



Prioritizing the Needs of Children, Youth and Families: New York State Budget and Legislative Priorities

FY 2022 - 2023

WHAT'S AT STAKE

The COVID-19 pandemic has compromised the health, safety and stability of our families, highlighting and exacerbating existing inequalities and disproportionately impacting children, youth and families of color. As our communities continue to navigate the COVID crisis across New York State, we must seize this moment to center the needs of the youngest New Yorkers and to build a bold new vision for marginalized children, youth and families to thrive.

RACIAL JUSTICE

Require Racial and Ethnic Impact Statements for All Legislation and Rule-Making

New York's pervasive racial and ethnic disparities must be addressed through systemic change. **Our State can lead the nation in aiming towards equity in all policies by no longer passing legislation or adopting rules without first examining whether or not these policies will create, eliminate, or perpetuate racial and ethnic disparities.** Legislation currently on the table in our State does not provide a holistic solution to this urgent issue. New York should adopt a requirement that *all* bills and amendments to bills in the legislature and *all* proposed rules be accompanied by racial and ethnic impact statements at the time of introduction, and prohibit the passage of bills or rules that increase racial or ethnic disparities.

ECONOMIC MOBILITY

Reform New York's Tax Code to End Child Poverty in New York State

New York must reform its tax code to reduce child poverty, promote racial equity and move more families towards economic security. Our State must bolster the **Empire State Child Credit** by: (1) expanding it to include children under 4 as well as 17-year-olds, (2) increasing the value of the credit to \$1,000 for young children and \$500 for older children, and (3) making the full credit available to New York's lowest-income families by ending both the exclusion of families with incomes under \$3,000 and the gradual phase-in for the lowest income families. New York must also expand the **Earned Income Tax Credit** (EITC) by: (1) raising the state's match from 30 percent to 45 percent of the federal program, (2) extending the EITC to childless workers under age 25, and (3) making the EITC available to more immigrant New Yorkers by adjusting filing requirements to mimic those of the Empire State Child Credit.

Swiftly Implement the Child Poverty Reduction Act

The recent signing of the Child Poverty Reduction Act (S. 2755C Ramos / A. 1160C Bronson) into law lays a strong foundation towards ending child poverty in New York by making a public commitment to cut our State's child poverty rate in half within ten years and establishing a Child Poverty Reduction Advisory Council to develop a plan towards achieving this goal. **CDF-NY urges the State to move swiftly in implementing the law and establishing the Advisory Council, so that it can begin to issue recommendations to move the needle on child poverty in New York. CDF-NY also urges the State to prioritize appointing impacted people - including impacted young persons - to its Child Poverty Reduction Act Advisory Council.**

HEALTH JUSTICE

End Childhood Lead Poisoning in New York

New York has more children with elevated blood lead levels than any other state. Lead exposure rates in some parts of New York are 5 to 6 times higher than those in Flint, Michigan at the height of its lead crisis, with poor children and children of color disproportionately impacted by lead exposure and poisoning. To reduce lead exposure, New York must:

1. Enact and fund proactive rental inspections to find lead hazards before they harm children
2. Establish minimum maintenance standards for lead hazards in housing
3. Adopt a state Renovation, Repair and Painting (RRP) rule (S. 6554 Bailey / A. 7117 Bronson)
4. Require testing for lead before homes are sold (S. 2142-A Kavanagh / A. 6608-A Rivera)
5. Prohibit insurance carriers from excluding coverage for lead exposure from landlord liability policies (S. 3079 Ryan / A. 7488 Rivera)
6. Pass Dakota's Law (S. 5024-B Rivera / A. 7325-A Peoples-Stokes) with data collection improvements

New York must make bold investments to combat childhood lead poisoning. **Our State must allocate \$1 billion in the FY 2022-2023 State Budget for lead poisoning elimination** and appropriate this fund as follows:

1. \$100 Million for LeadWeb Expansion and Program Oversight | Department of Health
2. \$200 Million for Local County Lead Prevention Program | Department of Health
3. \$500 Million for the Lead Repair/Renovation Program | Division of Housing and Community Renewal
4. \$60 Million for the Lead/Environmental Threat Elimination Training Program | Department of Labor
5. \$100 Million Lead/Environmental Hazard Program | Department of Labor
6. \$40 Million Lead/Environmental Threat Elimination Training Program | State University of New York Community Colleges

Additionally, the State must direct the Department of Health to submit a Children's Health Insurance Program (CHIP) State Plan Amendment (SPA) establishing a Health Service Initiative (HSI) leveraging \$25 million in lead poisoning prevention funds to draw down \$50 million in federal matching funds, making \$75 million available.

