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TRANSMITTAL: 91 INF-17

DIVISION: Legal Affairs

TO: Commissioners of
 Social Services

DATE: March 11, 1991

SUBJECT: Digest of Laws of 1990 Relating to Social Services

SUGGESTED

DISTRIBUTION: General Administration Staff
 Family Court Judges
 Staff Development Coordinators

CONTACT PERSON: Ronald Speier, Assistant Counsel, Legal Affairs,
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ATTACHMENTS: See Table of Contents

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 Deputy Commissioner and General Counsel
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FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
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 1990
RELATING TO SOCIAL SERVICES

N O T I C E

The purpose of this Digest is to highlight provisions of the Laws of 1990 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be considered as the Department's interpretation of these laws for the purpose of implementation.

DEPARTMENT OF SOCIAL SERVICES

40 NORTH PEARL STREET

ALBANY, NEW YORK 12243

PUBLIC ASSISTANCE

Chapter 44 - Emergency Assistance for Aged, Blind
and Disabled - Permanent Extension

[Assembly 9832 by Assemblywoman Jacobs, et al.
at the request of the Department of Social Services]

Extends permanently emergency assistance for aged, blind and disabled persons.

Statutes Involved:

Social Services Law
Section 300, subd. 1, amended
L. 1974, C. 1081, Section 5, amended
L. 1975, C. 198, Section 14, amended
L. 1975, C. 482, Section 9, amended

Effective Date: March 31, 1990

Chapter 233 - Unemployment Insurance
Benefits During Training

[Senate 7186 by Senator Lack at the request
of the Department of Labor]

Makes permanent a former demonstration program under which an unemployment insurance benefit (UIB) claimant can remain eligible for UIB for an additional period of time while attending a vocational or basic educational skills training program approved by the Commissioner of Labor.

Statutes Involved:

Labor Law
Section 599, subd. 2, paras. (a) and (b), amended

Effective Date: June 15, 1990

Chapter 332 - Responsibility for Payment of
Additional State Payments to Supplemental
Security Income (SSI) Recipients
[Senate 8085 by Senator Rolison, et al.]

Extends for one year (until June, 1992) the State's assumption of responsibility for payment of the social services districts' shares of the cost of additional State payments to Supplemental Security Income (SSI) recipients.

Statutes Involved:

Social Services Law
Section 212, subd. 3, amended

Effective Date: June 30, 1990

Chapter 435 - Economic Skills Training Program
[Assembly 10401-A by Assemblyman Yevolie, et al.,
at the request of the
Department of Economic Development]

Amends the Economic Development Law regarding the Economic Skills Training Program (the Program) to: give the Department of Economic Development, upon recommendation of the Interagency Review Committee, authority to execute and monitor Program contracts; add the City University of New York to the Interagency Review Committee which monitors the Program; and target 50% of the assistance under the Program to businesses employing 200 or fewer employees, rather than 100 or fewer employees.

Statutes Involved:

Economic Development Law
Section 200, subd. 6, amended
Section 201, subd. 2, para. (b) and (e), amended

Effective Date: July 10, 1990

Chapter 453 - Job Opportunities and Basic
Skills Training Program
[Senate 4763-C by Senator Rolison, et al.,
at the request of the Governor]

Permits the Department of Social Services and social services districts to implement the Job Opportunities and Basic Skills Training Program (JOBS) authorized by the federal Family Support Act of 1988 (P.L. 100-485). Under JOBS, applicants and recipients of aid to dependent children (ADC) and home relief (HR) would be assessed as to their employability. Persons deemed

employable would be provided with an array of training programs and supportive services consistent with an employability plan. Persons who lose eligibility for ADC or HR because of increased earnings, increased hours of employment or loss of certain income disregards would be entitled to transitional Medical Assistance and child day care services.

Statutes Involved:

Social Services Law

Title 9-B of Article 5, added
Section 131, subd. 5 amended
Section 131-a, subd. 6, renumbered 5
Section 131-a, subd. 5, para. (d), amended
Section 131-a, subd. 5 para. (f) added
Section 131-a, subd. 6, added
Section 153, subd. 1 para. (i), repealed
Section 153, subd. 13, added
Section 153, subd. 14, added
Section 131, subd. 5, amended
Section 131, subds. 6 and 7-a, repealed
Sections 159-a, 159-b, 162, 164-a, 164-b, 164-c, 166
350-b, 350-c, 350-d, 350-e, 350-f, 350-g, 350-h, 350-i,
350-k, 350-l and 350-m, repealed
Section 366, subd. 4, para. (a), amended
Section 366, subd. 4, para. (b), repealed, new para. (b) added

Education Law

Section 680, subd. 3, added

Labor Law

Section 754, subd. 1, amended

L. 1989, C. 77, Section 7, repealed
L. 1987, C. 689, repealed
L. 1984, C. 321, Section 6, repealed

Effective Date: October 1, 1990

Chapter 517 - Agent Orange Awards
[Senate 7172 by Senator Maltese, at
the request of the Division of Veterans' Affairs]

Exempts payments received as a result of agent orange liability litigation [In re Agent Orange, M.D.L. No. 381 (USDC, EDNY)] from being counted as available resources in determining eligibility for public assistance programs [e.g., Aid to Dependent Children, Home Relief and Medical Assistance].

Statutes Involved:

Military Law

Section 235-a, amended

Social Services Law
Section 131-1, added

Effective Date: January 1, 1989

Chapter 685 - Increase in the Standard
of Monthly Need and Personal Needs Allowance
[Senate 7858 by Senator Maltese, at the request of
the Department of Social Services]

Increases the standard 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 (COLA) occurring between January 1, 1991 and June 30, 1991. Allocates a portion of the increase to the personal allowance for residents of congregate care facilities.

Statutes Involved:

Social Services Law
Section 131-o, subd. 1, paras. (a) through (d), amended
Section 209, subd. 2, paras. (a) through (g), amended
Section 210, subd. 1, amended

Effective Date: December 31, 1990.

Chapter 817 - Exclusion of Reparations
[Senate 9042 by Senator Marino, et al.]

Exempts from consideration as income or resources when determining eligibility for services authorized to be provided under Title XX of the Social Security Act and certain public assistance programs described in Article 5 of the SSL, including Aid to Dependent Children (ADC), Home Relief (HR) and Medical Assistance (MA), certain reparation payments made to Japanese-Americans and to victims of the Holocaust. The exemption is effective only if permitted by federal law or regulation.

Statutes Involved:

Social Services Law
Section 131-n, opening para. designated subd. 1, subd. 2, added

Effective Date: July 25, 1990

MEDICAL ASSISTANCE

Chapter 45 - Eldercare: A Social
Health Maintenance Organization - Extension
[Assembly 10140 by Assemblywoman Jacobs, et al.]

Extends until September 30, 1992 the authority of the Department of Social Services to sponsor, conduct and participate in a research and demonstration project entitled "Eldercare: A Social Health Maintenance Organization."

Statutes Involved:

L. 1982, C. 602, section 2, amended

Effective Date: March 31, 1990

Chapter 143 - Catastrophic Health Care Expense Program
[Assembly 8983 by Assemblyman Gottfried, et al.]

Extends for an addition year (December 31, 1991) the Catastrophic Health Care Expense Program and the regional pilot projects for the uninsured, authorized pursuant to Chapter 703 of the Laws of 1988.

Statutes Involved:

L. 1988, C. 703, Section 1, section 4, subd. 11, amended

L. 1988, C. 703, Section 11, subd. (c) amended

L. 1988, C. 703, Section 15, amended

Effective Date: May 14, 1990

Chapter 242 - Surveys of Nursing Homes and
Establishment of a Nursing Home Registry
[Senate 7848 by Senator Tully at the request of
the Department of Health]

Conforms Public Health Law Section 2803-j, which establishes a nurse aide registry, to recent federal statutory requirements for states' nurse aide registries and state-approved nurse aide training programs and nurse aide competency evaluation programs.

Statutes Involved:

Public Health Law

Section 2803-j, subd. 2, repealed, new subd. 2 added

L. 1989, C. 717, Section 4, amended

Effective Date: June 15, 1990

Chapter 243 - Patient Information
[Senate 7849-A by Senator Tully, at the request of
the Department of Health]

Conforms the Public Health Law to federal requirements affecting the release of patient information by residential health care facilities receiving reimbursement under the Medical Assistance Program.

Statutes Involved:

Public Health Law
Section 18, subd. 7, amended

Effective Date: October 1, 1990

Chapter 262 - Loans to Hospitals
[Senate 5231-B by Senator Tully, et al., at the request
of the Medical Care Facilities Finance Agency]

Expands the authority of the Medical Care Facilities Finance Agency to finance new hospital and nursing facility projects.

Statutes Involved:

L. 1973, C. 392, sec. 1, sec. 3, subds. 6-a and 12, amended

Effective Date: June 24, 1990

Chapter 295 - Establishment of Health Care Facilities
[Senate 5208-B by Senator Tully, at the request
of the Medical Care Facilities Finance Agency]

Encourages the establishment of non-profit hospitals; nursing facilities; corporations providing residential care, treatment, training, and education for alcohol and substance abusers; and a variety of other non-profit health care providers capable of serving medical assistance recipients.

Statutes Involved:

L. 1973, C. 392, sec. 1, sec. 3, subd. 22, added

New York State Medical Care Facilities Finance Agency Act
Section 5, subds. 10-e and 12-b, added
Section 5-g, added
Section 6, subd. 1, para. (a), amended

Effective Date: June 26, 1990

Chapter 299 - Persons With Special Needs
[Senate 8489-A by Senator Lombardi]

Extends until December 31, 1993, a demonstration program that permits "persons with special needs" to receive Long Term Home Health Care Program services at home if the average cost of these services, although estimated to exceed 75% of the residential health care facility (RHCF) rate, would not exceed 100% of the RHCF rate.

