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DIVISION: Legal Affairs

TO: Commissioners of
 Social Services

DATE: November 20, 1997

SUBJECT: Digest of Laws of 1997 Relating to Social Services

SUGGESTED

DISTRIBUTION: General Administration Staff
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ATTACHMENTS: Digest of Laws (Available on-line)

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FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
96 INF-29					
95 INF-45					
94 INF-46					
93 INF-49					
92 INF-53					
91 INF-17					
89 INF-47					
89 INF-14					
87 INF-52					
86 INF-15					
86 INF-1					
84 INF-14					
82 INF-23					

DIGEST OF LAWS OF 1997
RELATING TO SOCIAL SERVICES

N O T I C E

The purpose of this Digest is to highlight provisions of the Laws of 1997 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be used as a substitute for the law itself nor is it intended to be considered as the Office's interpretation of these laws for the purpose of implementation.

DEPARTMENT OF FAMILY ASSISTANCE
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T A B L E O F C O N T E N T S

<u>Laws of 1997</u> <u>Chapter No.</u>	<u>Page in</u> <u>this Digest</u>	<u>Laws of 1997</u> <u>Chapter No.</u>	<u>Page in</u> <u>this Digest</u>
<u>TEMPORARY ASSISTANCE</u>		<u>HOUSING AND ADULT SERVICES</u>	
111	4	104	25
189	4	615	25
436	4-8	626	25-26
596	8-9		
<u>SERVICES AND COMMUNITY</u> <u>DEVELOPMENT</u>		<u>DISABLED</u>	
271	10	114	27
353	10		
368	10-11		<u>ADMINISTRATION</u>
375	11	262	28
402	11-12		
461	12		
480	12		
499	12-13		
578	13		
579	13		
584	14		
587	14		
600	14-15		
607	15		
<u>CHILD SUPPORT</u>			
397	16		
398	16-20		
<u>HEALTH AND LONG</u> <u>TERM CARE</u>			
39	21		
97	21		
130	21		
153	21-22		
216	22		
223	22		
224	22-23		
386	23		
631	23		
653	23		
656	24		

TEMPORARY ASSISTANCE

Chapter 111 - Additional State Payments
[Assembly 6588 by Assemblywoman Jacobs, et al.]

Extends for one year the State's assumption of responsibility for payment of the social services districts' share of the costs of additional State payments to Supplemental Security Income recipients.

Statutes Involved:

Social Services Law
Section 212, subd. 3, amended

Effective Date: June 17, 1997

Chapter 189 - Standard of Monthly Need, Personal Needs Allowance
[Assembly 7602 by the Committee on Rules]

Increases the standards of need for determining eligibility and payment of federal Supplemental Security Income (SSI) and additional State payments to the aged, blind and disabled to reflect SSI benefit increases that may result from any cost-of-living adjustment occurring between January 1, 1998 and June 30, 1998.

Statutes Involved:

Social Services Law
Section 131-o, subd. 1, paras. (a), (b), (c) and (d), amended
Section 209, subd. 2, paras. (a), (b), (c), (d), (e), (f) and (g),
amended
Section 210, subd. 1, amended

Effective Date: December 31, 1997

Chapter 436 - Welfare Reform/Restructuring of the Department
of Social Services
[Senate 5788 by the Rules Committee]

Implements provisions of the Federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193). Specifically, the Chapter: (i) abolishes the Aid to Dependent Children and Home Relief Programs and establishes a new Family Assistance Program and a Safety Net Assistance Program; (ii) establishes residency requirements in order to obtain public assistance benefits; (iii) establishes public assistance eligibility requirements for aliens; (iv) establishes time limits for the receipt of public assistance; (v) establishes new work rules and training requirements in order for persons to be eligible for public assistance; (vi) establishes a new child assistance program; (vii) establishes drug and alcohol screening requirements for applicants for and recipients of public

assistance; (viii) authorizes the payment of performance awards to social services districts that have achieved performance goals; (ix) exempts certain persons subject to domestic violence from residency requirements, child support cooperation requirements and employment and training requirements in order to be eligible for public assistance; (x) establishes a block grant for child care; (xi) establishes an electronic benefit transfer system; and (xii) authorizes social services districts to operate a food assistance program.

In addition, the Chapter restructures the Department of Social Services into the Department of Family Assistance with an Office of Children and Family Services and an Office of Temporary and Disability Assistance.

Statutes Affected:

Social Services Law

- Article 5, Title 9-B, amended
- Article 6, Title 5-C, added
- Section 2, subd. 18, amended
- Section 2, subd. 19, added
- Section 20-c, added
- Section 21, subds. 4, 5, and 6, amended
- Section 21-a, added
- Section 29-a, repealed
- Section 36-b, added
- Section 39, subd. 8, added
- Section 49, opening para., amended
- Section 49, subd. 2, amended
- Section 62, subd. 5, para. (a), amended
- Section 65, subd. 6, amended
- Section 67, subd. 1, amended
- Section 69, amended
- Section 92, subd. 1, para. (A), amended
- Section 95, subd. 9, added
- Section 95, subd. 10, added
- Section 111-e, subd. 1, amended
- Section 111-g, amended
- Section 111-h, subd. 3, amended
- Section 111-l, repealed
- Section 117, subd. 3, added
- Section 122, added
- Section 131, subd. 6, amended
- Section 131, subds. 5 and 12, repealed, new subds. 5, 12, 14, 15 and 18, added
- Section 131, subd. 10, amended
- Section 131, subd. 19, added
- Section 131-a, subd. 3, para. (d), repealed
- Section 131-a, subds. 3-a, 3-b, 6 and 11, repealed, subds. 1, 3, 7, 8, 5(f), first undesignated para. of subd. 9, subd. 10(a), subd. 12(a), amended
- Section 131-f, amended
- Section 131-i, added
- Section 131-k, subds. 1, 3 and 4, repealed

Section 131-n, as added by C. 475, L. of 1976, repealed
Section 131-n, as amended by C. 635, L. of 1976, amended
Section 131-p, amended
Section 131-t, repealed, new section 131-t, added
Section 131-u, subd. 1, para. (a), subparas. (ii) and (iii), amended
Section 131-x, amended
Section 131-y, subds. 1 and 2, amended
Section 131-z, added
Section 132, subd. 1 and subd. 2, para. (a), amended
Section 132, subd. 4, added
Section 136, subd. 2, amended
Section 136, subd. 5, repealed and new subd. 5, added
Section 139-a, subd. 1, amended
Section 142, amended
Section 145-c, repealed, new section 145-c, added
Section 152-a, amended
Section 153, subd. 1, para. e, amended
Section 153, subd. 2, added
Section 153, subds. 13 and 14, repealed
Section 153, subds. 16 and 17, added
Section 153-c, repealed
Section 153-j, added
Section 153-k, added
Section 157, amended
Section 158, amended
Section 158-a, repealed
Section 158-b, repealed
Section 159, amended
Section 164, repealed
Section 165, amended
Section 165, repealed
Section 168, subd. 4, amended
Section 171, amended
Section 172, amended
Section 174-b, amended
Section 178, amended
Section 211, subd. 5, amended
Section 344, amended
Section 348, amended
Section 349, subd. B, para. 1-a, repealed
Section 349, amended
Section 349, subd. B, para. 2, added
Section 349-a, added
Section 350, subd. 1, para. (c), amended
Section 350, subd. 2, amended
Section 350, subds. 6 and 7, repealed
Section 350-a, subds. 1 and 3, amended
Section 350-j, subds. 2 and 3, amended
Section 352, subd. 1, amended
Section 352, subd. 2, opening para., amended
Section 352-a, subd. 1, opening para., amended
Section 353, subd. (a), amended
Section 354, repealed