Expand Health Coverage for Children and Families

Despite the coverage gains our State has made in recent years, too many New York families still lack affordable and comprehensive health coverage. Furthermore, coverage options remain fragmented and confusing. Today, over 100,000 New York children remain uninsured. While most of these children are eligible for coverage, families are often unaware of their options or afraid to seek coverage because of their immigration status. New York has numerous policy options to overcome these barriers, not the least of which is passage of the **New York Health Act** (S. 5474 Rivera / A. 6058 Gottfried), which will provide universal coverage for all New Yorkers. Health coverage for children and families could also be improved by:

- Extending post-pregnancy Medicaid coverage to one year for all women *regardless of their immigration status* (S. 1411A Rivera / A. 3079A Gottfried)
- Allocating \$13 million to create a temporary state-funded Essential Plan for New Yorkers up to 200 percent of the Federal Poverty Level who have had COVID-19 and are excluded from coverage due to immigration status. By doing so, our State can cover over 5,000 uninsured New Yorkers who have suffered directly from the pandemic and may require ongoing care to fully recover and provide for their families.
- Increasing the health insurance navigator budget from \$27.2M to \$32M to guarantee high-quality enrollment services and provide an additional \$5M for community-based organizations to educate consumers about coverage options, particularly amidst a rise in insurance churn as unemployed New Yorkers seek out health coverage.
- **Eliminating the \$9 premium for Child Health Plus enrollees whose families earn below 250 percent of the Federal Poverty Level and expanding Child Health Plus benefits to ensure the children who use it receive all the care they need.** Benefits that should be added include medically necessary orthodontia, Children and Family Treatment and Support Services, expanded services for undocumented children in foster care, and emergency ambulance transportation and medical supplies.
- Implementing continuous Medicaid eligibility for infants in their first three years of life.

Assess Equity, Access and Quality of Telehealth Service Provision

Telehealth holds great potential to improve access to critical health services during the pandemic and beyond, particularly for New Yorkers facing barriers to in-person visits and those living in areas with provider shortages. **As New Yorkers of all ages increasingly turn to telehealth, it is incumbent upon our State to ensure equity, access and quality in telehealth service provision, particularly for our Black and Brown communities who are disparately affected by the digital divide and for vulnerable youth in need of behavioral health services who may not be receiving them via telehealth for a variety of reasons.** Accordingly, CDF-NY urges the Legislature to provide funding in the FY 2022-2023 Budget for an independent evaluation of the equity, access and quality of telehealth services being delivered to New Yorkers, particularly for behavioral health services.

Establish a Black Youth Suicide Prevention Task Force

We must respond to the increasing mental health needs of young people, including what the American Academy of Pediatrics has called “a state of emergency” and the Surgeon General has called a “crisis” in adolescent mental health. **New York must bolster mental health supports and increase investments in suicide prevention resources for Black youth, who are a high-risk suicide population in our State.** S. 3408 Brouk / A. 1716 Jean-Pierre would establish a Black Youth Suicide Prevention Task Force in New York to examine mental health practices and improve suicide prevention resources for Black youth ages 5 through 18.

Support School-Based Health Services

\$5M in permanent funding is needed to restore FY 2018-19 cuts to New York’s **school-based health centers (SBHCs)**, which provide critical health services to students in medically underserved communities, thereby improving both health and educational outcomes.

Expand the Population of Students Receiving Medicaid-Covered School Health Services

To provide critical health services to New York’s most vulnerable children and to take full advantage of federal Medicaid reimbursement, our State should amend its Medicaid State Plan so that **public schools can become**

approved locations where health services can be provided to *all* Medicaid-enrolled students, not just to students with Individualized Education Programs (IEPs).

YOUTH JUSTICE

Pass the Youth Justice and Opportunities Act (S. 5749A Myrie / A. 3536A O'Donnell)

This bill would expand youthful offender protections under existing law to young people through the age 25, providing more adolescents and emerging adults with opportunities to avoid the life-long barriers that result from criminal convictions. These include educational and employment opportunities, reductions in lifetime earnings, and housing instability. Given the enormous racial disparities in arrest, prosecution and incarceration among young adults in New York State, these consequences are particularly devastating for Black, Latinx and other communities of color. This is a community health and racial justice issue.

Pass the Right to Remain Silent Juvenile Interrogation Act (S. 2800B Bailey / A. 5891B Joyner)

Youth under 18 are uniquely vulnerable to making an unknowing, unintelligent, or involuntary waiver of their *Miranda* rights and of providing unreliable confessions. Under current New York law, children and adolescents are expected to understand and exercise their rights on their own, despite research showing that, even under the best of circumstances, youth have difficulty understanding these rights, especially under the stress of an adult interrogator. **This bill provides additional safeguards to protect the Constitutional rights of children, defining when the police must contact the youth's parent or guardian, and requiring that a youth subjected to custodial interrogation first consult an attorney.**

EDUCATION JUSTICE

Pass the Solutions Not Suspensions Act (S. 7198 Jackson / A. 5197 Nolan)

School districts throughout New York state over-utilize exclusionary discipline practices, including suspensions and classroom removals. These punitive practices have a disproportionate impact on students of color and students with disabilities. **This legislation will end the over-reliance on suspensions and establish a framework to instead use proven trauma-informed and restorative approaches to address inappropriate behavior. Students will be held accountable for their behaviors through age-appropriate, graduated, and proportionate responses.** It would limit the use of suspensions for students in kindergarten to 3rd grade, shorten the maximum length of suspensions from one year to 20 school days, and require school districts to provide suspended students with alternate instruction so that they don't fall behind academically.