Statutes Involved:

L. 1986, C. 629, section 3, amended.

Effective Date: June 29, 1990

Chapter 386 - Demonstration Project for Home Health
Care Providers and Programs Under the
Medical Assistance Program
[Senate 5616-C by Senator Tully]

Re-enacts and expands a demonstration program that tests the benefits of allowing certain recipients of home care provided under the Medical Assistance program to exercise greater control over the selection, training, supervision, and payment of their home care providers.

Statutes Involved:

Public Health Law
Section 3622, added
Social Services Law
Section 365-f, repealed, new section 365-f added

Effective Date: July 10, 1990

Chapter 462 - Health of Children
[Senate 8267 by Senator Tully]

Improves the health of children through the use of the services of registered professional nurses or other health professionals employed by school districts or boards of cooperative educational services. Extends from 12 to 13 years the maximum duration of school health demonstration projects.

Statutes Involved:

L. 1978, C. 198, section 4, amended

Effective Date: July 11, 1990.

Chapter 475 - Bonding Authority of the New York
State Medical Care Facilities Finance Agency
[Assembly 11886, by the Committee on Rules]

Increases from \$1 billion to \$1.025 billion the bonding authority of the New York State Medical Care Facilities Finance Agency under the New York State Secured Hospital Revenue Bond Program. The Bond Program enables financially distressed hospitals that serve a demonstrated public need to obtain tax exempt financing for urgently needed modernization projects.

Statutes Involved:

L. 1973, C. 392, sec. 1, sec. 7-A, subd. 5, amended

Effective Date: July 11, 1990.

Chapter 549 - Home Care for
Physically Disabled Children
[Senate 8528 by Senator Tully]

Makes technical changes to the program which permits home care services to be provided to physically disabled children.

Statutes Involved:

Social Services Law
Section 366, subd. 6, amended

Effective Date: July 18, 1990.

Chapter 572 - Physician Fees for Medicare Patients
[Assembly 3500-A by Assemblyman Harenberg, et al., at
the request of the Governor]

Prohibits, effective January 1, 1991, a physician from charging any Medicare beneficiary a fee in excess of 115% of the amount the Medicare Program determines to be the reasonable charge for the service and not in excess of 110% of such reasonable charge beginning in 1993. However, if the Statewide percentage of Medicare Part B claims billed at or below the reasonable charge amount do not increase by at least five percent over such billings for 1989 in federal fiscal year 1992, or any subsequent year, a physician would be prohibited from charging in excess of 105% of such reasonable charge beginning January 1, 1993. Provides for a penalty for any physician charging in excess of the reasonable amount. Such penalty would include a fine of not less than \$500 or three times the excess charge for the first violation and a minimum of \$1000 for each subsequent violation. Additionally, the physician overcharging a Medicare beneficiary would be required to refund the amount of the overcharge to the beneficiary.

Statutes Involved:

Public Health Law
Section 19, added

Effective Date: July 18, 1990.

Chapter 651 - Medical Assistance for Children in
Families with Income at or Below 133 Percent
of the Federal Poverty Level; Disabled and Working Individuals

[Assembly 10268 by the Committee on Rules, at the
request of Assemblywoman Jacobs, et al.,
at the request of the Governor]

Provides Medical Assistance (MA) coverage to children at least one year of age but younger than six years of age whose family income is less than or equal to 133% of the poverty level, as defined and annually revised by the federal Office of Management and Budget and authorizes the MA program to pay the cost of Medicare premiums, co-insurance, and deductibles for persons who meet the federal definition of qualified disabled and working individuals.

Statutes Involved:

Social Services Law
Section 366, subd. 4, para. (p) added
Section 367-a, subd. 3, para. (a), amended
Section 367-a, subd. 3, para. (c) added

Effective Date: October 1, 1990.

Chapter 765 - Hospital and Nursing Home Bonds

[Assembly 11944 by Committee on Rules, at the
request of Assemblyman Gottfried, at the
request of the Governor]

Increases from \$5.5 billion to \$6 billion the amount of hospital and nursing home bonds which can be issued by the Medical Care Facilities Finance Agency.

Statutes Involved:

L. 1973. C. 392, section 1, section 7, subd. 1, para. (b), amended

Effective Date: July 22, 1990.

Chapter 795 - Hospital Emergency Room
Demonstration Project

[Senate 7763 by Senator Rolison, at the request of
the Department of Social Services]

Authorizes the Department of Social Services to establish 17 rather than 15 hospital emergency room demonstration programs within the State; removes the limit on the number of New York City hospitals allowed to operate such programs; and removes the limit on the number of programs permitted to be conducted in a city social services district.

Statutes Involved:

Social Services Law
Section 364-k, subd. 1, amended

Effective Date: July 25, 1990.

Chapter 851 - Expanded In-Home Services for
the Elderly Program

[Assembly 10555 by Assemblyman Lester, at the
request of the Governor]

Increases funding for the expanded In-Home Services for the Elderly Program (EISEP). The EISEP provides non-medical services at home to functionally impaired persons 60 years of age or older who are not eligible for medical assistance. Services are free to persons whose incomes are at or below 150% of the federal poverty line; others pay according to a sliding scale.

Statutes Involved:

Executive Law
Section 541, subd. 4, para. (j), amended

Effective Date: January 1, 1991.

Chapter 855 - Increase of Personal Needs Allowance

[Assembly 10699 by Assemblywoman Connelly, et al., at
the request of the Office of Mental Health]

Increases the amounts paid to, and allowed to be retained by, residents of certain State-operated or State-licensed facilities for their personal needs.

Increases from \$30.00 to \$35.00 the maximum amount of the monthly State payment which is made available to meet the personal needs of indigent patients who are not receiving federal Supplemental Security Income (SSI) benefits and who reside in State-operated psychiatric facilities and State-operated alcoholism facilities. The \$35.00 equals the monthly cash benefit provided under the SSI program to indigent, institutionalized recipients.

Increases from \$33.50 to \$35.00 the amount of monthly income allowed to be retained as personal needs allowance (PNA) by institutionalized medical assistance recipients who are not receiving SSI or additional State payments and who reside in hospitals operated by the Office of Mental Health or intermediate care facilities operated or licensed by the Office of Mental Retardation and Developmental Disabilities. The \$35.00 equals the monthly PNA allowed for institutionalized MA recipients who reside in such hospitals and ICFs, and who are in receipt of SSI or additional State payments.

Statutes Involved:

Mental Hygiene Law

Section 33.08, subds. (b) and (c), para. 3, amended

Social Services Law

Section 366, subd. 2, para. (a), subpara. 10, clause (ii), amended

Effective Date:

May 1, 1990, except the provisions relating to the PNA became effective January 1, 1991.

Chapter 879 - Surveys of Nursing Homes and Nurse

Aide Competency Evaluation Programs

[Assembly 12084 by the Committee on Rules, at
the request of Assemblyman Gottfried]

Makes technical and conforming changes to the Public Health Law (PHL) required by recent changes in federal law. Permits a maximum period of 15 months between unannounced comprehensive nursing facility inspections. Provides that findings of physical abuse, mistreatment, neglect or misappropriation of residents' property committed by unlicensed persons no longer would be required to be reported to the nurse aide registry. Permits the State, if required by federal law or regulations, to reimburse nursing facilities for the cost of evaluating nurse aides on a basis other than inclusion of the anticipated cost of such evaluation in the facilities' per diem rates.

Statutes Involved:

Public Health Law

Section 2803, subd. 1, paras. (b) and (c), amended

Section 2803-j, subd. 3, para. (d), amended

Section 2803-j, subd. 4, amended

Effective Date: July 1, 1990.

Chapter 884 - Bad Debt and Charity Care Allowances
for Diagnostic and Treatment Centers and
Certified Home Care Agencies

[Assembly 12132 by the Committee on Rules at the
request of Assemblyman Gottfried]

Increases medical assistance reimbursement to diagnostic and treatment centers and certified home health agencies that have incurred financial losses from disproportionate shares of bad debt and charity care.

Statutes Involved:

Public Health Law

Section 2807, subd. 2, para. (f), added
Section 2807-b, amended
Section 3614, subd. 5, added
Section 3615, amended

Effective Date: July 25, 1990.

Chapter 891 - Home Care Volunteer Program for
Maternal and Child Health

[Senate 7337 by Senator Tully, et al.]

Increases the Commissioner of Health's authority to make grants to certified public and voluntary non-profit home health agencies to enable these agencies to develop two new programs: "home care volunteer programs for maternal and child health", and programs to improve home care patients' access to primary health services.

Statutes Involved:

Public Health Law

Section 3607, subd. 1, amended
Section 3607, subs. 2 through 8, renumbered subs. 3 through 9,
new subd. 2, added

Effective Date: July 30, 1990

Chapter 922 and 923 - Health care Programs in the State

[Assembly 12143 and Assembly 12164 by the Committee on
Rules, at the Request of Assemblyman Gottfried, et al.]

Continues for the period January 1, 1991 through December 31, 1993, the basic methodology employed by government agencies for reimbursement of general hospital in-patient services and the financing of bad debt and charity care; provides financial relief to hospitals; encourages the expanded and improved delivery of primary care services; repeals the in-patient catastrophic illness program under the Medical Assistance program; extends the effective date of the regional pilot projects for the uninsured and provides health insurance for low-income children under the age of 13.

