§ 483-b. Powers and duties of council. 1. Definitions. As used in this section, the terms "care", "services", "programs", and "services programs" shall mean and include care, maintenance, services and programs provided to children of the state and their families by or under the jurisdiction of a member agency.

2. General powers. The council shall have the following powers:

(a) to identify problems and deficiencies in residential care and community-based services programs and, on a selective basis, to plan and make recommendations to the governor for the remedy of such problems and deficiencies and for the development of programs of care and services for children and their families;

(b) to make recommendations to improve coordination of program and fiscal resources of state-local, public-voluntary care and services to children and their families;

(c) to coordinate program and management research of member agencies for the purpose of monitoring, evaluating or redirecting existing care and services programs or developing new programs, and to conduct, sponsor, or direct member agencies to undertake such research or other activities;

(d) to review and resolve differences, if any, concerning rules and regulations of each member agency insofar as such rules and regulations impact on services programs provided by other member agencies;

(e) to promulgate, amend and rescind rules and regulations relating to the administration and performance of the powers and duties of the council pursuant to this article;

(f) to review significant state and locally operated and supported care and services, plans and proposals for new services for children and families to determine whether such services are planned, created and delivered in a coordinated, effective and comprehensive manner;

(g) to perform all other things necessary and convenient to carry out the functions, powers and duties of the council and to effectuate the purposes of this article; and

(h) to accept and expend any grants, awards, or other funds or appropriations as may be available to the council to effectuate the purposes of this article, subject to the approval of the director of the budget.

3. Interagency resolution powers. (a) The council shall convene member agencies to meet on a regular basis to discuss and resolve disputes, including but not limited to disputes between member agencies, relating to their functions, powers and duties over the provision of services to particular children and their families or to categories of children or child and family problems when all the internal statutory and administrative grievance or appeal procedures applicable to a member agency have failed to finally resolve such dispute.

(b) The council shall direct member agencies to provide an evaluation, including a diagnostic study, of a particular child and his or her family when there is a dispute as to the appropriate agency or program in which the child should be placed or from which the child and his or her family should receive services, and, following such study, the council shall order placement of a child with a member agency, or with a social services official, or order a member agency to provide or require the provision of services to the child and his or her family in a manner consistent with the legal authority of the member agency or social services official, as applicable.

(c) The council shall direct member agencies to take appropriate direct action or to exercise their supervisory powers over local officials and agencies, in the resolution of such disputes.

(d) The duty of the council to resolve disputes involving particular children may be performed on a selective basis within the discretion of the council. Exercise of jurisdiction over such disputes by the council or appeals to the council therefor shall not be required as a condition precedent to the initiation of a proceeding pursuant to article seventy-eight of the civil practice law and rules.

(e) A dispute relative to which member agency shall have the responsibility for determining and recommending adult services pursuant to sections 7.37 and 13.37 of the mental hygiene law, section three hundred ninety-eight-c of the social services law, or subdivision ten of section forty-four hundred three of the education law shall be resolved in accordance with this subdivision.

4. Submission of information to the council. (a) Notwithstanding any other provision of state law to the contrary, the council may request

any member agency to submit to the council and such member agency shall submit, to the extent permitted by federal law, all information in the form and manner and at such times as the council may require that it is appropriate to the purposes and operation of the council.

(b) The council shall protect the confidentiality of individual identifying information submitted to or provided by the council, and prevent access thereto, by, or the distribution thereof to, persons not authorized by law.