Section 355, subd. 1, amended
Section 356, subds. 1 and 2, amended
Section 357, amended
Section 358, amended
Section 360, subds. 1 and 3, amended
Section 362, repealed
Section 364-j, subds. 11 and 17, amended
Section 365, subd. 8, repealed
Section 366, subd. 1, para. (a), subpara. 1, repealed, new subpara. 1, added
Section 366, subd. 1, para. (a), subpara. 7, repealed new subpara. 7, added
Section 366, subd. 1 para. (a), subparagraphs. 8, 9 and 10, added
Section 366, subd. 1, para. (b), subpara. 5, amended
Section 366, subd. 1, closing para., added
Section 366, subd. 2, para. (a), subpara. 5, amended
Section 366, subd. 2, para. (a), subpara. 7, opening para., amended
Section 366, subd. 4, para. (a), subpara. (i), amended
Section 366, subd. 4, para. (b), subpara. (i), amended
Section 366, subd. 4, para. (c), amended
Section 366, subd. 4, para. (k), amended
Section 366, subd. 4, para. (m), subpara. 2, amended
Section 366, subd. 4, para. (n), subpara. 1, amended
Section 366, subd. 4, para. (o), subpara. 2, amended
Section 366, subd. 4, para. (p), subpara. 2, amended
Section 366, subd. 4, para. (q), subpara. 2, amended
Section 367-a, subd. 7, para. (d), amended
Section 369-d, subd. 2, paras. (a) and (d), amended
Section 369-d, subd. 4, para. (a), subpara. 1, amended
Section 397, section heading, opening para. and opening para. of subd. 4, amended
Section 398, subd. 16, added
Section 398-e, added
Section 407, subd. 1, amended
Section 410, subd. 4, added
Section 410-a, amended
Section 461-j, subd. 1, opening para., amended

Business Corporation Law

Section 405-a, added

Civil Practice Law and Rules

Section 212, subd. (d), added

County Law

Section 233-a, para. heading designated social welfare law, amended
Section 233-a, subd. 3, paras. i, j and l, amended

Domestic Relations Law

Section 236, part B, subd. 7, para. b, amended
Section 236, part B, subd. 9, para. c, amended

Executive Law

Section 169, subd. 1, paras. (a) and (b), amended
Section 442, subd. 1, amended

Family Court Act

Section 423, amended
Section 571, subsd. 1, 6, 7, and 8, amended

Insurance Law

Section 3230, subsect. (b), para. 2, amended
Section 7807, subsect. (a), amended

Judiciary Law

Section 506, amended

Labor Law

Section 21, subd. 13, added
Sect. 537, subd. 6, amended
Sect. 596, subsd. 3, 4 and 5, renumb. subsd. 4, 5 and 6 and new subd. 3, added

Local Finance Law

Section 2.00, para. 14, amended
Section 90.00, para. a, subd. 1, amended
Section 108.00, amended

Mental Hygiene Law

Section 31.29, subd. (a), amended

Military Law

Section 235-a, amended

Public Authorities Law

Section 2432, subd. 5, amended

Public Health Law

Section 2596, subd. 3, amended

Tax Law

Section 697, subsect. (e), para. 3, amended

Unconsolidated Laws

L. 1995, C. 81, sect. 246, subd. 18, amended

Effective Date: Various, depending upon the section of the Chapter.

Chapter 596 - Family Loan Program
[Senate 4121-A by Senator Holland, et al.]

Authorizes the Department of Labor, in consultation with the Office of Temporary and Disability Assistance, to solicit proposals to establish family loan programs. Such programs would make small, no-interest loans to

Date November 20, 1997

Trans. No. 97 INF-18

Page No. 9

custodial parents whose income does not exceed 200 percent of the Federal poverty level and who are working or enrolled in a post-secondary education program.

Statutes Involved:

Social Services Law
Section 131-i, added

Effective Date: September 17, 1997

SERVICES AND COMMUNITY DEVELOPMENT

Chapter 271 - Domestic Violence Information
[Senate 1023-A by Senator Skelos]

Requires hospitals providing maternity services and diagnostic and treatment centers providing pre-natal services to furnish to parents of newborn infants information concerning family violence upon discharge from the hospital or at the first pre-natal visit.

Statutes Involved:

Public Health Law
Section 2803-p, added

Effective Date: January 25, 1998

Chapter 353 - Law Guardians
[Senate 3423 by Senator Saland, at the request of the Judiciary]

Provides for the continuity of law guardian representation for children in foster care proceedings, including proceedings to extend the foster care placement of children, and proceedings involving the periodic court review of children who have been freed for adoption.

Statutes Involved:

Family Court Act
Section 1016, second undesig. para., amended
Section 1055, subd. (b), para. (iii), amended
Section 1055-a, subd. 4, paras. (d) and (e), amended
Section 1055-a, subd. 12, amended

Social Services Law
Section 392, subd. 4, paras. (f) and (g), amended
Section 392, subd. 4-a, added

Effective Date: November 3, 1997

Chapter 368 - Domestic Violence Employee Awareness
and Assistance Program
[Senate 4853-A by Senator Rath]

Requires the Commissioner of Labor to assist the Office of Prevention of Domestic Violence in the creation, approval and dissemination of a model domestic violence employee awareness and assistance policy to be implemented on a voluntary basis by businesses and other private institutions.

Statutes Involved:

Labor Law

Section 10-b, added

Executive Law

Section 575, subd. 3, para. (e), amended

Section 575, subd. 4, para. (b), amended

Section 575, subd. 9, added

Effective Date: February 1, 1997

Chapter 375 - Adoption Proceedings

[Senate 5164 by Senator Saland, et al., at the request of the Judiciary]

Deletes the provision that dispenses with the need to obtain the consent for the adoption of a child from a person who has executed and properly recorded an irrevocable instrument consenting to the other parent's surrender of the child or consent to the child's adoption; clarifies that an adoption proceeding involving a foster child whose guardianship and custody has been surrendered to an authorized agency is exempt from the venue provisions that require an adoption petition to be filed in the county where the adoptive parents reside or where an authorized agency has its principal place of business; and provides that a court may grant an order of adoption in a private adoption when the child has been in the adoptive parents' home for at least three months.

Statutes Involved:

Domestic Relations Law

Section 111, subd. 2, para. (e), amended

Section 113, subd. 3, amended

Section 116, subd. 1, amended

Effective Date: August 5, 1997

Chapter 402 - Task Force on School-Community Collaboration

[Senate 1373-A by Senator Cook, et al.]

Clarifies and expands the role of the Task Force on School-Community Collaboration. The purpose of the Task Force is to improve working relationships between and among schools, health, mental health and social services providers and agencies, youth bureaus, youth employment programs, local probation departments and other State and local human services agencies.

Statutes Involved:

Executive Law

Section 447, subsd. 1, 2 and 3, amended

1994, Chapter 667, sect. 4, amended

Effective Date: August 20, 1997

Chapter 461 - Family Court Appeals

[Senate 2918-B by Senator Lack, et al., at the request of the Judiciary]

Clarifies that appeals from family court orders must be taken no longer than 30 days after service of the order by a party or the law guardian upon the appellant, 30 days from receipt of the order by the appellant in court or 35 days from the mailing of the order to the appellant by the clerk of the court, whichever is earlier. Also requires that the order contain a statement of the time periods for taking an appeal from a family court order.

Statutes Involved;

Family Court Act
Section 1113, amended

Effective Date: January 1, 1998

Chapter 480 - Community Services Block Grant

[Senate 5015 by Senator Volker]

Extends the Department of State's authority to administer the Community Services Block Grant Program until September 30, 1998.