Statutes Involved:

Public Health Law

Section 2500-d, subd. 6, amended
Section 2803, subd. 1, para. (d), amended
Section 2803-1, added
Section 2805-a, subd. 3, amended
Section 2807, subd. 2, para. (e) amended
Section 2807, subd. 2, para. (g) added
Section 2807, subd. 2, para. (h) added
Section 2807, subd. 4, amended
Section 2807, subd. 7-a, added
Section 2807, subd. 12, added
Section 2807-bb, added
Section 2807-c, amended

Insurance Law

Section 1120, added

State Finance Law

Section 97-x, subd. 1, amended

Social Services Law

Section 366, subd. 2, para. (c), repealed
Section 367-b, subd. 12, para. (a), amended

Workers' Compensation Law

Section 13, subd. (g), amended
Section 13-a, subd. 4, amended
Section 13-g, subd. 6, added
L. 1988, C. 2, section 18, amended
L. 1988, C. 2, section 24, amended
L. 1988, C. 31, section 3, amended
L. 1988, C. 605, section 6, amended
L. 1978, C. 520, section 1, subd. (b), para. (i), amended
L. 1988, C. 703, section 1, section 4, subd. 11, amended
L. 1988, C. 703, section 11, subd. (c), amended
L. 1988, C. 703, section 15, amended
L. 1989, C. 753, sections 10 and 11, amended
L. 1986, C. 600, section 2, amended
L. 1990, C. 53, section 1, amended

Effective Date: July 31, 1990.

Chapter 938 - Reduction of Health Care Costs in the State
[Senate 9190 by the Committee on Rules]

Authorizes the Department of Social Services (Department) to implement a system of utilization controls for persons over 21 years of age eligible for Medical Assistance (MA) solely as a result of their eligibility for Home Relief; limits updates to drug costs to twice a year, April and October, rather than monthly; requires MA providers to submit all MA claims within two years; amends the nature and amount of the permitted deductions from income of an MA household to qualify for MA and permits the Department to define household size in accordance with federal regulations; precludes the Department from exempting any other income or resources from consideration, except as permitted by federal law; requires disproportionate share payments to general hospitals, required by federal regulation, to be considered MA

payments; imposes a .6 percent assessment on MA providers who provide personal care services, the assessment to be paid to the Commissioner of Health who is responsible for administering the funds and making payments to the general fund; and requires that the social services district where a public general hospital is located is responsible for the low income patient adjustments to hospital rates and that the federal share of the MA costs associated with this component of the rate is the only payment by the State for this cost.

Statutes Involved:

Public Health Law - numerous

Social Services Law

Section 365, subd. 10, added

Section 365-a, subd. 7, added

Section 365-g, added

Section 366, subd. 2, para. (a), subparas. 3,5,6,7 and 8, amended

Section 367-i, added

Section 368-a, subd. 1, para (m), added

Mental Hygiene Law

Section 43.04, added

Section 43.06, added

Effective Date:

January 1, 1991, except that the provisions relating to utilization controls expire March 31, 1992, and the provisions relating to disproportionate share payments to general hospitals expire on April 1, 1992.

CHILDREN AND FAMILIES

Chapter 4 - Health Screening of Pregnant Women
and Newborn Infants

[Senate 5440-B by Senator Tully, et al.]

Requires that a pregnant woman be tested for Hepatitis B at the time she is being tested for syphilis. If the tests prove positive, when the infant is born, the attending physician must administer appropriate vaccines to the infant.

Statutes Involved:

Public Health Law
Section 2500-e, added

Effective Date: May 10, 1990

Chapter 48 - Adolescent Pregnancy Prevention
and Services Act

[Assembly 10256-A by Assemblywoman Davis, et al., at
the request of the Governor]

Strengthens the reporting requirements under the Adolescent Pregnancy Prevention and Services Act with respect to at risk youth. This law also makes the Act permanent.

Statutes Involved:

Social Services Law
Section 465, subd. 3, amended
Section 465-a, subd. 1, amended
Section 465-a, subd. 2, opening para., amended
Section 465-c, subd. 1, amended
Section 465-d, repealed
Section 465-e, renumbered 465-d
Section 465-d, amended
L. 1984, C. 974, section 3, amended

Effective Date: March 31, 1990

Chapter 49 - Teenage Services Act
[Senate 7306 by Senator Rolison, et al.]

Provides permanent authority for the operation of the Teenage Services Act (TASA). Gives social services districts the option of providing TASA case management services to persons up to the age of 21.

Statutes Involved:

Social Services Law
Section 409-i, subd. 3, amended
Section 409-j, subd. 4, amended
Section 409-l, amended
Section 409-m, amended
L. 1984, C. 975, section 4, amended

Effective Date: March 31, 1990

Chapter 55 - Child Abuse Prevention Act - Extension
[Senate 7324 by Senator Goodhue]

Extends until June 30, 1991, the provisions of the Child Abuse Prevention Act (CAPA) of 1985. Under CAPA, reports of suspected abuse or maltreatment related to children residing in State Education Department, Division for Youth and Department of Social Services (DSS) licensed facilities are investigated by DSS. Reports of suspected abuse or maltreatment related to children residing in facilities licensed by the Office of Mental Health and the Office of Mental Retardation and Developmental Disabilities are investigated by the Commission on Quality of Care for the Mentally Disabled.

Statutes Involved:

L. 1985, C. 676, section 22, amended
L. 1986, C. 719, section 22, amended
L. 1988, C. 634, section 20, amended

Effective Date: March 31, 1990.

Chapter 66 - School Age Child Care
[Assembly 7332 by Assemblyman Vann et al., at the
request of the Department of Social Services]

Clarifies that school-age child care programs may operate during the summer months. This law also clarifies that such programs and non-school hour child care programs are identical.

Statutes Involved:

Social Services Law
Section 390, subd. 1, para. (d), amended
Section 410-c, subd. 5, paras. (a) and (b), amended

Effective Date: April 6, 1990.

Chapter 140 - Hearings to Return a Child Temporarily
Removed in Child Protective Proceedings
[Senate 7377 by Senator Goodhue, et al.]

Ensures that in a child abuse or neglect proceeding commenced pursuant to Article 10 of the Family Court Act a parent or other person legally responsible for the child's care is not deemed to have waived the right to a hearing to seek the return of a child removed from such person unless there has been a previous hearing before the family court at which the parent or other person legally responsible was present and had the opportunity to be represented by counsel.

Statutes Involved:

Family Court Act
Section 1028, opening para., amended

Effective Date: September 1, 1990.

Chapter 141 - Adjournments in Child Protective Proceedings
[Senate 7378 by Senator Goodhue, et al.]

Clarifies who can move to adjourn child protective proceedings under Article 10 of the Family Court Act after a fact finding hearing has found the child to be abused or neglected but before the dispositional hearing has commenced.

Statutes Involved:

Family Court Act
Section 1048, subd. (b), amended.

Effective Date: September 1, 1990.

Chapter 156 - Availability of Information Maintained by
the Statewide Central Register of Child
Abuse and Maltreatment for Criminal
Investigations or Prosecutions

[Assembly 7335-A by Senator Goodhue, et al., at the
request of the Division of Criminal Justice Services]

Facilitates access by law enforcement personnel to information maintained by the State Central Register of Child Abuse and Maltreatment (SCR) and the child protective services (CPS) of social services districts for use in criminal investigations and prosecutions of subjects of reports maintained by the SCR. "Subject of the report" is defined in Section 412(4) of the SSL to include parents, guardians, custodians and other persons age 18 or older legally responsible for a child as well as day care and residential child care employees.

Statutes Involved:

Social Services Law
Section 422, subd. 4, para. (A), amended

Effective Date: May 17, 1990.

Chapter 165 - Access to Medical Histories
by Adoptive Parents

[Assembly 7391 by Assemblywoman Daniels, et al. at
the request of the Department of Social Services]

Permits an adopted child to request directly and receive, if available, such child's medical history and the medical histories of his or her natural parents.

Statutes Involved:

Social Services Law
Section 373-a, amended

Effective Date: May 21, 1990

Chapter 166 - State Policy in the Planning and
Delivery of Services to Children and Families
[Assembly 7505-A by Assemblyman Vann, et al.]

Establishes a State family policy to guide State and local governments in the planning and delivery of services to children and families. The State family policy is intended to ensure that the planning for and provision of services maximize the support of and strengthen the family structure.

Statutes Involved:

Executive Law
Article 49-a, (Sections 990, 991, 992), added
Section 444, subd. 2, para. (i), relettered, para. (j),
new para. (i), added

Effective Date: May 21, 1990.

Chapter 167 - Adequate Services in Child Protective Proceedings
[Assembly 9099 by Assemblyman Luster, et al.]

Ensures that children and families who are involved in child protective proceedings which have been adjourned in contemplation of dismissal are supervised adequately and receive needed rehabilitative services.

Statutes Involved:

Family Court Act
Section 1039, subd. (d), amended

Effective Date: May 21, 1990.

Chapter 170 - Issuance of Temporary Orders and Emergency
Removal of a Child Without a Court Order in
Child Protective Proceedings
[Assembly 10106-A by Assemblywoman Davis, et al.]

Ensures that a parent or other person legally responsible for the care of a child is afforded adequate notice of the right to counsel where the child has been removed from his or her home in accordance with Article 10 of the Family Court Act.

Statutes Involved:

Family Court Act
Section 1023, amended
Section 1024, subd. (b), para. (iii), amended

Effective Date: September 1, 1990.

