



News from  
*Assemblyman*  
**Andrew Hevesi**



Dear Neighbor,

I wanted to share some updates on what my office has been working on, and where things stand going towards the end of this year's legislative session.

As Assembly Children & Families Committee Chair, my team and I have been focusing on addressing some of the domestic policies from the current federal government that stand to harm New York's children and families. We have therefore written and are working on passing A9413 and A6189 respectively.

In addition, my office has been working on New York State's expansion toward New York Childcare by authoring several additional pieces of legislation outside of the state budget process. These bills each address critical needs for our childcare system including violations, rates for children with disabilities, and insurance costs.

At the same time, we have recently launched this year's spring cleanup series, are advancing public art projects in the district, working through the state budget for funds that will result in immediate and direct local impacts, and coordinating with community partners on upcoming events.

Below is an update on where things stand! Many thanks for your partnership in the community, and as always, please don't hesitate to reach out if my office can assist.

All the best, Andy

Andy Hevesi  
 28th Assembly District

## A 6189

### To amend the Family Court Act to allow unaccompanied children in federal placements in New York State to self-petition the Family Court for orders of dependency.

New York guarantees all children the right to education, healthcare, shelter and essential services to support them in reaching their full potential. Yet many of the most vulnerable children in the state – unaccompanied immigrant children who are in placements contracted by the federal Office of Refugee Resettlement (ORR) – are unable to access the services they need, due to a gap in the New York Family Court Act. Immigrant children and youth who are in the United States without a parent or guardian to care for them may be placed in New York State foster care placements, may reside with an adult who assumes responsibility for them, or may remain in ORR placements. Those who are in foster care or placed under the guardianship of another adult may qualify for Special Immigrant Juvenile Status (SIJS), which provides them with a pathway to stability and access to services, support, work authorization, higher education opportunities, protection from forcible removal from the United States, as well as a legal pathway for citizenship. Because children who are placed with ORR are not under the jurisdiction of the Family Court, they are not eligible to apply for SIJS, even if they can satisfy all of the other eligibility requirements.

New York has always been a home to immigrants – recent or generations removed – and it guarantees the dignity and rights of all its residents equally. At a time when citizenship status is used as a wedge, New York's laws must explicitly reflect the values the state has always implicitly held: that the length of time someone has been a New Yorker does not determine their relative worth before the law.

This bill will extend New York Family Court jurisdiction in a narrow way by adding new sections to New York law, to align state and federal legal protections for unaccompanied children. This will allow for certain unaccompanied children in federal placements to be eligible to apply for SIJS. Passage of this bill will bring New York in step with several states which allow unaccompanied immigrant children in ORR placements to self-petition juvenile courts for findings of dependency, including Arizona, California, Colorado, Texas and Virginia.

Immigrant children and youth are a vibrant and vital part of New York's cultural fabric. The Access to Family Court Act would ensure that unaccompanied children placed in New York federal placements and shelters without parents or legal guardians can have timely access to work authorization, access to higher education, and a legal pathway to citizenship.

## A9413

### To guarantee access to certain public benefits regardless of citizenship status.

In 2025, the federal government began an attempt to rollback guaranteed access to public benefits for non-citizens, unless such access is protected in state statute. While this federal effort is still being litigated, it has demonstrated a clear vulnerability in New York's laws.

This bill guarantees access to prevention services, adoption subsidies, kinship guardianship assistance, after-care services for youth and families involved with child welfare, child care assistance, residential services for victims of domestic violence, and all other public services and benefits, as applicable under existing eligibility requirements. This bill ensures that citizenship status alone cannot be used to deny access to public benefits.



LEADING THE GROWTH OF CHILD CARE IN NEW YORK STATE IN THE 2026–27 SESSION

## A76

### Relates to defining “critical violations” of applicable statutes and regulations by childcare providers licensed or registered by the office of children and family services; the imposition of sanctions and penalties for such violations; and processes for appeal of such sanctions and penalties.

This bill intends to ensure uniform licensing interpretation and enforcement across jurisdictions and break down barriers for child care providers to operate and expand.

New York State has one of the most complex child care licensing environments in the country. Adding to this complexity, the enforcement of violations varies drastically across jurisdictions. Under the current system, there is little distinction between violations that may impact the health and safety of children and administrative compliance infractions. Without a provision for a warning system or a tiered response to infractions that aligns the outcomes with the severity of the violation, any New York violation can immediately trigger a notice of intent to revoke. License revocation, termination, or limitation is immediate, and the request for a hearing must be made in writing within 30 days and requires an administrative process with an Administrative Law Judge (ALJ), a settlement agreement, and frequently a monetary fine. Any request for a hearing to contest the suspension of a registration or license must be made within 10 days of the receipt of the suspension notice. The standard of review is whether the enforcement determination was “arbitrary and capricious.”