Statutes Involved:

Executive Law
Section 159-i, amended

Laws 1982, Chapter 728, sect. 5, amended
Laws 1983, Chapter 710, sect. 7, amended

Effective Date: August 26, 1997

Chapter 499 - Little Flower Children's Services

Senate 3173-A by Senator Lavelle

Enables the New York State Dormitory Authority to issue bonds in order for Little Flower Children's Services to finance, construct, reconstruct, improve, renovate, equip or otherwise provide for four residential facilities for learning disabled children.

Statutes Involved:

Public Authorities Law
Section 1676, subd. 2, para. (b), amended
Section 1680, subd. 1, undesig. para., added

Effective Date: August 26, 1997

Chapter 578 - Access to the Statewide Register of
Child Abuse Maltreatment

[Senate 236 by Senator Holland, et al.]

Expands the programs and facilities required to clear through the State Central Register of Child Abuse and Maltreatment prospective employees and providers of goods and services to the program or facility. The additional programs and facilities include non-residential programs licensed or operated by the Office of Mental Health or the Office of Mental Retardation and Developmental Disabilities, early intervention services established pursuant to section 2540 of the Public Health Law, pre-school services established pursuant to section 4410 of the Education Law and programs and facilities licensed by the Office of Alcoholism and Substance Abuse Services.

Statutes Involved:

Social Services Law
Section 424-a, subd. 3, amended

Effective Date: September 17, 1997

Chapter 579 - Missing Children

[Senate 331-A by Senator Skelos, et al.]

Requires police agencies to report to the Division of Criminal Justice Services (DCJS), on at least a semi-annual basis, information concerning closed cases involving missing children; authorizes taxpayers to make contributions to the Missing and Exploited Children Clearinghouse Fund by using their income tax return form; and requires DCJS to submit an annual report to the Governor and the Legislature that contains statistical information involving reported cases of missing children and a summary of the Division's efforts with respect to the use of the monies from the Missing and Exploited Children Clearinghouse Fund.

Statutes Involved:

Executive Law
Section 837-f, subd. 12, amended
Section 837-m, added

Tax Law
Section 628, added

State Finance Law
Section 92-w, subd. 2, amended

Effective Date: November 1, 1997

Chapter 584 - Criminal History Searches
[Senate 2593-A by Senator Velella, et al.]

Requires that the New York City Department of Investigation or other New York City investigating agency conduct a criminal history record check on applicants for employment in a position providing child day care services and contracts to provide day care services.

Statutes Involved:

Executive Law
Section 837-m, added

Effective Date: November 16, 1997

Chapter 587 - Child Day Care
[Senate 3105 by Senator Marcellino, et al.]

Removes the provision limiting to four the number of children under two years of age that may receive care in a group family day care home. Requires that each group family day care home have at least one caregiver for every two children under two years of age. Clarifies that local governments may not prohibit the use of residential dwellings for family day care homes. Provides greater flexibility to operators and directors of family day care homes, small day care centers and school-age child care programs in selecting the topics for their required on-going training. Allows all licensed or registered day care providers to use a child care resource and referral program's list of substitute child caregivers.

Statutes Involved:

Social Services Law
Section 390, subd. 1, paras. (d) and (e), amended
Section 390, subd. 12, para. (b), amended
Section 390-a, subd. 3, para. (b), amended
Section 424-a, subd. 6, amended

Effective Date: January 15, 1997

Chapter 600 - Missing Children
[Senate 4529-A by Senator Skelos, et al.]

Requires the Missing and Exploited Children Clearinghouse to establish guidelines to enable State agencies to incorporate information concerning missing children in stationery, newsletters and other publications.

Statutes Involved:

Executive Law
Section 837-f, subd. 10, added

New York State Printing and Document Law
Section 3-a, added
Section 4, subd. 5, added

Effective Date: September 17, 1997

Chapter 607 - William B. Hoyt Memorial Children
and Family Trust Fund Act

[Senate 5221 by Senator Saland, et al., at the request of the
Department of Social Services]

Ensures the State's eligibility for federal funding to support family resource programs and to add consumer representation to the William B. Hoyt Memorial Children and Family Trust Fund Act Advisory Board.

Statutes Involved:

Social Services Law
Section 481-c, added
Section 481-d, subd. 2, amended
Section 481-e, subd. 2, para. (a), amended

Effective Date: September 17, 1997

CHILD SUPPORT

Chapter 397 - Non-Support of a Child

[Senate 5356-A by Senator Saland, et al., at the request of the Governor]

Provides for a class E felony where a parent or guardian legally charged with the care or custody of a child under the age of 16 is convicted for a second time, within five years, of failing to provide support to the child.

Statutes Involved:

Penal Law

Section 260.05, amended

Section 260.06, added

Effective Date: September 1, 1997

Chapter 398 - Child Support Enforcement

[Senate 5771 by Senator Saland, et al., at the request of the Governor]

Implements requirements of the Federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) by adopting the Uniform Interstate Family Support Act, establishing a computerized State case registry and improving the State's new hire reporting program. The Chapter also gives the State and local child support agencies additional tools and remedies to establish paternity and establish and enforce child and spousal support orders, including new administrative procedures and the increased use of automation. The Chapter also establishes a cost of living adjustment process to ensure that child support orders keep pace with inflation.

Statutes Affected:

Labor Law

Section 21-d, added

Section 537, subd. 3, paras. c, d, and e, added

Section 537, subd. 6, amended

Section 512, subd. 3, added

Domestic Relations Law

Article 3-A, repealed

Section 15, subd. 1, para. (a), amended

Section 236, Part B, subd. 4 para. a, amended

Section 236, Part B, subd. 7, para. c, added

Section 236, Part B, subd. 9, para. d, added

Section 240, subd. 1, amended

Section 240, subd. 1-b, para. (1), amended

Section 240, subd. 2, para. c, amended

Section 240, subd. 4, amended

Section 240, subd. 5, added

Section 240, subd. 5, added

Section 240-a, amended
Section 240-b, added
Section 240-c, added
Section 244-b, sect. heading and subd. (a), amended
Section 244-b, subds. (b) and (c), relettered subds. (c) and (d), subd. (c) amended and new subd. (b) added
Section 244-c, sect. heading, amended
Section 244-c, subds. (b), (c) and (d), relettered subds. (c), (d) and (e), subds. (c) and (d), amended, new subd (b), added
Section 244-d, added

Family Court Act

Article 5-B, added
Section 115, subd. (f), amended
Section 153, amended
Section 411, amended
Section 413, subd. 1, para. (1), amended
Section 413, subd. 3, amended
Section 413, subd. 4, added
Section 413-a, added
Section 416, amended
Section 418, sect. heading and subd. (a), amended
Section 424-a, subds. (a) and (b), amended
Section 426, subd. (b), amended
Section 439, subd. (a), amended
Section 440, subd. 1, para. (a), amended
Section 440, subd. 1, para. (c), amended
Section 440, subds. 2 and 4, amended
Section 440, subd. 5, added
Section 443, amended
Section 448, amended
Section 454, subd. 2, para. (f), amended
Section 454, subd. 2, para. (g), added
Section 458-a, subds. (b) and (c), relettered (c) and (d), subd. (c) amended and new subd. (b) added
Section 458-b, sect. heading, amended
Section 458-b, subds. (b), (c) and (d), relettered subds. (c), (d) and (e), subds. (c) and (d), amended, new subd. (b) added
Section 458-c, added
Section 460, subd. 1, para. (d), amended
Section 516-a, amended
Section 523, amended
Section 524, subd. (b), amended
Section 532, sect. heading and subd. (a), amended
Section 542, subd. (a), amended
Section 542, subds. (b) and (c), amended
Section 545, subd. 1, amended
Section 548-a, added
Section 548-b, added
Section 548-c, added
Section 565, added
Section 571, subd. 10, added
Section 572, added

