



SCHUYLER CENTER FOR ANALYSIS AND ADVOCACY 2023 End of Session Policy Priorities

Child Care

Presumptive Eligibility — [A.4099 \(Clark\)/ S.4667 \(Brouk\)](#)

Across the state, newly employed parents face long wait times to be approved for child care assistance, often putting their jobs at risk. Presumptive eligibility will allow those families to begin receiving the care they need right away. **Note: the final enacted budget includes language authorizing counties to implement presumptive eligibility at their discretion, and using local funds in those instances where a family is ultimately deemed ineligible. Passage of this bill is still necessary to ensure all families across the state are afforded timely access to child care.**

Automatic Market Rate Increases — [A.2019 \(Clark\)/S.3070 \(Ramos\)](#)

Every few years New York State surveys the prices child care providers charge parents as a basis for setting the rates for reimbursing providers of publicly-funded child care assistance. Under current law, providers do not automatically receive the new rate, but must provide additional proof to receive the rate hike, proof that is not required under applicable [federal guidance](#), and which is difficult for many providers to establish. This bill will ensure that every child care program receives the full rate each time it is raised, helping them keep up with inflation and the rising minimum wage.

Decouple Subsidy Payment from Hours Worked — [A.4986 \(Hevesi\)/ S.5327 \(Brisport\)](#)

This proposal corrects last year's legislation, which offers enhanced early education opportunities for children, provides stable reliable child care for families, and more stability for providers, by allowing parents who work part-time or fluctuating hours access to full-time child care assistance.

Pay Differentials for Specialized Care — [S.4079 \(Brisport\) / A.1734 \(Clark\)](#)

This legislation would require all social services districts to pay a 15% differential for providing care to children from families experiencing homelessness and for children who need care during non-traditional hours (evenings, nights, and weekends).

Extend Eligibility to All Immigrant Children — [Bill Pending \(Cruz\)/S.4522 \(Brisport\)](#)

Tens of thousands of immigrant children are currently excluded from child care assistance due to no fault of their own. Including these children will provide stability to families, consistent early care and education for children, and move us closer to truly universal child care.

Child Welfare and Youth Justice

Expand the Child Welfare Housing Subsidy — [A.2525-A \(Hevesi\)/S.2038-A \(Brisport\)](#)

In New York, youth can remain in foster care until age 21; without this expansion, young adults who age out of foster care at 21 will have no subsidy to fall back on if they encounter financial, emotional or other challenges as they transition to independence. **Note:** *The final enacted budget includes the provision of this bill that increases the amount of the child welfare Preventive Services housing subsidy to meet rising housing costs; the budget does not include the provision to [extend the subsidy](#) to youth exiting foster care from the current 18 to 21 age group, up to age 24.*

Informed Consent for Drug Testing Parents and Babies — [A.109 \(Rosenthal\)/S.320 \(Salazar\)](#)

This bill requires medical care providers to seek the informed consent of pregnant people and new mothers before they or their babies are drug tested. Black women are drug tested disproportionately, which leads to disproportionate calls to the State Central Register, and sometimes to family separation at or near birth. Informed consent is already in effect in New York City's public hospitals.

Family Miranda Rights — [A.1980 \(Walker\)/S.901 \(Brisport\)](#)

This legislation would require caseworkers to advise parents and caregivers of their rights at first contact. Ensuring that parents and caregivers have access to their rights during a Child Protection Services (CPS) investigation will empower parents to make informed decisions for their family and will make CPS investigations less traumatizing for the whole family.

Anti-Harassment in Reporting — [A.2479 \(Hevesi\)/S.902 \(Brisport\)](#)

This bill requires reporters to the State Central Register (SCR) to provide their name and contact information, which can only be accessed by the Office of Children and Family Services and counties, to prevent reports being used as a form of harassment. Black children are nearly twice as likely as white children to be reported to the SCR. False anonymous reports are often used as a form of harassment.

Right to Remain Silent Act — [A.1963 \(Joyner\)/S.1099 \(Bailey\)](#)

This proposal requires that children and youth taken into custody must consult with an attorney before waiving their rights or being interrogated and strengthens requirements related to police notification of parents when a child is taken into custody, among other juvenile justice reforms.

Youth Justice and Opportunities Act — [A.4238 \(O'Donnell\)/S.3426 \(Myrie\)](#)

This bill strengthens and expands alternatives to incarceration and record sealing for youthful offenders, allowing emerging adults, ages 19-25, to take responsibility for the commission of a crime while fostering their ability to enter the workforce, secure stable housing, and pursue education without the stigma of a criminal record.

Health

Mandatory Coverage of Hearing Aids for Children by Insurers and Other Organizations —

[A.149-A \(Solages\)/S.1475 \(Persaud\)](#)

This legislation would require medical insurance to reimburse the costs of medically prescribed hearing aids for children under the age of 18, a benefit already covered by Medicaid. Hearing aids can be unaffordable for families, but the inability to hear can lead to poor developmental outcomes, particularly regarding socialization, language acquisition, cognition, and communication.

Directs New York to Apply for a Federal Waiver to Increase Access to School Health Services —

[A. 4408 \(Reyes\)/S.1875 \(Brouk\)](#)

This proposal directs the NYS Department of Health to submit a Medicaid State Plan Amendment (SPA) allowing for additional reimbursement to schools for essential mental, behavioral, and physical health services. Expanding services where children spend most of their day will lead to better access to important health services.

Expands Providers Who Can Apply Topical Fluoride Varnish — [\(Introduction pending\)](#)

This bill allows additional categories of licensed health providers, non-licensed health providers, and parents to apply topical fluoride varnish with supervision. Allowing additional providers and parents will increase access to this important preventive service which is covered by Medicaid, Child Health Plus and commercial insurance.

Child Poverty

Diaper Allowance — [A.2872 \(Solages\)/S.1210 \(Persaud\)](#)

This proposal would [provide an allowance for diapers for families with children under the age of two who are receiving public assistance](#). For many families, a diaper allowance will save them from having to choose between keeping their baby healthy and comfortable, and falling deeper into economic insecurity or poverty.