Equitable Universal Access to High Quality Child Care & Higher Pay for Child Care Workers

Our child care system is in crisis, which means that our economic system is in crisis. Access to child care is an economic issue, education issue and a gender issue. For far too long, child care workers - who are predominantly women of color - have been underpaid and underappreciated. Child care plays an essential role in developing the minds of children and in enabling parents to work outside of the home, which impacts a family's income and ability to generate wealth. Unfortunately, even before the COVID-19 pandemic, child care could cost families up to 15,000 per year, which was cost prohibitive. Families should not have to decide between their children having access to high quality child care and having to meet other essential life needs, like housing, clothing and food. **New York must treat child care as a fundamental need and essential service and make the necessary investment to move New York State towards universal child care in ways that honors the dignity of child care workers.**

CHILD WELFARE

Budget Advocacy: Establish the Children and Families Reinvestment Act (Hevesi / Brisport)

To achieve a final enacted FY2023 state budget that centers children, youth, and families in communities, this proposal: **infuses funds directly into chronically underfunded prevention and support programs; establishes a new flexible funding stream to support innovative approaches to child wellbeing and position New York as a national leader; and creates a universal child care system.**

Budget Advocacy: Re-Authorize Essential Child Welfare Funding and Invest 65% State Support for Preventive Services

New York State currently invests state dollars in services for families to avoid deeper child welfare system involvement and to support children remaining safely in their homes. The enabling legislation for this important investment in family support (SSL 153-k) is subject to a sunset provision this year, and New York State must reauthorize the statute and restore state funding at 65% to meet the full potential of its purpose by budgeting for the state share for these costs. In the state statute, the requirement is 65% funding, yet since 2008, the state has consistently reduced its share of reimbursement for these essential services to 62% each year—forcing counties to absorb a larger share of costs of serving families. **The FY2023 state budget must restore the reimbursement rate required under the original law.**

Budget Advocacy: Create Independent Funding For KinGAP So More Children Live With Family

The trauma that children separated from their family and placed in foster care experience can be mitigated when they are placed with relatives or someone with whom they have an existing relationship. The Kinship Guardianship Assistance Program (KinGAP) provides long-term support so children can leave foster care and live with their kin. As more children in foster care are placed with relatives, KinGAP will become an increasingly important resource for achieving permanency. There is a clear opportunity to expand the use of KinGAP across the state. To do this, New York should fund KinGAP outside of the Foster Care Block Grant. **To provide an avenue to permanency with kin for more children in foster care, New York State must invest an estimated \$25 million to establish an independent and open-ended funding stream for KinGAP outside of the Foster Care Block Grant.**

Budget Advocacy: Prioritize Housing for Families and Older Youth Leaving Foster Care and Increase the Child Welfare Housing Subsidy from \$300 to \$725 Per Month

The goal of the child welfare housing subsidy program is to stabilize housing for families and prevent family separation and child removals, expedite reunification of children in foster care, and help youth aging out of foster care who face high risk of housing instability and homelessness. LDSSs are currently authorized to provide eligible families and youth with a housing subsidy of up to \$300 per month for up to three years or until reaching the limit of \$10,800. **New York must prioritize new housing resources for families and older youth and increase the child welfare housing subsidy from \$300 to \$725/month and raise the total funds available to \$26,100 (\$725/month for a maximum of 36 months) and build-in ongoing automatic increases to the subsidy, tying it to inflation, to ensure it meaningfully supports youth and families as cost of living rises.**

Pass the Families Over Facilities Act (To Be Introduced)

Nearly 1 in 5 children in New York's foster care system live in an institution. On any day, over 2500 children are in congregate institutional settings, which includes group homes and shelters, instead of with a family. This includes over 400 children under the age of 13. These kinds of placements increase risk for physical and emotional harm, especially for younger children, and set up older youth for leaving foster care without permanent family bonds. Black children represent half of all children living institutions and group homes state-wide. **This bill would prohibit placement of young children under the age of 13 in non-therapeutic**

congregate settings, and increase the resources available for family based care for children of all ages state-wide.

Pass Legislation Establishing the Office of the Child Welfare Advocate (S. 3109 Persaud / A. 6269 Frontus) The **Child Welfare Advocate** would function as a state-wide, publicly accountable office that can neutrally mediate conflict, provide information, and protect the interests and rights of youth, biological parents, foster parents, kin caregivers and relatives involved in the child welfare system.

VOTING RIGHTS

Expanding Our Democracy: Lowering the Age of Voting to 16 Years Old

Nationally, we are seeing tremendous attacks on the fundamental right to vote through state sponsored and enacted voter suppression laws. We believe that we should not only protect voting rights but expand them as well. **We are calling for New York State to pass and enact voting rights legislation that would lower the right to vote to those 16 years of age and older.** If 16 year olds have the right to drive and work, certainly they should have the right to participate in our democracy and make their voice heard on issues that will impact their present and future.