Section 573, added
Section 574, added

Social Services Law

Section 23, subd. 1, para. (a), amended
Section 111, opening para. and subd. 1, amended
Section 111-b, subd. 3, amended
Section 111-b, subd. 4, amended
Section 111-b, subd. 4-a, added
Section 111-b, subd. 14, amended
Section 111-b, subd. 17, added
Section 111-c, subd. 2, para. f, amended
Section 111-c, subd. 3, amended
Section 111-h, subsds. 1, 5, 8, and 10, amended
Section 111-h, subd. 9, amended
Section 111-h, subd. 12, amended
Section 111-h, subd. 16, amended
Section 111-h, subsds. 17 and 19, amended
Section 111-k, amended
Section 111-m, renumb. sect. 111-y, new sect. 111-m, added
Section 111-n, renumb. sect. 111-z, new sect. 111-n, added
Section 111-o, added
Section 111-p, added
Section 111-q, added
Section 111-r, added
Section 111-s, added
Section 111-t, added
Section 111-u, added
Section 111-v, added
Section 111-y, subd. 1, amended
Section 111-z, added
Section 111-z, subd. 1, amended
Section 349-b, subd. 1, para. (b), amended
Section 366, subd. 4, para. (h), subpara. 2, amended

Tax Law

Section 171-h, amended
Section 685, subsect. (w), amended
Section 697, subsect. (e), para. 3, amended
Section 171-a, subd. 1, amended

Workers' Compensation Law

Section 141, amended

Civil Practice Law and Rules

Section 2301, amended
Section 2302, subd. (a), amended
Section 2303, amended
Section 2304, amended
Section 2308, subd. (b), amended
Rule 4518, subd. (d), amended
Rule 4518, subd. (e), amended
Rule 4518, subd. (g), added

Section 5205, subd. (c), para. 4, amended
Section 5241, subd. (a), para. 1, amended
Section 5241, subd. (a), para. 6, amended
Section 5241, subd. (a), para. 9, amended
Section 5241, subd. (b), para. 2, amended
Section 5241, subd. (c), para. 1, subpara. (v), amended
Section 5241, subd. (c), para. 1, subpara. (ix), amended
Section 5241, subd. (c), para. 1, subparas. (x) and (xi), added
Section 5241, subd. (g), para. 1, amended
Section 5241, subd. (g), para. 2, renumbered para. 3, amended
Section 5241, subd. (g), para. (2), added
Section 5241, subd. (g), para. 4, added
Section 5241, subd. (h), amended
Section 5242, subd. (c), para. 1, amended
Section 5252, subd. 1, amended

Public Health Law

Section 4104, amended
Section 4135, subd. 2, amended
Section 4135-b, subd. 1, para. (a), amended
Section 4135-b, subd. 2, para. (b), amended
Section 4138, subd. 1, para. (e), amended
Section 4139, subd. 2, amended
Section 4141, subd. 1, amended

Lien Law

Section 65, added
Section 211, added

Vehicle and Traffic Law

Section 510, subd. 4-e, amended
Section 2101, subd. (k), amended
Section 2103, subd. (b), amended
Section 2105, subd. (a), para. 1, amended
Section 2105-a, added
Section 2106, amended
Section 2116, subd. (b), amended
Section 2116, subd. (c), added
Section 2118, subd. (b), amended
Section 2122, amended

Alcoholic Beverage Control Law

Section 119, subd. 4, paras. (a) and (b), amended
Section 119, subd. 4, paras. (d), (e) and (f), relettered paras. (f),
(g) and (h), subds. (d) and (e), added

Education Law

Section 6509-c, added

General Obligations Law

Section 3-503, sect. heading, amended
Section 3-503, subd. 2, amended

Section 3-503, subd. 3, amended
Section 3-503, subd. 4, amended

Judiciary Law

Section 90, subd. 2-a, amended

Real Property Law

Section 441-c, subd. 1, para. (b), amended

Banking Law

Section 4, opening para., designated, subd. 1, subds. 2 and 3, added

Insurance Law

Section 320, subsect. (e), added

Effective Date: Various, depending upon the section of the Chapter.

MEDICAL ASSISTANCE

Chapter 39 - Cooperative Home Care Associates
[Assembly 1836 by Assemblyman Ramirez, et al.]

Authorizes the Department of Health, with the advice and consent of the Department of Social Services and New York City, to enter into a contract with chronic care management demonstration programs sponsored by Cooperative Home Care Associates, Inc., in conjunction with the Home Care Associates Training Institute, Inc.

Statutes Involved:

None

Effective Date: April 8, 1997

Chapter 97 - Medical Assistance Presumptive Eligibility Program
[Senate 2625-A by Senator Tully]

Provides that the chapter law that extended the presumptive eligibility for Medical Assistance to hospitalized patients awaiting discharge to hospices and residential health care facilities (Chapter 693 of the Laws of 1996) expires July 31, 1999.

Statutes Involved:

Laws 1996, Chapter 693, sect. 2, amended

Effective Date: June 11, 1997

Chapter 130 - Eldercare
[Assembly 7878 by the Committee on Rules]

Extends from December 31, 1997, until December 31, 2000, the project "Eldercare: A Social Health Maintenance Organization."

Statutes Involved:

Laws 1982, Chapter 602, sect. 2, amended

Effective Date: June 24, 1997

Chapter 153 - School Health Services
[Assembly 6780 by Assemblyman Eve, et al.]

Extends for two years the duration of the school health demonstration projects authorized by Chapter 198 of the Laws of 1978. That Chapter

permits the Commissioner of Education, with the consent of the Commissioners of Social Services and Health, to authorize local school districts and boards of cooperative educational services to conduct demonstration projects for improving the health of pre-school, elementary and secondary school children in the State.

Statutes Involved:

Laws 1978, Chapter 198, sect. 4, amended

Effective Date: June 30, 1997

Chapter 216 - Foster Family Care Demonstration Programs
[Senate 4483-A by Senator Holland]

Extends from December 31, 1997, until December 31, 1998, the foster family care demonstration program.

Statutes Involved

Laws 1983, Chapter 942, sect. 3, amended

Laws 1984, Chapter 541, sect. 3, amended

Laws 1985, Chapter 256, sect. 6, amended

Effective Date: July 18, 1997

Chapter 223 - Physician Case Management Demonstration Program
[Senate 5539 by the Committee on Rules]

Extends until July 1, 1998, the physician case management demonstration programs under the Medical Assistance program.

Statutes Involved:

Laws 1984, Chapter 904, sect. 18, amended

Effective Date: July 18, 1997

Chapter 224 - Health Maintenance Organizations
[Senate 5540 by the Committee on Rules]

Extends until December 31, 1998, the program that authorizes health maintenance organizations to provide services to enrollees who have lost eligibility for Medical assistance.

Statutes Involved:

Laws 1983, Chapter 535, sect. 2, amended

Effective Date: July 18, 1997

Chapter 386 - Extension of Certain Medical Assistance Programs
[Senate 5606 by the Committee on Rules]

Extends the existing reimbursement methodology for residential health care facilities' real property costs, extends the demonstration program for the delivery of long term health care services and extends the current process for determining the payment factor for health maintenance organizations.

Statutes Involved:

Laws 1978, Chapter 483, sect. 3, amended
Laws 1986, Chapter 629, sect. 3, amended

Public Health Law
Section 2807-f, subd. 2, amended

Effective Date: August 5, 1997

Chapter 631 - Medical Assistance Payments
[Assembly 6049-B by Assemblywoman Jacobs]

Authorizes certain clinics and diagnostic treatment centers licensed under Article 28 of the Public Health Law to provide educational services under section 4410 of the Education Law to claim Medical Assistance payments for medical care, services and supplies rendered to preschool children with disabilities.