Chapter 171 - Preliminary Orders in Child Protective Proceedings
[Assembly 10118 by Assemblyman Vann]

Requires family courts, when ordering the temporary removal of a child from the child's home in child protective proceedings commenced in accordance with Article 10 of the Family Court Act, to set forth specific findings for the removal.

Statutes Involved:

Family Court Act
Section 1022, subd. (a), closing para., added
Section 1027, subd. (b), opening para., amended
Section 1031, subd. (e), added

Effective Date: September 1, 1990.

Chapter 187 - Grounds for Certain Court Orders
In Child Protective Proceedings
[Assembly 10110 by Assemblyman Lopez, et al.]

Requires the family court to state the grounds for dismissal of an abuse or neglect petition brought pursuant to Article 10 of the Family Court Act.

Statutes Involved:

Family Court Act
Section 1051, subd. (c), amended

Effective Date: September 1, 1990.

Chapter 194 - Adjournments in Contemplation of Dismissal
in Child Protective Proceedings
[Senate 7374-B by Senator Goodhue, et al.]

Requires the family court to proceed to a fact-finding hearing no later than 60 days after an application is made to restore to the calendar a child protective matter adjourned in contemplation of dismissal, absent an adjudication by consent or a dismissal of the petition. Such period can be extended by the court for good cause.

Statutes Involved:

Family Court Act
Section 1039, subd. (e), amended

Effective Date: September 1, 1990.

Chapter 205 - Parental Consent to Temporary Removal
of an Abused or Neglected Child
[Assembly 10105 by Assemblyman Clark, et al.]

Requires a copy of the instrument by which a parent or person legally responsible for a child has given consent to the removal of the child from the home to be appended to the petition alleging abuse or neglect of the child and made a part of the permanent court record.

Statutes Involved:

Family Court Act
Section 1021, amended

Effective Date: September 1, 1990.

Chapter 206 - Releasing a Child to the Custody of
a Parent and Supervision of Children in Child Care
[Assembly 10111 by Assemblyman Norman, et al.]

Requires that when a court enters an order of supervision against a respondent in a child protective proceeding, the terms and conditions of such supervision, and the duties and responsibilities of the supervisory agency must be set forth in such order.

Statutes Involved:

Family Court Act
Section 1054, subd. (a), amended
Section 1057, amended

Effective Date: September 1, 1990.

Chapter 253 - Subsidies for the Adoption of
Children Placed by Voluntary Authorized Agencies
[Senate 4132 by Senator Johnson, at the request of
the Department of Social Services

Permits adoption subsidy payments for a child who was placed for adoption by, and whose guardianship was surrendered to, a voluntary authorized agency. The law conforms State statutes to a federal policy pronouncement on adoption assistance issued in 1987.

Statutes Involved:

Social Services Law
Section 451, subds. 1 and 3, amended
Section 451, subd. 4, para. (b), amended
Section 451, subd. 6, added
Section 453, subd. 5, added
Section 454, subd. 1 amended
Section 455, amended
Section 456, subd. 1, amended

Effective Date: June 19, 1990.

Chapter 256 - Instruments Transferring Care and
Custody of Children
[Assembly 11765, by Assemblyman Vann]

Clarifies and adds to the statement of rights and obligations specified in the voluntary placement agreement executed by a parent or guardian when voluntarily transferring care and custody of a child to an authorized agency.

Statutes Involved:

Social Services Law
Section 384-a, subd. 2, para. (c), amended

Effective Date: September 1, 1990.

Chapter 268 - Out of State Service of Process
in a Child Protective Proceeding
[Senate 6897-B by Senator Goodhue]

Authorizes out-of-state service of process in a child protective proceeding involving a child residing in the State.

Statutes Involved:

Family Court Act
Section 1036, amended

Effective Date: September 1, 1990.

Chapter 277 Operation of School Age Child Care Programs
[Senate 8152 by Senator Goodhue, et al.]

Extends indefinitely the operation of school age child care programs. Those programs care for school age children before and after school. The law also changes the name of such programs from "school age child care" to "school age child day care". The law also raises the maximum amount of an award which can be made to such programs from \$10,000 to \$25,000 and allows such awards to be used for expansion costs.

Statutes Involved:

Social Services Law
Section 410-c, subd. 5, paras. (a) and (b), amended
Section 410-cc, added
L. 1984, C. 460, section 2, repealed
L. 1984, C. 460, section 6, amended

Effective Date: June 24, 1990

Chapter 278 - Preventive Services to Families
With Inadequate Housing
[Senate 8276 by Senator Goodhue]

Extends until March 31, 1993, the expiration date of Section 409-a(5) of the Social Services Law. This provision authorizes social services districts to provide cash grants of up to \$300 per month for housing services, including rent subsidies, on behalf of a child or children in foster care when the primary obstacle to discharge from foster care is a lack of adequate housing.

Statutes Involved:

L. 1988, C. 542, section 3, amended

Effective Date: June 24, 1990

Chapter 283 - Placement of Children in
Child Protective Proceedings
[Assembly 10116-A by Assemblyman Vann]

Requires that diligent efforts made by an authorized agency to encourage and strengthen the parental relationship to a child in foster care include

encouraging and facilitating visitation by the parent, other persons legally responsible for the child or, if an order of visitation has been obtained, a non-custodial parent or grandparent. Such diligent efforts may also include encouraging and facilitating visitation by the child's siblings.

Statutes Involved:

Family Court Act
Section 1055, subd. (c), amended

Effective Date: September 1, 1990.

Chapter 303 - Adoption Subsidy
[Senate 4471-A by Senator Johnson, at the request of
the Department of Social Services]

Gives social services districts placing a child eligible for adoption subsidy the discretion of using the board rate of either the placing district or the district in which the adoptive parents reside in determining the amount of adoption subsidy payments.

Statutes Involved:

Social Services Law
Section 451, subd. 4, para. (b), amended

Effective Date: October 28, 1990.

Chapter 316 - Protection of Children who are
Subjects of Child Protective Proceedings
[Senate 7368-A by Senator Goodhue, et al.]

Affords greater protection to children who are the subjects of child protective proceedings under Article 10 of the Family Court Act and who may be at risk of further abuse or neglect. This purpose would be accomplished by requiring law guardians to assume additional responsibilities.

Statutes Involved:

Family Court Act
Section 1075, added

Effective Date: September 1, 1990.

Chapter 317 - Notice of Access to Child Abuse or
Maltreatment Information by a Child's Law Guardian
[Senate 7369 by Senator Goodhue, et al.]

Provides a child's law guardian with notice of and access to child abuse or maltreatment information concerning a respondent in a child protective

proceeding when a dispositional order under Article 10 of the Family Court Act remains in effect.

Statutes Involved:

Family Court Act
Section 1052-a, added
Section 1039-a, added
Social Services Law
Section 422, subd. 4, para. (A), subd. (v), added
Section 424, subd. 14, added

Effective Date: September 1, 1990.

Chapter 318 - Location of Child Involved in
Child Protective Proceeding
[Senate 7370-A by Senator Goodhue, et al.]

Provides the family court with information concerning the status and location of a child who is involved in a child protection proceeding prior to the expiration of a dispositional order or adjournment in contemplation of dismissal.

Statutes Involved:

Family Court Act
Section 1058, added

Effective Date: September 1, 1990.

Chapter 319 - Procedures for the Appointment and
Reimbursement of Law Guardians in Child
Protective Proceedings
[Senate 7372-A by Senator Goodhue, et al.]

Amends the Family Court Act to set forth procedures for the appointment and reimbursement of law guardians in child protective proceedings.

Statutes Involved:

Family Court Act
Section 1016, added

Effective Date: January 1, 1991.

Chapter 320 - Communication Between Judges,
Respondents and Child Protective Agencies
[Senate 7379-A by Senator Goodhue, et al.]

Ensures the protection of children by promoting better communication among judges, respondents, and child protective agencies designated to supervise

such respondents when orders of supervision are issued in child protective proceedings.

Statutes Involved:

Social Services Law
Section 421, subd. 3, closing para., amended

Effective Date: September 1, 1990

Chapter 323 - Reporting by Local Child Protective
Services on Compliance with Dispositional Orders
in Child Abuse and Neglect Proceedings
[Senate 7428-A by Senator Goodhue, et al.]

Authorizes the family court to direct the local child protective services to report on the progress of compliance with the terms of dispositional orders in child abuse and neglect proceedings.

Statutes Involved:

Family Court Act
Section 1039, subd. (c), amended
Section 1053, subd. (c), added
Section 1054, subd. (a), amended
Section 1055, subd. (b), para. (v), amended
Section 1057, amended

Effective Date: September 1, 1990.

Chapter 336 - Initial Appearance Procedures
in Child Protective Proceedings
[Assembly 10112 by Assemblyman Norman, et al.]

Establishes a formal initial appearance proceeding in child protective proceedings in family court in order to make family court procedures more uniform across the State.

Statutes Involved:

Family Court Act
Section 1033-a, added
Section 1033-b, added
Section 1022-a, added

Effective Date: September 1, 1990

Chapter 365 - Site Selection of Group Homes
[Assembly 140 by Assemblyman Weprin, et al.]

Requires authorized agencies planning to operate group homes for children to notify the appropriate municipal official before selecting a site in such municipality.

Statutes Involved:

Social Services Law
Section 374-b, amended
Section 374-c, amended

Effective Date: July 2, 1990

Chapter 376 - Adoption of Children Born Out-of-Wedlock
[Senate 2053-B by Senator Goodhue]

Facilitates the freeing for adoption of children born out-of-wedlock by relieving fathers of such children from support obligations.

