§ 62. Responsibility for public assistance and care. 1. Subject to reimbursement in the cases hereinafter provided for, each public welfare district shall be responsible for the assistance and care of any person who resides or is found in its territory and who is in need of public assistance and care which he is unable to provide for himself.

5. This section is subject to the following exceptions:

(a) Notwithstanding any other provisions of this chapter, in the event a recipient removes from one to another social services district in the state, a social services official administering safety net assistance or family assistance to such recipient shall continue such assistance for such recipient for a period ending on the last day of the calendar month next succeeding the calendar month in which such removal occurred, provided such recipient is otherwise eligible for such assistance and has not become a recipient of public assistance in the district to which he or she has removed.

(a-1) Notwithstanding any other provisions of this chapter, in the event a recipient removes from one to another social services district in the state, a social services official administering medical assistance to such recipient shall continue such assistance for a period ending on the last day of the calendar month next succeeding the calendar month in which such removal is reported by the recipient to the social services district, provided that the recipient: has informed the district of his or her new address and any material changes in circumstances affecting medical assistance eligibility; is otherwise eligible for medical assistance; and has not become a recipient of medical assistance in the district to which he or she has removed. After the last day of the calendar month next succeeding the calendar month in which such removal is reported, the recipient shall be eligible without further application for medical assistance administered by the social services district to which the recipient has removed. Continued provision of medical assistance under this paragraph is dependent on the recipient meeting all applicable requirements of titles eleven and eleven-D of article five of this chapter. This paragraph shall not apply to a recipient who is institutionalized in a medical facility and who removes from one social services district to another district in the state.

(b) If a public welfare district, town or city provides care for a person in a family home, boarding home, nursing home, convalescent home, hospital or institution outside of its territory and pays for such care directly or through a grant made to the recipient, the public welfare district, town or city making such provision shall continue to be responsible for payment for such care as long as the recipient is in need thereof. In the event any other type of public assistance and care is needed by a person receiving such care, it shall be furnished and paid for by the public welfare district, town or city which would be responsible for such required assistance and care if such person had remained in the territory of the district, town or city making such provision; the public welfare district, town or city making such provision shall likewise be responsible for the care, removal and burial of the body of any such person who shall die, and the expense thereof.

The public welfare district, town or city which, pursuant to the provisions of this paragraph, is providing public assistance and care for the mother of an infant, on the date of birth of such infant, shall be responsible for providing public assistance or care required by such infant on and after the date of his birth; and such public welfare district, town or city shall be deemed to have made provision for the care of such infant outside of its territory.

When a child who has been cared for away from his own home by or on behalf of a public welfare district, pursuant to title two of article six or other provisions of this chapter, the family court act of the state of New York, or other provisions of law, is discharged, pursuant to law, to his parents or parent, brother, sister, uncle, aunt or legal guardian, who are or is then residing outside the territory of such public welfare district, such discharge shall terminate the responsibility of such public welfare district to furnish public assistance and care for such child pursuant to this paragraph; and upon such discharge it shall become the responsibility of the public welfare district wherein such child is thereafter to reside with his relative or legal guardian to provide necessary public assistance and care for him as in the case of any other child residing therein.

The provisions of this paragraph shall not be deemed to authorize or empower towns or cities of a county public welfare district to exercise responsibilities with relation to public assistance and care inconsistent with the responsibilities imposed or conferred on them by other provisions of this chapter.

(c) When a person with a mental illness or developmental disability is in need of public assistance or care while on convalescent status or community status from a state hospital or institution under the provisions of section 29.15 of the mental hygiene law, the public welfare district, town or city from which he was admitted to such hospital or institution shall be responsible for providing and paying for such assistance or care as in the case of other persons requiring public assistance and care, except that such responsibility shall continue during any period such person is on convalescent status or community status outside the territory of such public welfare district, town or city and shall continue thereafter in accordance with the provisions of this paragraph and paragraph (b) of this subdivision if such person was receiving or should have been receiving public assistance or care from such public welfare district, town or city outside its territory at the time he was discharged from such convalescent status or community status.