Statutes Involved:

Social Services Law:
Section 368-e, subd. 1, amended

Effective Date: September 17, 1997

Chapter 653 - Medical Services Providers
[Senate 4481 by Senator Holland]

Adds physician assistant to the definition of medical services provider for purposes of managed care programs.

Statutes Involved:

Social Services Law
Section 364-j, subd. 1, para. (d), amended

Effective Date: September 24, 1997

Chapter 656 - Supplemental Needs Trust
[Senate 4775 by Senator Holland]

Authorizes a not-for-profit corporation to act as trustee of a supplemental needs trust for persons with disabilities.

Statutes Involved:

Social Services Law

Section 366, subd. 2, para. (b), subpara. 2, clause (iii),
subclause (B), amended

Section 366, subd. 2, para. (b), subpara. 2, clause (iv), amended

Effective Date: September 24, 1997

HOUSING AND ADULT SERVICES

Chapter 104 - Involuntary Outpatient Treatment
[Assembly 3383 by Assemblywoman Connelly, et al.]

Extends for one year the dates for submitting a study that evaluates the effectiveness of the involuntary outpatient treatment pilot project (January 1, 1999) and a final report on the operation of the project (March 1, 1999). The Chapter also extends for one year (June 30, 1999) the duration of the project.

Statutes Involved:

Laws 1994, Chapter 560, sect. 4, amended
Laws 1994, Chapter 560, sect. 6, amended

Effective Date: June 17, 1997

Chapter 615 - Quality Incentive Payment Program
[Senate 5787 by Senator Holland]

Transfers responsibility for the Quality Incentive Payment Program from the Department of Social Services to the Department of Health (DOH) and provides that DOH could make a payment to each operator of an adult home, residence for adults or enriched housing program that is in compliance with applicable statutes and regulations on May 6, 1997. The Chapter also provides that payments may be made to newly certified operators that have been inspected and determined by DOH to be providing quality care and to a DOH or court appointed receiver of an adult home, enriched housing program or residence for adults.

Statutes Involved:

Laws 1996, Chapter 462, sect. 1, amended

Effective Date: September 17, 1997

Chapter 626 - Abuse of Elderly Persons
[Assembly 8064 by the Committee on Rules]

Requires law enforcement officers to forward a copy of any Domestic Violence Incident Report Form containing allegations of domestic violence in which the victim is 65 years of age or older to the New York State Committee for the Coordination of Police Services to Elderly Persons. The Chapter requires that Committee to annually report to the Legislature on the incidence of domestic violence involving the elderly, including programmatic recommendations.

Date November 20, 1997

Trans. No. 97 INF-18

Page No. 26

Statutes Involved:

Criminal Procedure Law

Section 140.10, subd. 5, amended

Executive Law:

Section 844-b, subd. 3-a, added

Section 837, subd. 15, opening para., amended

Effective Date: September 17, 1997

DISABLED

Chapter 114 - Legal Services to the Disabled
[Assembly 7767 by the Committee on Rules]

Requires the Commissioner of the Department of Social Services to submit a report by October 1, 1998, and biannually thereafter, to the Chairpersons of the Senate Finance Committee and the Assembly Ways and Means Committee concerning the operation of the grant program that provides legal services to the disabled. The Chapter also makes the program permanent.

Statutes Involved:

Social Services Law
Section 35, subd. 3, amended

Laws 1983, Chapter 627, sect. 4, amended

Effective Date: June 17, 1997

ADMINISTRATION

Chapter 262 - Welfare Management System

[Senate Reprint 21002 by the Committee on Rules, at the request of the Governor]

Makes an appropriation to the Department of Social Services for the necessary costs for the design and implementation of modifications and enhancements to the Welfare Management System necessary for the implementation of the Personal Responsibility and Work Opportunities Reconciliation Act and for necessary costs for the design and implementation of a welfare-to-work caseload management system.

Statutes Involved:

Laws 1997, Chapter 145, sects. 46 through 60, renumb. sects 47 through 61, new sect. 46, added

Effective Date: July 22, 1997

S T A T U T E S A F F E C T E D

	<u>LAW S OF 1997</u> <u>CHAPTER NO.</u>	<u>PAGE IN THIS</u> <u>DIGEST</u>
ALCOHOL BEVERAGE CONTROL LAW		
Section 119, subd. 4, paras. (a) and (b), amended	398	16-20
Section 119, subd. 4, paras. (d), (e) and (f), relettered paras. (f), (g) and (h), subds. (d) and (e), added	398	16-20
BANKING LAW		
Section 4, opening para., designated subd. 1, subds. 2 and 3, added	398	16-20
BUSINESS CORPORATION LAW		
Section 405-a, added	436	4-8
CIVIL PRACTICE LAW AND RULES		
Section 212, subd. (d), added	436	4-8
Section 2301, amended	398	16-20
Section 2302, subd. (a), amended	398	16-20
Section 2303, amended	398	16-20
Section 2304, amended	398	16-20
Section 2308, subd. (b), amended	398	16-20
Rule 4518, subd. (d), amended	398	16-20
Rule 4518, subd. (e), amended	398	16-20
Rule 4518, subd. (g), added	398	16-20
Section 5205, subd. (c), para. 4, amended	398	16-20
Section 5241, subd. (a), para. 1, amended	398	16-20
Section 5241, subd. (a), para. 6, amended	398	16-20
Section 5241, subd. (a), para. 9, amended	398	16-20
Section 5241, subd. (b), para. 2, amended	398	16-20
Section 5241, subd. (c), para. 1, subpara. (v), amended	398	16-20
Section 5241, subd. (c), para. 1, subpara. (ix), amended	398	16-20
Section 5241, subd. (c), para. 1, subparas. (x) and (xi), added	398	16-20
Section 5241, subd. (g), para. 1, amended	398	16-20
Section 5241, subd. (g), para. 2, renumbered para. 3, amended	398	16-20
Section 5241, subd. (g), para. (2), added	398	16-20

Section 5241, subd. (g), para. 4, added	398	16-20
Section 5241, subd. (h), amended	398	16-20
Section 5241, subd. (c), para. 1, amended	398	16-20
Section 5252, subd. 1, amended	398	16-20
COUNTY LAW		
Section 233-a, para. heading designated social welfare law, amended	436	4-8
Section 233-a, subd. 3, paras. i, j and l, amended	436	4-8
CRIMINAL PROCEDURE LAW		
Section 140.10, subd. 5, amended	626	25-26
DOMESTIC RELATIONS LAW		
Article 3-A, repealed	398	16-20
Section 15, subd. 1, para. a, amended	398	16-20
Section 111, subd. 2, para. (e)	375	16-20
Section 113, subd. 3, amended	375	16-20
Section 116, subd. 1, amended	375	16-20
Section 236, part B, subd. 7, para. b, amended	436	4-8
Section 236, Part B, subd. 7, para. c, added	398	16-20
Section 236, part B, subd. 9, para. c, amended	436	4-8
Section 236, Part B, subd. 9. para. d, added	398	16-20
Section 240, subd. 1, amended	398	16-20
Section 240, subd. 1-b, para. (1), amended	398	16-20
Section 240, subd, 2, para. c, amended	398	16-20
Section 240, subd. 4, amended	398	16-20
Section 240, subd. 5, added	398	16-20
Section 240-a, amended	398	16-20
Section 240-b, added	398	16-20
Section 240-c, added	398	16-20
Section 244-b, sect. heading and subd. (a), amended	398	16-20
Section 244-b, subds. (b) and (c), relettered subds. (c) and (d), subd. (c), amended and new subd. (b), added	398	16-20
Section 244-c, sect. heading, amended	398	16-20
Section 244-c, subds. (b), (c) and (d) relettered subds. (c), (d) and (e), subds. (c) and (d), amended and new subd. (b), added	398	16-20
Section 244-d, added	398	16-20