Statutes Involved:

Social Services Law
Section 398, subd. 6, para. (f), amended

Effective Date: July 10, 1990

Chapter 479 - Surrender of Custody and
Guardianship of Children in Foster Care
to an Authorized Agency
[Senate 8426-A by Senator Goodhue, at the request
of the Governor]

Allows parents to surrender custody and guardianship of children in foster care to an authorized agency either by appearing in court or by signing an extra-judicial surrender instrument and strengthens procedural safeguards in the surrender process.

Statutes Involved:

Social Services Law
Section 383, subd. 6, repealed
Section 383-c, added
Section 384, amended

Effective Date: January 1, 1991.

Chapter 480 - Surrender of Custody and Guardianship of
Children in Foster Care to an Authorized Agency
[Assembly 12179 by the Committee on Rules]

Amends Chapter 479 of the Laws of 1990 to clarify that the application by an authorized agency to the appropriate court for approval of extra-judicial surrender must be accompanied by affidavits of all the witnesses before whom the surrender was executed and acknowledged. Clarifies that the term "surrender paper" applies exclusively to the surrender of a child for adoption and would provide that a parent's revocation of an extra-judicial surrender must be mailed and postmarked or otherwise delivered to the court named in the surrender.

Statutes Involved:

Social Services Law

- Section 383-c, subd. 4, para. (b), amended
- Section 383-c, subd. 5, para. (f), amended
- Section 383-c, subd. 6, paras. (a) and (b), amended

Effective Date: January 1, 1991.

Chapter 508 - Certification as and Adoptive Parent
[Senate 6845 by Senator Goodhue]

Exempts a step-parent from the requirements of pre-adoptive certification when the step-child has resided with the natural parent and the step-parent for a continuous period of at least one year.

Statutes Involved:

Domestic Relations Law

- Section 115-d, subs. 1 and 6, amended
- Section 115-d, subd. 8, added

Effective Date: July 18, 1990.

Chapter 518 - New York State Rural Human
Services Networking Program
[Senate 7212 by Senator Cook, et al., at the
Request of the Commission on Rural Resources]

Revises the definition of a "rural area" for purposes of determining eligibility for grants provided under the New York State Rural Human Services Networking Program (Program), expands eligibility for such grants to a greater number of service providers in rural areas of the State, and requires that pilot projects approved under this Program be consistent with the provisions of Article 41 of the Mental Hygiene Law.

Statutes Involved:

Social Services Law

Section 464-b, amended

Section 464-d, subd. 4, para. (k), amended

Section 464-d, subd. 4, para. (l) relettered para. (m),
new para. (l), added

Effective Date: July 18, 1990

Chapter 547 - Adoption of Children Brought to the United States
[Senate 8322-A by Senator Goodhue]

Permits a couple or person, who has adopted a child outside the United States, to petition the family court or surrogate's court in their county of residence for re-adoption of such child. The adoption proceeding would proceed as a private placement adoption. Proof of finalization of an adoption outside of the United States would be prima facie evidence of the consent of the birth parent(s) to the adoptive placement.

Statutes Involved:

Domestic Relations Law

Section 115-a, subd. 8, added

Effective Date: July 18, 1990.

Chapter 560 - Law Guardians
[Senate 9004 by Senator Goodhue, et al.]

Amends Chapter 319 of the Laws of 1990 to clarify that nothing limits the authority of the family court to remove a law guardian from an assignment.

Statutes Involved:

Family Court Act

Section 1016, closing para., added

Effective Date: January 1, 1991.

Chapter 577 - Family Offense Proceedings
[Assembly 5096-A by Assemblyman Saland]

Permits each member of a family who is a victim of a family offense committed by the same offender to choose either the family court or criminal court as the forum from which to obtain an individual order of protection or other relief.

Statutes Involved:

Family Court Act
Section 812, subd. 2, para. (e), amended
Section 821, subsd. 2 and 3, amended
Criminal Procedure Law
Section 100.07, amended

Effective Date: November 1, 1990.

Chapter 592 - HIV and AIDS Related Information
[Assembly 8735-A by the Committee on Rules, at the
request of Assemblyman Gottfried, et al.]

Assists in the delivery of legal and programmatic services to foster children by making confidential HIV-related information available to a child's law guardian and by permitting the child's foster parent or prospective adoptive parent to redisclose confidential HIV-related information under circumstances specified by the Department of Social Services. Protects children from unauthorized disclosure of confidential HIV-related information and from unauthorized testing for HIV by expanding the criteria for determining a child's capacity to consent to disclosure and testing.

Statutes Involved:

Public Health Law
Section 2780, subd. 5, amended
Section 2782, subd. 1, para. (p), added
Section 2782, subd. 3, amended
Section 2782, subd. 4, para. (c), amended
Section 2783, subd. 3, opening para. amended

Effective Date: July 18, 1990.

Chapter 605 - Placement of Abandoned Children
[Assembly 9735-A by Assemblyman Vann, at the
request of the Office of Court Administration]

Establishes procedures for a social services district to follow when a child under the age of one year has been abandoned. If no contact has been established by the parents, or persons legally responsible for the child, the social services district is required to initiate an abandonment proceeding after the passage of six months from the date the child was placed with the commissioner of the social services district so that the child may be adopted more quickly.

Statutes Involved:

Family Court Act
Section 1055, subd. (b), para. (vi), added
Social Services Law
Section 384-b, subd. 3, para. (e), amended

Effective Date: October 1, 1990.

Chapter 622 - Orders of Protection in Child
Protective Proceedings
[Assembly 10750 by Assemblyman Vann)

Protects abused and neglected children from impairment or risk of impairment by expanding the family court's authority to issue orders of protection in proceedings brought pursuant to Article 10 of the Family Court Act independent of any dispositional order issued under such Article.

Statutes Involved:

Family Court Act
Section 1056, subd. 1, amended
Section 1056, subd. 4, added

Effective Date: September 1, 1990

Chapter 657 - Neighborhood Based initiatives
[Assembly 12176 by the Committee on
Rules, at the request of Assemblyman Vann, et al.
at the request of the Governor]

Establishes the New York State Neighborhood Based Initiatives Act (the Act). The Act would authorize the establishment of neighborhood based initiatives (NBI) projects to assist neighborhoods experiencing high levels of poverty and other social and health problems to deliver needed services to their residents in a comprehensive and coordinated manner and to develop long range plans to stabilize and improve such neighborhoods. Various State agencies would be responsible for ensuring that that there will be a maximum use of existing resources, services and funds to support the NBI projects and for removing or modifying eligibility and program requirements when necessary and appropriate to remove barriers to needed services.

Provides a mechanism for the State and local communities to test innovative methods for providing rehabilitative and supportive services to individuals and families in distressed neighborhoods and to improve such neighborhoods.

Statutes Involved:

Executive Law
Article 19-L, added
L. 1990, C. 50, section 1, amended

Effective Date: July 18, 1990

Chapter 665 - Transportation to and From School-
Age Day Care Programs
[Senate 5426-A by Senator Goodhue, et al.]

Encourages school districts to offer transportation to and from school-age day care programs by limiting the district's obligation to provide such

transportation to programs within the district's school attendance zones or to licensed or registered day care centers and school-age child care programs located anywhere within the school district.

Statutes Involved:

Education Law

Section 3635, subd. 1, para. (e), amended

Effective Date: July 1, 1991

Chapter 738 - Expansion of Youth Facilities
in Western New York

[Assembly 11718-A by the Committee on Rules,
at the request of Assemblyman Eve, et al.]

Expands the facilities of Gateway Youth and Family Services of Williamsville, New York (Gateway) in order to improve the child care services provided by that agency. Enables the Dormitory Authority (DA) to finance new construction for and expand existing special education facilities of Gateway to meet the needs of children in the western portion of the State.

Statutes Involved:

Public Authorities Law

Section 1676, subd. 2, para. (b), amended

Section 1680, subd. 1, amended

Section 1680, subd. 27, added

Effective Date: July 22, 1990.

Chapter 750 - Registration of Day Care

[Assembly 972-B by Assemblyman Vann, et al., at
the request of the Governor]

Establishes a system of registration of family day care homes, which would shift the focus of the State's involvement from enforcement to support of such day care. This should encourage an increase in the supply of legal family day care and an improvement in the quality of such care. Retains existing limitations on the ability of local municipalities to restrict group family day care and would clarify those limitations and apply them to family day care homes.

Statutes Involved:

Social Services Law

Section 390, repealed, new Section 390, added

Section 390, subd. 13, para. (d), relettered subd. 12, para. (b)

Section 390-b, amended

Section 410-c, subd. 6, added

Section 410-r, subd. 3, added

Section 424-a, subd. 3, amended

Section 424-a, subd. 4, amended

Effective Date: November 19, 1990.

Chapter 854 - Unnecessary Separation of Children
[Assembly 10687-B by Assemblyman Vann, et al.]

Attempts to avoid unnecessary separation of children from their siblings and half-siblings when such children are placed into foster care.

Establishes in law that placement of a child with the child's siblings or half-siblings in the same foster home or foster care facility is in the child's best interest unless the placement would be contrary to the child's health, safety or welfare. Establishes the same presumption concerning visitation and communication between the child and the child's siblings or half-siblings unless such visitation and communication would be contrary to the child's health, safety or welfare or lack of geographic proximity prevents or precludes visitation.