(d) When a person, either upon admission to a hospital, nursing home, intermediate care facility, adult home, enriched housing program or residence for adults located in a social services district other than the district in which he was then residing, or while in such hospital, nursing home, intermediate care facility, adult home, enriched housing program or residence for adults, is or becomes in need of medical assistance, the social services district from which he was admitted to such hospital, nursing home, intermediate care facility, adult home, enriched housing program or residence for adults shall be responsible for providing such medical assistance for so long as such person is eligible therefor. If while such person is receiving care in such hospital, nursing home, intermediate care facility, adult home, enriched housing program or residence for adults or when discharged therefrom, is in need of any other type of public assistance or care, the social services district, town or city from which the person was admitted to such hospital, nursing home, intermediate care facility, adult home,

enriched housing program or residence for adults shall be responsible for providing and paying for such public assistance or care as in the case of other persons requiring public assistance and care in its territory, and such responsibility shall continue thereafter in accordance with the provisions of this paragraph and paragraph (b) of this subdivision if such person was receiving or should have been receiving public assistance or care from such social services district, town or city; such social services district, town or city shall likewise be responsible for the care, removal or burial of the body of any such person who shall die, and for the expense thereof. The provisions of this paragraph shall likewise be applicable to the care of an eligible person who, while temporarily absent from the social services district in which he then resided, was admitted to a hospital or nursing home in another social services district prior to the effective date hereof.

(e) A public welfare district which provides medical assistance for needy persons pursuant to the provisions of title eleven of article five of this chapter, shall not charge back any part of the cost of such assistance to another public welfare district.

(f) (1) The social services district in which a victim of domestic violence, as defined in article six-A of this chapter, was residing at the time of the alleged domestic violence shall be responsible, in accordance with section one hundred thirty-one-u of this chapter, for the cost of emergency shelter and care provided to such victim and his or her minor children at a residential program for victims of domestic violence, as defined in article six-A of this chapter, whether or not such program is located in the social services district or in another social services district if such victim:

a. was receiving public assistance at the time of entry to the program or

b. applies for public assistance and care during the time the victim was residing in such program.

(2) The social services district to which such application is submitted shall forward the completed application to the district in which the victim resided at the time of the alleged domestic violence.

(3) Responsibility for the cost of shelter and care pursuant to this

paragraph shall be limited to the period during which the victim and his or her children, if any, reside in such program. Responsibility for public assistance and care for any period after termination of such residency shall be determined pursuant to other provisions of this section.

(g) (1) When a person applies for medical parole, and is in need of public assistance, including medical assistance, the department of corrections and community supervision shall cause an application for such assistance to be forwarded to the department of social services.

(2) Upon receipt of an application for public assistance, including medical assistance, forwarded by the department of corrections and community supervision for persons meeting the conditions of medical parole, financial eligibility for such assistance and care shall be determined by the New York state department of social services prior to the person's parole.

(3) Determination of continuing eligibility for public assistance, including medical assistance, and care will be the responsibility of the social services district into which such person is released.

(4) Any inconsistent provision of this chapter or other law notwithstanding, when a person is released on medical parole pursuant to section two hundred fifty-nine-r or two hundred fifty-nine-s of the executive law and is in need of public assistance, including medical assistance, the social services district in which such person was convicted and from which he or she was committed to the custody of the department of corrections and community supervision shall be responsible for the administrative costs of the initial and any subsequent eligibility determination and the costs of any public assistance, including medical assistance, following such persons release on medical parole for so long as such person is eligible therefor.

6. Homeless children. (a) Notwithstanding any other provision of law to the contrary, the social services district which provides assistance or services to a homeless child in temporary housing located outside the school district of origin shall notify the commissioner of education, the school district of origin and the school district designated by the child, parent or person in parental relation pursuant to subdivision two of section thirty-two hundred nine of the education law within five days

of such designation as the school district which such child shall attend upon instruction. Such notice shall include the name of the child, the name of the parent or person in parental relation to the child, if any, the name and location of the temporary housing arrangement, the name of the school district of origin and any other information required by the commissioner of education.

(b) For the purposes of this subdivision the terms "homeless child", and "school district of origin" shall be as defined in section thirty-two hundred nine of the education law.

(c) A social services district shall provide for the transportation of each homeless child who is eligible for benefits pursuant to section three hundred fifty-j of this chapter to and from a temporary housing location in which the child was placed by the social services district and the school attended by such child pursuant to section thirty-two hundred nine of the education law, if such temporary housing facility is located outside of the designated school district pursuant to paragraph a of subdivision two of section thirty-two hundred nine of the education law. A social services district shall be authorized to contract with a board of education or a board of cooperative educational services for the provision of such transportation. This paragraph shall apply to placements made by a social services district without regard to whether a payment is made by the district to the operator of the temporary housing facility.

7. The provisions of subdivision five of this section shall not apply with respect to the medical assistance eligibility of persons described in subparagraph two of paragraph (a) of subdivision one of section three hundred sixty-six of this chapter.