For providers without the resources to hire counsel and settle a ministerial matter, it means the closure of the center and tremendous inconvenience and disruption for families and children. Employees in New York's child care system face many workforce challenges already and the harshness of New York's system creates a fearful, punitive, and unproductive atmosphere and adds yet another impediment to hiring in a competitive environment. Further, this system of enforcing infractions creates a disincentive for child care providers to expand their programming or open new centers in New York at a time when the State wants to expand access to child care and early education.

This legislation also supports the needs of the enforcement agency and allows OCFS discretion to deploy its staff in a more prudent manner prioritizing and expending resources on those infractions that are more serious and pose real health and safety risks. This legislation would improve the licensing infraction system in New York State by adopting best practices in other states such as Massachusetts. In Massachusetts, the state agency conducts investigations before revoking a license, and outcomes are aligned with the severity of the violation based on a three-tiered system. Massachusetts uses a portal for self-reporting that facilitates clear, consistent, and immediate reporting and allows for real-time next steps and corrective action as well as offers the option of technical assistance. Appeals can be made through an independent body (the MA licensing agency), whereas appeals in NY are considered by the same entity that issued the infraction.

## A10586

**Directs the commissioner of social services to establish a rate differential for child care providers who provide care to a child with a diagnosed developmental delay or disability, provided such rate differential is no less than 30% above the applicable market rate otherwise payable for such child care services, and further provided such rate differential is sufficient to provide appropriate care.**

Childcare providers in New York State receive childcare assistance payments based on market rates, which generally do not distinguish between the level of care required for different populations of children. As a result, providers serving children with developmental delays or disabilities receive the same reimbursement rate as providers serving children without specialized needs.

Children with intellectual and developmental disabilities (IDDs) frequently require more intensive care and support than typical childcare settings provide. These children may need individualized supervision, specialized training for caregivers, adaptive equipment, and smaller staff-to-child ratios. These additional supports increase the cost of providing safe, inclusive, and developmentally appropriate care.

However, under the current reimbursement structure, childcare centers serving children with IDD must absorb these higher costs without additional financial support. This creates a disincentive for providers to enroll children with disabilities and may limit the availability of inclusive childcare options for families who need them most.

This legislation addresses this gap by establishing a rate differential for childcare providers serving children with diagnosed developmental delays or disabilities. The bill directs the commissioner to set payment rates that are at least thirty percent above the applicable market rate to account for the additional staffing, training, accommodations, and supports required to provide high-quality care to these children. Increasing reimbursement rates will encourage more providers to offer inclusive services, expand access, and promote equitable opportunities for children with intellectual and developmental disabilities.

## A10732

**Prohibits insurers from using violations issued by the New York state office of children and family services as the sole basis for rate adjustments for child care providers.**

The Office of Children and Family Services issues violations on a wide range of issues or missteps by a childcare center. Not all of these violations, however, are equal in the magnitude of their actual impact on services provided. Under current law, all violations must be posted on the OCFS website and the center's wall for 3 years, regardless of whether the violation was a legitimate threat to a child's life, or a technical non-safety violation.

OCFS has sought to counteract this improper assumption by posting a disclaimer on their violations page that reads as follows:

### *Limitations of This Information*

*This search tool is not intended to be used by school districts, insurance agencies, businesses, or other entities to make decisions about child care providers or the quality of their programs. While compliance records may be available, they are not a comprehensive measure of program quality. Licensing inspections focus on NYS required health and safety standards, as OCFS is the oversight entity, but do not fully reflect the educational environment, caregiver-child interactions, or overall child experience."*

Despite this disclaimer, insurers often cite the publicized violations as justification for rate increases.

In recent years, insurance premiums have risen dramatically, with countless childcare centers facing financial instability, leading to staffing reductions, pay cuts for employees, or even the closing of centers entirely. This bill seeks to stabilize insurance rate increases by removing an arbitrary factor from the rate adjustment formula.



# Get Involved This Spring!

In addition to our work in Albany, our office has been active across the district – our first community cleanup events were 4/25 and 5/2, with more to come!

Last year's volunteer series brought neighbors together for community cleanups, resource fairs, and more across the district.

To hear more and get involved in this year's efforts, reach out to our office at [hevesia@nyassembly.gov](mailto:hevesia@nyassembly.gov).

We hope to see you out there!



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