Statutes Involved:

Social Services Law
Section 358-a, subd. 11, added
Section 384-a, subd. 1-a, amended
Family Court Act
Section 1027-a, added
Section 1055, subd. (i), added

Effective Date: September 1, 1990

Chapter 867 - Discovery of Evidence in Child
Protective, Termination of Parental Rights and
Foster Care Proceedings

[Assembly 11659-A by the Committee on Rules, at the
Request of Assemblyman Vann]

Provides that in determining any motion for a protective order under Section 3103 of the Civil Practice Law and Rules, the court must consider the need of the party for discovery of evidence to assist in preparation of the case and any potential harm to the child who is the subject of the proceeding. The court would be required to set a schedule for discovery to avoid unnecessary delay.

Statutes Involved:

Family Court Act
Section 1038, subd. (d), added
Social Services Law
Section 384-b, subd. 3, para. (f), amended
Section 392, subd. 5-b, added

Effective Date: September 1, 1990

Chapter 882 - Start Up Grants for Child Day Care
[Assembly 12111 by the Committee on Rules, at the
request of Assemblyman Vann]

Excludes combined senior citizen services center and child day care center programs or residential health care facility and child day care center programs, known as inter-generational day care centers, from the all day child day care programs which are eligible for start-up grants provided by the Department of Social Services.

Statutes Involved:

Social Services Law
Section 410-cc, amended

Effective Date: June 24, 1990.

RESIDENTIAL FACILITIES

Chapter 204 - Supplemental Security Income for
Aged, Blind, and Disabled Persons Receiving Family Care
[Assembly 9383-A, a Budget Bill submitted by the Governor]

Increases the amount of additional State payments to persons receiving family care, i.e., persons who reside in family type homes for adults certified by the Department of Social Services or family care homes certified by the appropriate office of the Department of Mental Hygiene.

Statutes Involved:

Social Services Law
Section 209, subd. 2, para. (h), added

Effective Date: January 1, 1991.

Chapter 272 - Senior Citizen Services Center/Residential
Health Care Facility/Child Day Care
Center Community Grants Program

[Senate 7490 by Senator Skelos, at the request of
the Office for the Aging]

Extends for two years the authority of the State Office for the Aging (SOFA) to operate the combined senior citizen services center/residential health care facility/child day care center community grants program (intergenerational program). The bill also extends the reporting requirements of the program for two years.

Statutes Involved:

L. 1987, C. 841, section 10, amended
L. 1987, C. 841, section 12, amended

Effective Date: June 24, 1990.

ADULT SERVICES

Chapter 384 - Eligibility of Indian Reservations
for Community Services for the Elderly
[Senate 4793-A by Senator Skelos at the
request of the Office of the Aging]

Authorizes an Indian tribal organization in the State to qualify as an area agency on aging (AAA), and to participate in the State-funded Community Services for the Elderly Program (CSE), including the Expanded In-Home Services for the Elderly Program (EISEP).

Statutes Involved:

Executive Law

Section 541, subd. 1, para. (b), amended
Section 541, subd. 7, added

Effective Date: July 18, 1990

Chapter 482 - Respite Demonstration Program
[Senate 1017-E by Senator Skelos, et al.]

Transfers the administrative responsibility for the respite program from the Department of Social Services to the State Office for the Aging and makes the respite demonstration program permanent.

Statutes Involved:

Social Services Law

Section 131-r, repealed

Executive Law

Section 536-f, added

Public Health Law

Section 2803-f, amended

Section 3617, amended

L. 1981, C. 767, section 7, amended

Effective Date: July 18, 1990.

Chapter 752 - Appointment of a Health Care Agent
[Senate 6176-A by Senator Tully, et al.]

Establishes in statute the right of a competent adult to appoint a health care agent to make decisions about health care treatment for the adult in

the event the adult no longer has the capacity to make such decisions.

Statutes Involved:

Public Health Law
Article 29-c, added

Effective Date: January 18, 1991

CHILD AND SPOUSAL SUPPORT

Chapter 437 - Legal Representation to Persons
Receiving Child Support Enforcement Services
Who are not in Receipt of Public Assistance
[Assembly 10718 by Assemblyman Hill, et al.]

Continues for two years, until April 1, 1992, the Department of Social Services' authority, pursuant to Section 111-b(9) of the Social Services Law, to contract with not-for-profit agencies and legal services corporations to provide legal representation to persons receiving child support enforcement services who are not in receipt of public assistance.

Statutes Involved:

L. 1986, C. 892, Section 34, amended

Effective Date: March 31, 1990

Chapter 502 - Centralized Child Support
Collection and Disbursement Services
[Senate 6388-B by Committee on Rules]

Requires the Department of Social Services (Department), subject to the availability of funds, to furnish centralized child support collection and disbursement services on behalf of each social services district. These services may be provided by the Department or the Department may contract with a fiscal agent to provide such services.

Statutes Involved:

Social Services Law
Section 111-d, amended
Section 111-l, subs. 1 and 11, amended

Effective Date: July 18, 1990

Chapter 601 - Temporary Spousal Support
[Assembly 9549-A by Assemblywoman Weinstein]

Restores the family court's authority to order temporary spousal support pending a final determination, notwithstanding that information with respect to income and assets of the respondent may not be available.

Statutes Involved:

Family Court Act
Section 434-a, added

Effective Date: July 18, 1990

Chapter 818 - Establishment of Paternity and Child
Support; Collection of Child Support
[Senate 9045-A by Committee on Rules, at
the request of the Department of Social Services]

Conforms State law to federal law concerning paternity and child support establishment and the collection of child support.

Statutes Involved:

Civil Practice Law and Rules

Section 5241, subd. (a), para. 10, added
Section 5241, subd. (g), opening para., amended
Section 5242, subd., (f), added

Domestic Relations Law

Section 236, Part B, subd. 7, opening para., designated
para. (a), para. (b), added
Section 236, Part B, subd. 9, para. (c), added
Section 240, subd. 1, amended
Section 240, subd. 1-b, para. (g), amended
Section 240, subd. 1-b, para (l), amended
Section 240, subd. 2, opening para., designated para. (a) and
para.(b), added

Family Court Act

Section 413, subd. 1, para. (g), amended
Section 413, subd. 1, para. (l), amended
Section 418, subd. (a), amended
Section 423, amended
Section 439-a, subd. (a), amended
Section 440, subd. 1, amended
Section 523, amended

Social Services Law

Section 23, subd. 1, para. (c), added
Section 23, subd. 3, amended
Section 111-g, amended
Section 131-a, subd. 8, para. (a), subpara. (v), amended

Tax Law

Section 171-a, subd. 3, opening para. designated para. (a),
new para. (b), added
Section 697, subd. (e), para. 3, amended

Effective Date: July 25, 1990

HOMELESS HOUSING

Chapter 215 - Homeless Housing and Assistance Corporation

[Assembly 11872-A by the Committee on Rules at
the request of the Governor]

Establishes a public benefit corporation known as the Homeless Housing and Assistance Corporation. The Corporation would promote affordable home ownership and low income housing to the people of the State.

Statutes Involved:

Private Housing Finance Law

- Section 45-a, subd. 10, amended
- Section 45-c, added
- Section 47, subds. 1 and 2, amended
- Section 47-e, amended
- Section 59-a, amended
- Section 59-i, added

Social Services Law

- Section 44, subd. 8, added
- L. 1988, C. 261, section 32, Sections 1, 3, 4, and 5, amended
- L. 1990, C. 54, section 1, amended
- L. 1990, C. 54, section 3, amended

Effective Date: June 8, 1990.

Chapter 216 - Aid to Municipalities

[Assembly 11880 by the Committee on Rules at
the request of the Governor]

Changes the amount of appropriations given to local municipalities in dealing with the homeless housing program.

Statutes Involved:

- L. 1990, C. 53, section 1, amended
- L. 1990, C. 53, section 2, amended
- L. 1989, C. 53, section 1, amended
- L. 1988, C. 53, section 1, amended
- L. 1987, C. 53, section 1, amended
- L. 1986, C. 53, section 1, amended
- L. 1985, C. 53, section 1, amended
- L. 1984, C. 53, section 1, amended

Effective Date: April 1, 1990

Chapter 370 - Low Income Housing Trust Fund
[Assembly 11891 by the Committee on Rules]

Makes permanent Chapter 252 of the Laws of 1989 which allows the Division of Housing and Community Renewal to use one contract for housing projects which are being funded by more than one program.

Statutes Involved:

L. 1989, Chapter 252, sec. 2, amended

Effective Date: July 3, 1990

Chapter 374 - Five Year Plan to Relieve Homelessness
in the City of New York
[Senate 702-B by Senator Smith, et al.]

Requires the Mayor of the City of New York to provide to the Legislature and the Governor by February 14 of each year, a copy of the City's revised and updated five year plan to relieve homelessness in the City.

Statutes Involved:

Social Service Law
Section 79, added

Effective Date: July 10, 1990

Chapter 713 - Public Housing Drug Elimination Pilot Project
[Assembly 8474-A by the Committee on Rules at
the request of Assemblyman Grannis, et al.]

Creates a Public Housing Drug Elimination Pilot Program. Under such program the Commissioner of the Division of Housing and Community Renewal would be authorized to make grants to public housing agencies or authorities for the purpose of eliminating drug-related crime in public housing projects.

Statutes Involved:

Public Housing Law
Article XII, added

Effective Date: November 19, 1990

Chapter 828 - Financing Non-Profit Housing and
Health Facilities and Housing and Non-
Profit Health Facilities

[Senate 5193-A by Senator Tully at the request of
the Medical Care Facilities Finance Agency]

Authorizes the New York State Medical Care Facilities Finance Agency (MCFFA) and the New York State Housing Finance Agency (HFA) to finance combined residential, intermediate care and skilled nursing facilities in conjunction with the financing of hospitals or nursing homes on a multi-purpose campus.

