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INFORMATIONAL LETTER

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OFFICE: Legal Affairs

TO: Commissioners of
Social Services

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SUBJECT: Digest of Laws of 2000 Relating to Programs of the
Office of Temporary and Disability Assistance

SUGGESTED
DISTRIBUTION: General Administration Staff
Family Court Judges
Staff Development Coordinators

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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.
99 INF-20					
98 INF-12					
97 INF-18					
96 INF-29					
95 INF-45					
94 INF-46					
93 INF-49					
92 INF 17					

"providing temporary assistance for permanent change"

DIGEST OF LAWS OF 2000
RELATING TO PROGRAMS OF THE OFFICE
OF TEMPORARY AND DISABILITY ASSISTANCE

NOTICE

The purpose of this Digest is to highlight provisions of the Laws of 2000 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 purposes of implementation.

DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243

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TEMPORARY ASSISTANCE

Chapter 16 - Medical Parole Program

[Senate 7031 by Senator Nozzolio]

Extends from April 10, 2000 until September 1, 2001 the expiration of the medical parole program. That program authorizes the Division of Parole to release certain inmates who are certified to be suffering from a terminal condition, disease or syndrome and to be so debilitated or incapacitated as to create a reasonable probability that the inmate is physically incapable of presenting any danger to society. Section 62(g)(2) of the Social Services Law provides that upon receipt of an application for public assistance forwarded by the State Department of Correctional Services for persons meeting the conditions of medical parole, financial eligibility for such assistance shall be determined by the Office of Temporary and Disability Assistance.

Statutes Involved:

Laws of 1992, Chapter 55, sect. 427, subd. (r), amended

Effective date: March 30, 2000

Chapter 63 - Credit for Certain Household and Dependent Care Services

[Assembly 11006 by the Committee on Rules]

Authorizes the Department of Taxation and Finance to furnish to the Office of Temporary and Disability Assistance information concerning the payment of the credit for certain household and dependent care services necessary for gainful employment.

Statutes involved:

Tax Law

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

Effective date: May 15, 2000

Chapter 175 - Transfer of Vehicles to Welfare Recipients

[Senate 5799 by Senator Morahan, et al.]

Authorizes Boards of Cooperative Education Services to transfer vehicles received at no cost for use in an authorized welfare-to-work program to participants in the program who have met all program requirements.

Statutes involved:

Education Law

Section 1950, subd. 18, amended

Effective date; July 18, 2000

Chapter 470 - Standard of Monthly Need, Personal Needs Allowance

[Senate 8066 by Senator Meier]

Increases the standards of monthly 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, 2001 and June 30, 2001 and makes corresponding changes to personal allowances provided to residents of congregate care facilities.

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, 2000

Chapter 477 - Families in Transition Act of 2000

[Assembly 7646-C by Assemblyman Green, et al.]

Provides in part that pursuant to regulations of the Office of Temporary and Disability Assistance, public assistance eligibility shall, to the extent permitted by Federal law, not lapse solely by reason of the death of the adult relative caretaker of a minor child, until arrangements are completed for the addition of a child to another public assistance household, reclassification of the case, foster care or other appropriate financial support.

Statutes involved;

Social Services Law

Section 131-a, subd. 13, added

Section 384-a, subd. 2, para. (h), added

Surrogate's Court Procedure Act

Section 1707, subd. 1, amended

Section 1726, subd. 1, para. (c), amended

Section 1726, subd. 3, paras. (a) and (b), amended

Section 1726, subd. 4, amended

Section 1726, subd. 8, para. (b), amended

Effective date: November 19, 2000

Chapter 534 - Work Activities

[Assembly 8475-A by the Committee on Rules]

Allows non-graduate students to count work-study, internships and externships as work activities for purposes of public assistance work requirements and provides that social services districts may not unreasonably assign a student to hours in an approved work experience

assignment that conflicts with the student's academic schedule, if an approved work experience assignment is available.

Statutes involved:

Social Services Law
Section 335-b, subd. 2, amended
Section 336-c, subd. 4, amended
Section 336, subd. 8, added

Effective date: December 3, 2000

Chapter 583 - County Financial Incentives

[Senate 7615 by Senator Meier]

Repeals provisions of the Social Services Law which require the Office of Temporary and Disability Assistance to establish a program to provide financial incentives to social services districts which are the most successful at moving recipients of public assistance to unsubsidized employment.

Statutes involved:

Social Services Law
Section 153-k, repealed

Effective date: December 8, 2000

CHILD SUPPORT

Chapter 475 - Child Support and Paternity Proceedings

[Assembly 7162-A by Assemblywoman Weinstein, et al.]

Gives the Family Court discretion to allow a party or witness in a child support or paternity proceeding to testify or be deposed by telephone, audio-visual means or other electronic means.

Statutes involved:

Family Court Act
Section 433, subds. (c) and (d), added
Section 531-a, added

Effective date: December 19, 2000

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