EDUCATION LAW

Section 6509-c, added	398	16-20
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EXECUTIVE LAW

Section 159-i, amended	480	12
Section 169, subd. 1, paras. (a) and (b), amended	436	4-8
Section 442, subd. 1, amended	436	4-8
Section 447, subds. 1, 2 and 3, amended	402	11-12
Section 575, subd. 3, para. (e), amended	368	10-11
Section 575, subd. 4, para. (b), amended	368	10-11
Section 575, subd. 9, added	368	10-11
Section 837, subd. 15, opening para., amended	626	25-26
Section 837-f, subd. 10-a, added	600	14-15
Section 837-f, subd. 12, amended	579	13
Section 837-m, added	579	13
Section 837-m	584	14
Section 844-b, subd. 3-a, added	626	25-26

FAMILY COURT ACT

Article 5-B, added	398	16-20
Section 115, subd. (f), amended	398	16-20
Section 153, amended	398	16-20
Section 411, amended	398	16-20
Section 413, subd. 1, para. (1) amended	398	16-20
Section 413, subd. 3, amended	398	16-20
Section 413, subd. 4, added	398	16-20
Section 413-a, added	398	16-20
Section 416, amended	398	16-20
Section 418, sect. heading and subd. (a), amended	398	16-20
Section 423, amended	436	4-8
Section 424-a, subds. (a) and (b), amended	398	16-20
Section 426, subd. (b), amended	398	16-20
Section 439, subd. (a), amended	398	16-20
Section 440, subd. 1, para. (a), amended	398	16-20
Section 440, subd. 1, para. (c), amended	398	16-20
Section 440, subds. 2 and 4, amended	398	16-20
Section 440, subd. 5, added	398	16-20
Section 443, amended	398	16-20
Section 448, amended	398	16-20
Section 454, subd. 2, para. (f), amended	398	16-20
Section 454, subd. 2, para. (g), amended	398	16-20
Section 458-a, subds. (b) and (c), relettered (c) and (d), subd. (c) amended and new subd. (b), added	398	16-20

Section 458-b, sect. heading, amended	398	16-20
Section 458-b, subds. (b), (c) and (d), relettered subds. (c), (d) and (e), subds. (c) and (d), amended, new subd. (b), added	398	16-20
Section 458-c, added	398	16-20
Section 460, subd. 1, para. (d), amended	398	16-20
Section 516-a, amended	398	16-20
Section 523, amended	398	16-20
Section 524, subd. (b), amended	398	16-20
Section 532, sect. heading and subd. (a), amended	398	16-20
Section 542, subd. (a), amended	398	16-20
Section 542 subds. (b) and (c), amended	398	16-20
Section 545, subd. 1, amended	398	16-20
Section 548-a, added	398	16-20
Section 548-b, added	398	16-20
Section 548-c, added	398	16-20
Section 565, added	398	16-20
Section 571, subds. 1, 6, 7 and 8, amended	436	4-8
Section 571, subd. 10, added	398	16-20
Section 572, added	398	16-20
Section 573, added	398	16-20
Section 574, added	398	16-20
Section 1016, second undesig. para., amended	353	10
Section 1055, subd. (b), paras (iii), amended	353	10
Section 1055-a, subd. 4, paras. (d) and (e), amended	353	10
Section 1055-a, subd. 12, amended	353	10
Section 1113, amended	461	12
 GENERAL OBLIGATIONS LAW		
Section 3-503, sect. heading, amended	398	16-20
Section 3-503, subd. 2, amended	398	16-20
Section 3-503, subd. 3, amended	398	16-20
Section 3-503, subd. 4, amended	398	16-20
 INSURANCE LAW		
Section 320, subsect. (e), added	398	16-20
Section 3230, subsect. (b), para. 2, amended	436	4-8
Section 7807, subsect. (a), amended	436	4-8
 JUDICIARY LAW		
Section 90, subd. 2-a, amended	398	16-20
Section 506, amended	436	4-8
 LABOR LAW		
Section 10-b, added	368	10-11
Section 21, subd. 13, added	436	4-8

Section 21-d, added	398	16-20
Section 512, subd. 3, added	398	16-20
Section 537, subd. 3, paras. c, d and e, added	398	16-20
Section 537, subd. 6, amended	398	16-20
Section 537, subd. 6, amended	436	4-8
Section 596, subds. 3, 4 and 5, renumb subds. 4, 5 and 6, new subd. 3, added	436	4-8
 LIEN LAW		
Section 65, added	398	16-20
Section 211, added	398	16-20
 LOCAL FINANCE LAW		
Section 2.00, para. 14, amended	436	4-8
Section 90.00, para. a, subd. 1, amended	436	4-8
Section 108.00, amended	436	4-8
 MENTAL HYGIENE LAW		
Section 31.29, subd. (a), amended	436	4-8
 MILITARY LAW		
Section 235-a, amended	436	4-8
 NEW YORK STATE PRINTING AND PUBLIC DOCUMENTS LAW		
Section 3-a, added	600	14-15
Section 4, subd. 5, added	600	14-15
 PENAL LAW		
Section 260.05, amended	397	16
Section 260.06, added	397	16
 PUBLIC AUTHORITIES LAW		
Section 1676, subd. 2, para. (b), amended	499	12-13
Section 1680, undesig. para., added	499	12-13
Section 2432, subd. 5, amended	436	4-8
 PUBLIC HEALTH LAW		
Section 2596, subd. 3, amended	436	4-8
Section 2803-p, added	271	10
Section 2807-f, subd. 2, amended	386	23
Section 4104, amended	398	16-20
Section 4135, subd. 2, amended	398	16-20
Section 4135-b, subd. 1, para. (a), amended	398	16-20
Section 4135-b, subd. 2, para. (b), amended	398	16-20
Section 4138, subd. 1, para. (e), amended	398	16-20
Section 4139, subd. 2, amended	398	16-20
Section 4141, subd. 1, amended	398	16-20

REAL PROPERTY LAW

Section 441-c, subd. 1, para. (b), amended	398	16-20
---	-----	-------

SOCIAL SERVICES LAW

Article 5, Title 9-B, amended	436	4-8
Article 6, Title 5-C, added	436	4-8
Section 2, subd. 18, amended	436	4-8
Section 2, subd. 19, added	436	4-8
Section 20-c, added	436	4-8
Section 21, subds. 4, 5, and 6, amended	436	4-8
Section 21-a, added	436	4-8
Section 23, subd. 1, para. (a), amended	398	16-20
Section 29-a, repealed	436	4-8
Section 35, subd. 3, amended	114	27
Section 36-b, added	436	4-8
Section 39, subd. 8, added	436	4-8
Section 49, opening para., added	436	4-8
Section 49, subd. 2, amended	436	4-8
Section 62, subd. 5, para. (a), amended	436	4-8
Section 65, subd. 6, amended	436	4-8
Section 67, subd. 1, amended	436	4-8
Section 69, amended	436	4-8
Section 92, subd. 1, para. (A), amended	436	4-8
Section 95, subd. 9, added	436	4-8
Section 95, subd. 10, added	436	4-8
Section 111, opening para. and subd. 1, amended	398	16-20
Section 111-b, subd. 3, amended	398	16-20
Section 111-b, subd. 4, amended	398	16-20
Section 111-b, subd. 4-a, added	398	16-20
Section 111-b, subd. 14, amended	398	16-20
Section 111-b, subd. 17, added	398	16-20
Section 111-c, subd. 2, para. f, amended	398	16-20
Section 111-c, subd. 3, amended	398	16-20
Section 111-e, subd. 1, amended	436	4-8
Section 111-g, amended	436	4-8
Section 111-h, subds. 1, 5, 8 and 10, amended	398	16-20
Section 111-h, subd. 3, amended	436	4-8
Section 111-h, subd. 9, amended	398	16-20
Section 111-h, subd. 12, amended	398	16-20
Section 111-h, subd. 16, amended	398	16-20
Section 111-h, subds. 17 and 19, amended	398	16-20
Section 111-k, amended	398	16-20
Section 111-l, repealed	436	4-8
Section 111-m, renumb. sect. 111-y, new sect. 111-m, added	398	16-20
Section 111-n, renumb. sect. 111-z, new sect. 111-n, added	398	16-20
Section 111-o, added	398	16-20
Section 111-p, added	398	16-20
Section 111-q, added	398	16-20