Statutes Involved:

L. 1973, C. 392, Section 2 of Section 1, amended

Medical Care Facilities Finance Agency Act

Section 3, subd. 21, added

Section 5-d, added

Private Housing Finance Law

Section 41, subd. 11, added

Section 42, subd. 25, added

Section 44, subd. 30, renumbered subd. 31, new subd. 30, added

Effective Date: July 25, 1990

DISABLED

Chapter 144 - Study of the Needs of Persons with Severe
Physical Disabilities and Normal Intelligence
[Assembly 9857 by Assemblywoman Connelly]

Directs the Commissioner of the Office of Mental Retardation and Developmental Disabilities to undertake a study of the financing, regulatory and technological barriers which hinder the development of residential and day programs specifically designed to address the needs of developmentally disabled persons with severe physical deficiency and normal intelligence.

Statutes Involved:

None

Effective Date: May 14, 1990

Chapter 770 - Legal Services to the Disabled
[Assembly 10760-A by Assemblyman Gottfried, et al. at
the Request of the Department of Social Services]

Extends until July 1, 1992, the Department of Social Services, grant program for legal services to the disabled. This program provides legal advocacy and related services to disabled persons who have been deprived of federal Social Security disability benefits.

Statutes Involved:

Social Services Law
Section 35, subd. 1, para. (a), amended
L. 1983, C. 627, Section 4, amended

Effective Date: July 25, 1990

ADMINISTRATIVE PROCEDURES

Chapter 2 - Access to Records of Health Assessments
[Assembly 6602-A by Assemblyman Gottfried, et al.]

Includes health assessment information within the definition of patient information in Section 18 of the Public Health Law. This Section requires health care providers to release information to patients or health care facilities if such information concerns such patients. The amendment clarifies the type of information which is subject to release.

Statutes Involved:

Public Health Law
Section 18, subd. 1, para (e), amended

Effective Date: February 5, 1990

Chapter 73 - New York State Equal Access to Justice Act
[Senate 7393 by Senator McHugh]

Amends the Civil Practice Law and Rules to correct a reference to federal law in the "New York State Equal Access to Justice Act" and to clarify that a court can award fees and expenses to a prevailing party under the Act, rather than the prevailing plaintiff or petitioner.

Statutes Involved:

Civil Practice Law and Rules
Section 8600, amended
Section 8601, amended

Effective Date: April 1, 1990

Chapter 304 - Eligibility Verification Procedures
[Senate 4999-A by Senator Rolison, at the
request of the Department of Social Services]

Amends various sections of the Social Services Law to conform income eligibility verification procedures in the Food Stamp, Aid to Dependent Children, and federally funded Medicaid programs to federal requirements, particularly those set forth in Section 1137 of the federal Social Security Act.

Statutes Involved:

Social Services Law

Section 20, subd. 3, paras. (g) and (h), amended
Section 20, subd. 3, para. (i), added
Section 23, subds. 1 and 3, amended
Section 132, subd. 3, amended
Section 134-a, subd. 1, amended
Section 134-a subd. 4, added
Section 366-a, subd. 8, added

Tax Law

Section 171-a, subd. 3, amended
Section 697, subsection (e), para. 3, amended
L. 1978, C. 545, section 7, amended

Effective Date: December 27, 1990.

Chapter 390 - Division of Substance Abuse Services

[Senate 6899-A by Senator Libous, et al.]

Directs the Director of the Division of Substance Abuse Services to conduct a study and formulate in a report recommendations for the revision of the statutes governing the activities of the Division. It further directs the Director to prepare a second report concerning the delivery of substance abuse services. Both reports were due to the Legislature and Governor by January 1, 1991.

Statutes Involved:

None

Effective Date: July 10, 1990

Chapter 536 - Community Services Block Grant Program

[Senate 7713 by Senator Volker, et al.]

Extends the Department of State's authority to administer the Community Services Block Grant Program for one additional year until September 30, 1991.

Statutes Involved:

Executive Law

Section 159-i, amended
L. 1982, C. 728, section 5, amended
L. 1983, C. 710, section 7, amended

Effective Date: July 18, 1990

Chapter 563 - Construction of Veterans' Homes
[Assembly 11043 by Assemblyman Catapano, et al., at
the request of the Governor]

Provides for the financing of the acquisition, design, and construction of a veterans' home in New York City.

Statutes Involved:

Public Authorities Law
Section 1680, subd. 2, para. (a), amended
Public Health Law
Section 403, amended
Section 403-b, added
Section 409-a, added
Section 2630, amended
Section 2631, amended
Section 2633, amended

Effective Date: July 18, 1990.

Chapter 575 - Hearing and Determination of Article 78 Procedures
[Assembly 4248 by Assemblyman Zaleski]

Requires the Supreme Court, in proceedings brought under Article 78 of the Civil Practice Law and Rules, to dispose of any objections including, but not limited to, lack of jurisdiction, statute of limitations and res judicata, without reaching any substantial evidence issues, where such disposition could terminate the proceedings.

Statutes Involved:

Civil Practice Law and Rules
Section 7804, subd. (g), amended

Effective Date: January 1, 1991

Chapter 583 - Out-of-State Pharmacy Participation
Elderly Pharmaceutical Insurance Coverage (EPIC)
[Assembly 6433-B by Assemblyman Luster, et al]

Authorizes the Executive Director of the EPIC panel to approve as provider pharmacies under the EPIC program certain out-of-State pharmacies located in states contiguous to this State.

Statutes Involved:

Executive Law
Section 547-a, subd. 2, amended
Section 547-m, added

Effective Date: July 18, 1990

Chapter 829 - Elderly Pharmaceutical Insurance
Coverage Program (EPIC)

[Assembly 7337-B by Assemblyman Harenberg, et. al.,
at the request of the Governor]

Simplifies and revises the structure of the EPIC. The permissible income levels for program eligibility would be increased for the first time since enactment of the program in 1986. Additionally, fees would be replaced by a one-time \$10 application fee. Further, the point of sale co-payment schedule would be replaced by a simplified two element co-payment structure - \$6.00 for each purchase of a covered drug costing \$29.99 or less and \$15.00 for each purchase of a covered drug costing \$30.00 or more. For those elderly persons who incur substantial personal drug expenditures which are not reimbursed by any other third party payment source, the existing, complex deductible schedule would be replaced by a single \$150.00 deductible amount. After an eligible person satisfied the deductible amount, the EPIC program would participate in the cost of covered drugs purchased by that person for the remainder of the annual coverage period. Co-payment amounts also would be subject to adjustment by the EPIC panel, a policy-making body established under Section 547-d of the Executive Law, to reflect increases in average wholesale prices or the prescription drug component of the consumer price index, as well as the relative financial capacity of the State. The expiration date for the program would be extended from September 30, 1992 to September 30, 1996.

Statutes Involved:

Executive Law

Section 547-a, subds. 1 and 6, amended
Section 547-b, subds. 1 and 2 amended
Section 547-c, subd. 1, and para. (c) of subd. 2, amended
Section 547-d, subds. 2 and 4, amended
Section 547-d, subd. 3 and paras. (g) and (h) of subd. 5, amended
Section 547-e, opening para. amended
Section 547-e, subd. 4, added
Section 547-g and 547-h, repealed, new Sections 547-g
and 547-h added

Effective Date: April 1, 1991; the provisions concerning the EPIC panel took effect July 25, 1990.

Chapter 888 - Veteran Outreach Center

[Senate 6772-B by Senator Lombardi, et al.]

Provides for a demonstration program within the Division of Veterans' Affairs for veterans' outreach centers.

Statutes Involved:

Executive Law

Section 353, subd. 15, added
Section 361-a, added

Effective Date: January 1, 1991

MISCELLANEOUS

Chapter 190 - Miscellaneous Amendments to
Consolidated Laws in Relation to
Generating Income for the State
[Assembly 11693 by the Committee on Rules]

Authorizes the Department of Social Services (Department) to charge a \$5.00 fee for searching the records of the State Central Register of Child Abuse and Maltreatment to determine whether an applicant for employment is the subject of an indicated child abuse or maltreatment report; authorizes the Department to enforce administrative determinations against medical assistance (MA) providers in the same manner as judgments duly docketed in a county clerk's office; authorizes the Department to require the payment of a monetary penalty as restitution to the MA program by any person who fails to comply with standards of the MA program or of generally accepted medical practice in a substantial number of cases; requires the Department to establish payment levels for multi-source prescription drugs consistent with federal law and regulations; authorizes the Department to require certain MA providers to provide financial security to assure that funds are available to repay any overpayments made to the provider under the MA program; requires the Commissioner of the Department of Health to establish trend factors for reimbursable costs of residential health care facilities, such trend factors to project for the effect of inflation.

Statutes Involved:

Social Services Law		
Section 424-a, subd. (1), para. (f) added		257
Section 145-a, added		376
Section 145-b, subd. (4), added		377
Section 367-a, subds. (9) and (10), added		378
Public Health Law		
Section 2808, subd. (9), added		379

Effective Date:

May 25, 1990, except that Section 378 (payment level for drugs and financial security) took effect July 1, 1990 and Section 379 (trend factors) expires on December 31, 1993.

