



To the Honorable:
Leader John J. Flanagan
Room 330, State Capitol Bldg
Albany, NY 12247

To the Honorable:
Speaker Carl E. Heastie
LOB 932
Albany, NY 12248

We are writing to voice our support of the Senate Bill S6016 (Avella) and Assembly Bill A7905 (Jaffee): An act to amend the General Obligations Law in relation to a parent or guardian naming a caregiver as a person in parental relation to a minor or incapacitated person.

The NYS KinCare Coalition, in operation since 2006, offers the kinship community of professionals, caregivers, and stakeholders a place to share a unified voice in advancing the cause of kinship care throughout New York State.

GOL 5-1551 – 5-1555 must be amended to extend the time periods in which a parent or guardian may designate a caregiver as a person in parental relation, to better reflect the realities of kinship caregiving and also provide another tool for undocumented parents and guardians who may not be able to easily renew designations while detained or outside the United States. Parental designation forms, as authorized under the General Obligations Law, provide a mechanism by which parents can make arrangements in advance for a caregiver to be designated without going to court. The designated caregiver has authority pursuant to sections twenty-one hundred sixty-four and twenty-five hundred four of the public health law and sections two and thirty-two hundred twelve of the education law to make decisions for the minor or incapacitated person.

By extending the time period of the designation form, a caregiver is provided with more time to provide care for the child, and to seek judicial assistance if required. Because emergency preparedness, including executing the parental designation form, is done in advance of potential removal, a parent could execute the form immediately, but may not need the form until months later when facing sudden detention or deportation. As such, the form may expire shortly after a caregiver assumes care and control.

For these reasons the NYS KinCare Coalition supports the enactment of this bill.

Signed,

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