Section 111-r, added	398	16-20
Section 111-s, added	398	16-20
Section 111-t, added	398	16-20
Section 111-u, added	398	16-20
Section 111-v, added	398	16-20
Section 111-y, subd. 1, amended	398	16-20
Section 111-z, added	398	16-20
Section 111-z, subd. 1, amended	398	16-20
Section 117, subd. 3, added	436	4-8
Section 122, added	436	4-8
Section 131, subd. 6, amended	436	4-8
Section 131, subds 5 and 12, repealed		
new subds. 5, 12, 14, 15 and 18, added	436	4-8
Section 131, subd. 10, amended	436	4-8
Section 131, subd. 19, added	436	4-8
Section 131-a, subd. 3, para. (d), repealed	436	4-8
Section 131-a, subds. 3-a, 3-b, 6 and 11, repealed; subds 1, 3, 7, 8, 5(f), first undesignated para. of subd. 9, subd. 10(a) and subd. 12(a), amended	436	4-8
Section 131-f, amended	436	4-8
Section 131-i, added	436	4-8
Section 131-i, added	596	8-9
Section 131-k, subds. 11, 3 and 4, repealed	436	4-8
Section 131-n, as added by C. 475, L. of 1976, repealed	436	4-8
Section 131-n, as amended by C. 635, L. of 1976, amended	436	4-8
Section 131-o, subd. 1, paras. (a)-(d), amended	436	4-8
Section 131-p, amended	436	4-8
Section 131-t, repealed, new section 131-t, added	436	4-8
Section 131-u, subd. 1, para. (a) subparas. (ii) and (iii), amended	436	4-8
Section 131-x, amended	436	4-8
Section 131-y, subds. 1 and 2, amended	436	4-8
Section 131-z, added	436	4-8
Section 132, subd. 1 and subd. 2 para. (a), amended	436	4-8
Section 132, subd. 4, added	436	4-8
Section 136, subd. 2, amended	436	4-8
Section 136, subd. 5, repealed, new subd. 5, added	436	4-8
Section 139-a, subd. 1, amended	436	4-8
Section 142, amended	436	4-8
Section 145-c, repealed, new sect. 145-c, added	436	4-8
Section 152-a, amended	436	4-8
Section 153, subd. 1, para. e, amended	436	4-8
Section 153, subd. 2, added	436	4-8

Section 153, subds. 13 and 14, repealed	436	4-8
Section 153, subds. 16 and 17, added	436	4-8
Section 153-c, repealed	436	4-8
Section 153-j, added	436	4-8
Section 153-k, added	436	4-8
Section 157, amended	436	4-8
Section 158, amended	436	4-8
Section 158-a, repealed	436	4-8
Section 158-b, repealed	436	4-8
Section 159, amended	436	4-8
Section 164, repealed	436	4-8
Section 165, amended	436	4-8
Section 165, repealed	436	4-8
Section 168, subd. 4, amended	436	4-8
Section 171, amended	436	4-8
Section 172, amended	436	4-8
Section 174-b, amended	436	4-8
Section 178, amended	436	4-8
Section 209, subd. 2, paras. (a)-(g), amended	189	4
Section 211, subd. 5, amended	436	4-8
Section 212, subd. 3, amended	111	4
Section 344, amended	436	4-8
Section 348, amended	436	4-8
Section 349, subd. B, para. 1-a repealed	436	4-8
Section 349, amended	436	4-8
Section 349, subd. B, para. 2, added	436	4-8
Section 349-a, added	436	4-8
Section 349-b, subd. 1, para. (b), amended	398	16-20
Section 350, subd. 1, para. (c), amended	436	4-8
Section 350, subd. 2, amended	436	4-8
Section 350, subds. 6 and 7, repealed	436	4-8
Section 350-a, subds. 1 and 3, amended	436	4-8
Section 350-j, subds. 2 and 3, amended	436	4-8
Section 352, subd. 1, amended	436	4-8
Section 352, subd. 2, opening para., amended	436	4-8
Section 352-a, subd. 1, opening para., amended	436	4-8
Section 353, subd. (a), amended	436	4-8
Section 354, repealed	436	4-8
Section 355, subd. 1, amended	436	4-8
Section 356, subds. 1 and 2, amended	436	4-8
Section 357, amended	436	4-8
Section 358, amended	436	4-8
Section 360, subds. 1 and 3, amended	436	4-8
Section 362, repealed	436	4-8
Section 364-j, subd. 1, para. (d), amended	653	23
Section 364-j, subds. 11 and 17, amended	436	4-8
Section 365, subd. 8, repealed	436	4-8

Section 366, subd. 1, para. (a), subpara. 1, repealed, new subpara. 1, added	436	4-8
Section 366, subd. 1, para. (a), subpara. 7, repealed, new subpara. 7, added	436	4-8
Section 366, subd. 1, para., (a), subparas. 8, 9 and 10, added	436	4-8
Section 366, subd. 1, para. (b), subpara. 5, amended	436	4-8
Section 366, subd. 1, closing para., added	436	4-8
Section 366, subd, 2, para. (a), subpara. 5, amended	436	4-8
Section 366, subd. 2, para. (a), subpara. 7, opening para., amended	436	4-8
Section 366, subd. 2, para. (b), subpara. 2, clause (iii), subclause (B), amended	600	14-15
Section 366, subd. 2, para. (b), subpara. 2, clause (iv), amended	600	14-15
Section 366, subd. 4, para. (a), subpara. (i), amended	436	4-8
Section 366, subd. 4, para. (b), subpara. (i), amended	436	4-8
Section 366, subd. 4, para. (c), amended	436	4-8
Section 366, subd. 4, para. (h), subpara. 2, amended	398	16-20
Section 366, subd, 4, para. (k), amended	436	4-8
Section 366, subd. 4, para. (m), subpara. 2, amended	436	4-8
Section 366, subd. 4, para. (n), subpara. 1, amended	436	4-8
Section 366, subd. 4, para. (o), subpara. 2, amended	436	4-8
Section 366, subd. 4, para. (p), subpara. 2, amended	436	4-8
Section 366, subd. 4, para. (q), subpara. 2, amended	436	4-8
Section 367-a, subd. 7, para. (d), amended	436	4-8
Section 368-e, subd. 1, amended	631	23
Section 369-d, subd. 2, paras. (a) and (d), amended	436	4-8
Section 369-d, subd. 4, para. (a) subpara. 1, amended	436	4-8
Section 390, subd. 1, paras. (d) and (e), amended	587	14
Section 390, subd. 12, para. (b), amended	587	14
Section 390-a, subd. 3, para. (b), amended	587	14