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7804, subd. (g), amended	575	45
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115-d, subd. 8, added	508	27
236, Part B, subd. 7, opening para., designated para. (9), para., (b) added	818	38
236, Part B, subd. 9, para. (c), added	818	38
240, subd. 1, amended		
240, subd. 1-b, para. (g), amended	818	38
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240, subd. 2, opening para., designated para. (a), para. (b), added	818	38
Economic Development Law		
200, subd. 6, amended	435	2
201, subd. 2, paras. (b) and (e), amended	435	2
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680, subd. 3, added	453	2,3
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444, subd. 2, para. (i), relettered para. (j), new para. (1) added	166	18

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361-a, added	888	46
353, sub. 15, added	888	46
536-f, added	482	35
541, subd. 1, para. (6), amended	384	35
541, subd. 4, para. (j), amended	851	10
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547-a, subd. 1, amended	829	46
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547-e, opening para., amended	829	46
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413, subd. 1, para. (g), amended	818	38
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1022, subd. (A), closing para., amended	171	19
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1027, subd. (b), opening para., amended	171	19
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1051, subd. (c), amended	187	19,20
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599, subd. 2, paras. (a) and (b), amended	233	1
754, subd. (1), amended	453	2,3

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33.08, subsd. (b) and (c), para. 3, amended	855	10,11
43.04, added	938	13,14
43.06, added	938	13,14

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235-a, amended	517	3,4
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5, subsd. 10-e and 12-b, added	295	6
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2782, subd. 1, para. (p), added	592	29
2782, subd. 3, amended	592	29
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2783, subd. 3, opening para., amended	592	29
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59-i, added	215	39

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23, subd. 1, para. (c), added	818	38
23, subd. 3, amended	818	38
20, subd. 3, paras. (g) and (h) amended	304	43, 44
20, subd. 3, para. (i), added	304	43, 44
23, subds. 1 and 3, amended	304	43, 44
35, subd. 1, para. (a), amended	770	42
44, subd. 8, added	215	39
79, added	374	40
111-d, amended	502	37
111-g, amended	818	38
111-h, subds. 1 and 11, amended	502	37
131, subd. 5, amended	453	2, 3
131, subds. 6 and 7-a, repealed	453	2, 3
131-a, subd. 6, renumbered 5	453	2, 3
131-a, subd. 5, para. (d), amended	453	2, 3
131-a, subd. 5, para. (f), added	453	2, 3
131-a, subd. 6, added	453	2, 3
131-a, subd. 8, para. (a), subpara. (v), amended	818	38
131-l, added	517	3, 4
131-n, opening para. designated subd. 1, subd. 2, added	817	4
131-o, subd. 1, paras. (a)-(d), amended	685	4
131-r, repealed	482	35
132, subd. 3, amended	304	43, 44
134-a, subd. 1, amended	304	43, 44
134-a, subd. 4, added	304	43, 44
145-a, added	190	47
145-b, subd. 4, added	190	47
153, subd. 1, para. (i), repealed	453	2, 3
153, subd. 13, added	453	2, 3
153, subd. 14, added	453	2, 3
159-a, repealed	453	2, 3
159-b, repealed	453	2, 3
162, repealed	453	2, 3
164-a, repealed	453	2, 3
164-b, repealed	453	2, 3
164-c, repealed	453	2, 3
166, repealed	453	2, 3
209, subd. 2, paras. (a)-(g), amended	685	4
209, subd. 2, para. (h), added	204	34
210, subd. 1, amended	685	4
212, subd. 3, amended	332	2
300, subd. 1, amended	44	1
360-b, repealed	453	2, 3
350-c, repealed	453	2, 3
350-d, repealed	453	2, 3
350-e, repealed	453	2, 3
350-f, repealed	453	2, 3
350-g, repealed	453	2, 3
350-h, repealed	453	2, 3
350-i, repealed	453	2, 3

Social Services Law (Cont.)

350-k, repealed	453	2,3
350-l, repealed	453	2,3
350-m, repealed	453	2,3
364-k, subd. 1, amended	795	10
365, subd. 10, added	938	13,14
365-a, subd. 7, added	938	13,14
365-f, repealed, new 365-f. added	386	7
365-g. added	938	13,14
366, subd. (2), para. (a) subparas. 3, 5, 6, 7 and 8, amended	938	13,14
366, subd. (2), para. (a), subpara. 10 clause (ii), amended	855	10,11
366, subd. 4, para. (a), amended	453	2,3
366, subd. 4, para. (b), repealed, new para. (b) added	453	2,3
366, subd. 4, para. (p), added	651	9
366, subd. 6, amended	549	8
366-a, subd. 8, added	304	43,44
367-a, subd. 3, para. (a), amended	651	9
367-a, subd. 3, para. (c), added	651	9
367-a, subds. (9) and (10), added	190	47
367-i, added	938	13,14
368-a, subd. 1, para. (m), added	938	13,14
373-a, amended	165	18
374-b, amended	365	25,26
374-c, amended	365	25,26
383-c, subd. 4, para. (b), amended	480	27
383-c, subd. 5, para. (f), amended	480	27
383-c, subd. 6 paras. (a) and (b), amended	480	27
383, subd. 6, repealed	479	26
383-c, added	479	26
384, amended	479	26
384-a, subd. 2, para. (c), amended	256	21
384-b, subd. 3, para. (e), amended	605	29,30
390, subd. 1, para. (d), amended	66	16,17
390 repealed, new 390, added	750	31,32
390, subd. 13, para. (d), relettered subd. 12, para. (b)	750	31,32
390-b, amended	750	31,32
398, subd. 6, para. (f), amended	376	26
409-i, subd. 3, amended	49	16
409-j, subd. 4, amended	49	16
409-l, amended	49	16
409-m, amended	49	16
410-c, subd. 5, paras. (a) and (b), amended	66	16,17
410-c, subd. 5, paras. (a) and (b), amended	277	22
410-c, subd. (6), amended	750	31,32
410-r, subd. 3, added	750	31,32
410-cc, added	277	22
410-cc, amended	882	33
421, sub. 3, closing para., amended	320	24,25
422, subd. 4, para (a), subd. (v), added	317	23,24
422, subd. 4, para. (A), amended	156	17,18
424, subd. 14, added	317	23,24

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424-a, subd. 1, para. (f), added	190	47
424-a, subd. 3, amended	750	31,32
424-a, subd. 4, amended	750	31,32
451, subd. 4, para. (b), amended	303	23
451, subds. 1 and 3, amended	253	21
451, subd. 4, para. (b), amended	253	21
451, subd. 6, amended	253	21
453, subd. 5, amended	253	21
454, subd. 1, amended	253	21
455, amended	253	21
456, subd. 1, amended	253	21
464-b, amended	518	27,28
464-d, subd. 4, para. k, amended	518	27,28
464-d, subd. 4, para. l, relettered		
para. m, new para. l added	518	27,28
465, subd. 3, amended	48	15
465-a, subd. 1, amended	48	15
465-a, subd. 2, opening para. amended	48	15
465-c, subd. 1, amended	48	15
465-d, repealed	48	15
465-e, renumbered 465-d	48	15
465-d, amended	48	15

Tax Law

171-a, subd. 3, amended	304	43,44
171-a, subd. 3, opening para designated		
para. (a), new para. (b), added	818	38
697, subsec. (e), para. 3, amended	304	43,44
697, subd. (e), para. 3, amended	818	38

Unconsolidated Laws

L. 1973, C. 392, sec. 1, sec. 3, subds. 6-A, and 12, amended	262	6
L. 1973, C. 392, sec. 1, sec. 3, subd. 22, added	295	6
L. 1973, C. 392, sec. 1, sec. 7, subd. 1, para. (b), amended	765	9
L. 1973, C. 392, sec. 1, sec. 7-A, subd. 5, amended	475	8
L. 1973, C. 392, sec. 2 of sec. 1, amended	828	41
L. 1974, C. 1081, sec. 5, amended	44	1
L. 1975, C. 198, sec. 14, amended	44	1
L. 1975, C. 482, sec. 9, amended	44	1
L. 1978, C. 198, amended	479	26
L. 1978, C. 198, sec. 4, amended	462	7
L. 1978, C. 545, sec. 7, amended	304	43,44
L. 1981, C. 767, sec. 7, amended	482	35
L. 1982, C. 602, sec. 2, amended	45	5
L. 1982, C. 728, sec. 5, amended	536	44
L. 1983, C. 627, sec. 4, amended	770	42

Unconsolidated Laws

L. 1983, C. 710, sec. 7, amended	536	44
L. 1984, C. 321, sec. 6, repealed	453	2,3
L. 1984, C. 460, sec. 2, repealed	277	22
L. 1984, C. 460, sec. 6, amended	277	22
L. 1984, C. 974, sec. 3, amended	48	15
L. 1984, C. 975, sec. 4, amended	49	16
L. 1985, C. 676, sec. 22, amended	55	16
L. 1986, C. 629, sec. 3, amended	299	7
L. 1986, C. 719, sec. 22, amended	55	16
L. 1986, C. 892, sec. 34, amended	437	37
L. 1987, C. 689, repealed	453	2,3
L. 1987, C. 841, sec. 10, amended	272	34
L. 1987, C. 841, sec. 12, amended	272	34
L. 1988, C. 261, sec. 32, sec. 1, 3, 4, and 5, amended	215	39
L. 1988, C. 542, sec. 3, amended	278	22
L. 1988, C. 634, sec. 20, amended	55	16
L. 1988, C. 703, sec. 1, sec. 4, subd 11, amended	143	5
L. 1988, C. 703, sec. 11, subd. (c), amended subd. (c), amended	143	5
L. 1988, C. 703, sec. 15, amended	143	5
L. 1989, C. 77, sec. 7, repealed	453	2,3
L. 1989, C. 252, sec. 2, amended	370	40
L. 1989, C. 717, sec. 4, amended	242	5,6
L. 1990, C. 50, sec. 1, amended	657	30
L. 1990, C. 54, sec. 1, amended	215	39
L. 1990, C. 54, sec. 3, amended	215	39