
Support for S.8332/A.10428

Add a Definition of Kinship Caregiver to SSL § 371.

The NYS KinCare Coalition represents the kinship community across New York State. Led by the statewide Kinship Navigator with support of over 35 participating organizations and stakeholders, the Coalition seeks to improve supports for New York State kinship families - grandparents, other relatives, and family friends who provide care for an estimated 205,000 children not living with their parents, with less than 4,500 of these children in foster care. The Kinship Navigator and Coalition support enactment of S.8332/A.10428 which would create a statutory definition of “kinship caregiver.”

Since 2005, the Coalition has co-hosted five statewide summits (2005, 08, 11, 14, 19) that have issued reports with practical recommendations to support kinship families. The overarching goal of the summits was to gain recognition of the value of kinship care to the well-being of vulnerable children. Over thirty summit recommendations have been enacted, regulated, or resulted in policy changes. The 2014 Summit initiated a campaign for New York State to declare September as Kinship Care Month. Since then, the Kinship Navigator has promoted similar declarations in other states and Congress. So far, 12 other states, the U. S. Senate and the House of Representatives have issued resolutions or gubernatorial declarations. New York’s Legislature has issued resolutions in each of the last five years; the Governor has issued declarations in each of the last four years.

Other recommendations have led to enactment of descriptions of kinship caregivers in SSL 458-a and FCA 1028-a, where the descriptions are related to Article Ten kinship foster care. Another recommendation resulted in enactment of Chapter Law 399 of the Laws of 2019, which amends SSL 392 to require local districts of social services to provide information to all “kinship caregivers” including those with no connection to foster care. The SSL 392 amendment did not define who are kinship caregivers and the proposed A.10428/S.8332 would borrow the description of relatives in SSL 458-a and FCA 1028-a to establish a definition of a kinship caregiver without reference to foster care and therefore applicable to all of the kinship caregivers in New York State.

Adoption of a definition is supported by the widespread existing use of the terms kin, kinship, kinship care, and other variations. Many federal, state, and local laws and regulations use the terms in reference to the over 2.7 million children living with kin in the United States. “Kinship” is used in the Fostering Connections to Success and Increasing Adoption Act of 2008 and the Families First Prevention Services Act of 2018.

An enormous number of sources, including organizations, laws and regulations, research papers, websites, programs, published guide books, and promotional materials also use the term kinship. A google search of “kinship care” shows close to 16 million references. Kinship navigator programs, kinship guardianship programs, and local kinship services are available in every state and the number of statewide kinship navigators continues to grow. In 2019, Ohio provided \$8 million for a kinship navigator and adoption program, the most state funding in the nation; the program is called



OhioKAN for Ohio Kinship and Adoption Navigator, see <https://www.kinnectohio.org/ohiokan/>. In New York, the State funds a kinship navigator and local kinship programs, and operates a kinship guardianship program.

However, no statute yet comprehensively defined kinship caregivers. A statutory definition will facilitate uniform and inclusive use of the term and ensure all kinship caregivers are recognized and supported. For these reasons, the Kinship Navigator and the NYS KinCare Coalition recommend adoption of a statutory definition.

Signed,

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