipality.

3. An authorized agency that has received approval from the office of children and family services may operate a supervised independent living program, as defined in section three hundred seventy-one of this title. The office of children and family services shall promulgate regulations establishing the standards for approval and operation of supervised independent living programs.