Section 392, subd. 4, paras. (f) and (g), amended	353	10
Section 392, subd. 4-a, added	353	10
Section 397, sect. heading, opening para. and opening para. of subd, 4, amended	436	4-8
Section 398, subd. 16, added	436	4-8
Section 398-e, added	436	4-8
Section 407, subd. 1, amended	436	4-8
Section 410, subd, 4, added	436	4-8
Section 410-a, amended	436	4-8
Section 424-a, subd. 3, amended	578	13
Section 424-a, subd. 6, amended	587	14
Section 461-j, subd. 1, opening para., amended	436	4-8
Section 481-c, added	607	15
Section 481-d, subd. 2, amended	607	15
Section 481-e, subd. 2, para. (a), amended	607	15
STATE FINANCE LAW		
Section 92-w, subd. 2, amended	579	13
TAX LAW		
Section 171-a, subd. 1, amended	398	16-20
Section 171-h, amended	398	16-20
Section 628, added	579	13
Section 685, subsect. (w), amended	398	16-20
Section 685, subsect. (e), para. 3, amended	398	16-20
Section 697, subsect. (e), para. 3, amended	398 and 436	16-20 4-8
VEHICLE AND TRAFFIC LAW		
Section 510, subd. 4-e, amended	398	16-20
Section 2101, subd. (k), amended	398	16-20
Section 2103, subd. (b), amended	398	16-20
Section 2105, subd. (a), para. 1, amended	398	16-20
Section 2105-a, added	398	16-20
Section 2106, amended	398	16-20
Section 2116, subd. (b), amended	398	16-20
Section 2116, subd. (c), added	398	16-20
Section 2118, subd. (b), amended	398	16-20
Section 2122, amended	398	16-20
WORKERS' COMPENSATION LAW		
Section 141, amended	398	16-20
UNCONSOLIDATED LAWS		
L. 1978, C. 198, sect. 4, amended	153	21-22
L. 1978, C. 483, sect. 3, amended	386	23
L. 1982, C. 602, sect. 2, amended	130	21
L. 1982, C. 728, sect. 5, amended	480	12

L. 1983, C. 267, sect. 4, amended	114	27
L. 1983, C. 535, sect. 2, amended	224	22-23
L. 1983, C. 710, sect. 7, amended	480	12
L. 1983, C. 942, sect. 3, amended	216	22
L. 1984, C. 541, sect. 3, amended	216	22
L. 1984, C. 904, sect. 18, amended	223	22
L. 1985, C. 256, sect. 6, amended	216	22
L. 1986, C. 629, sect. 3, amended	386	22
L. 1994, C. 560, sect. 4, amended	104	25
L. 1994, C. 560, sect. 6, amended	104	25
L. 1994, C. 667, sect. 4, amended	402	11-12
L. 1995, C. 81, sect. 246, subd. 18 18, amended	436	4-8
L. 1996, C. 462, sect. 1, amended	615	25
L. 1996, C. 613, sect. 2, amended	39	21
L. 1997, C. 145, sects. 46-60, renumb. sects. 47-61, new sect. 46, added	262	28

S U B J E C T I N D E X

	<u>L A W S O F 1 9 9 7</u> <u>C H A P T E R N O .</u>	<u>P A G E I N T H I S</u> <u>D I G E S T</u>
A		
Additional State payments, State's assumption of responsibility, extension	111	4
Adoption, consent	375	11
Adoption proceeding, venue	375	11
Adoptions, foster care, law guardians	353	10
Adult homes, quality incentive payment program	615	25
Alcohol and drug screening	436	4-8
Aliens, eligibility for public assistance	436	4-8
Appeals, family court orders	461	12
B		
Block grant for child care	435	4-8
C		
Capacity, group family day care	587	14
Caregivers, group family day care	587	14
Child abuse and maltreatment, register clearances	578	13
Child assistance program	436	4-8
Child care resource and referral program substitute child caregivers	587	14
Child support enforcement, liens, genetic testing, license suspension, medical support	398	16-20
Chronic care management demonstration project	39	21
Clearances, child abuse and maltreatment register	578	13
Clinics, medical assistance payments	653	23
Community services block grant extension	480	12
Consent, adoption	375	11
Cost of living adjustment, child support	398	16-20
Criminal history record check, New York City, day care positions	584	14

Criminal penalty, non-support of a child	397	16
D		
Day care positions, New York City, criminal history record check	584	14
Day care programs, training	587	14
Day care providers, substitute child caregivers	587	14
Demonstration program, long term health care services extension	386	23
Department of Social Services, reorganization	436	4-8
Diagnostic treatment centers, medical assistance payments	653	23
Domestic violence employee awareness and assistance policy	368	10-11
Domestic violence services	436	4-8
Drug and alcohol screening	436	4-8
E		
Elder abuse, reports	626	25-26
Eldercare program, extension	130	21
Electronic benefit transfer system	436	4-8
Eligibility for public assistance	436	4-8
F		
Family assistance	436	4-8
Family court orders, appeals	461	12
Family day care homes, residential dwellings	587	14
Family loan program	596	8-9
Family resource and support program, William B. Hoyt Trust Fund Act	607	15
Family violence information	271	10
Food assistance program	436	4-8
Foster care, adoptions, law guardians	353	10
Foster family care demonstration program, extension	216	22
G		
Genetic testing, paternity	398	16-20

Group family day care, capacity	587	14
Group family day care, caregivers	587	14
H		
Health maintenance organizations payment factor, extension	386	23
Health maintenance organizations, provision of services	224	22-23
I		
Identification cards, replacement	436	4-8
Individual development accounts	436	4-8
Involuntary outpatient treatment	104	25
L		
Law guardians, foster care, adoptions	353	10
Legal services to the disabled, extension	114	27
License suspension, child support	398	16-20
Liens, child support	398	16-20
Little Flower Children's Services, residential facilities	499	12-13
Local flexibility incentive pilot program	436	4-8
Long term care services, demonstration program, extension	386	23
M		
Managed care, physician assistant	653	24
Maternity services, hospitals family violence information	271	10
Medical Assistance payments, clinics and diagnostic centers	653	24
Medical Assistance, presumptive eligibility	97	21
Medical Assistance, supplemental needs trust	600	14-15
Medical support enforcement, child support	398	16-20
Missing children, report	579	13
Missing and Exploited Children Clearinghouse Fund	579	13

	N		
Non-support of a child, criminal penalty	397		16
	P		
Paternity, genetic testing	398		16-20
Payment factor, health maintenance organizations extension	386		23
Performance awards	436		4-8
Personal needs allowance, standard of monthly need	189		4
Physician assistant, managed care	653		23
Physician case management demonstration project, extension	223		22
Pre-natal services, diagnostic and treatment services, family violence information	271		10
Presumptive eligibility, Medical Assistance	97		21
Privatization prohibition	436		4-8
Private adoption, residency requirement	375		11
Public assistance employment programs	436		4-8
	Q		
Quality incentive payment program, adult homes	615		25
	R		
Reimbursement, residential health care facilities, real property costs, extension	386		23
Replacement, identification cards	436		4-8
Residency, eligibility for public assistance	436		4-8
Residency requirement, private adoption	375		11
Residential dwellings, group family day care	587		14
Residential health care facilities real property costs, reimbursement	386		23
Resource exemptions, eligibility for public assistance	436		4-8

S		
Safety net assistance	436	4-8
School health services, extension	153	21-22
Standard of monthly need, personal needs allowance	189	4
State directory of new hires	398	16-20
Substitute child caregivers, day care programs	587	14
Supplemental needs trust, Medical Assistance	600	14-15
T		
Task force on school-community collaboration	402	11-12
Taxpayers, Missing and Exploited Children Clearinghouse Fund, contributions	579	13
Training, day care programs	587	14
U		
Uniform Interstate Family Support Act	398	16-20
V		
Venue, adoption proceedings	375	11
W		
Welfare management system	262	28
Welfare-to-work caseload management system	262	28
Welfare reform	436	4-8
William B. Hoyt Trust Fund Act, family resource and support program	607	15