

4751--A

2013-2014 Regular Sessions

I N S E N A T E

April 22, 2013

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- recommitted to the Committee on Children and Families in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to expanding the persons responsible for reporting cases of suspected child abuse

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (a) of subdivision 1 of section 413 of the social
2 services law, as amended by section 3 of part D of chapter 501 of the
3 laws of 2012, is amended to read as follows:
4 (a) The following persons and officials are required to report or
5 cause a report to be made in accordance with this title when they have
6 reasonable cause to suspect that a child coming before them in their
7 professional or official capacity is an abused or maltreated child, or
8 when they have reasonable cause to suspect that a child is an abused or
9 maltreated child where the parent, guardian, custodian or other person
10 legally responsible for such child comes before them in their profes-
11 sional or official capacity and states from personal knowledge facts,
12 conditions or circumstances which, if correct, would render the child an
13 abused or maltreated child: any physician; registered physician assist-
14 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
15 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
16 psychologist; registered nurse; social worker; emergency medical techni-
17 cian; licensed creative arts therapist; licensed marriage and family
18 therapist; licensed mental health counselor; licensed psychoanalyst;
19 hospital personnel engaged in the admission, examination, care or treat-
20 ment of persons; a Christian Science practitioner; school official,
21 which includes but is not limited to school teacher, school guidance
22 counselor, school psychologist, school social worker, school nurse,

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 school administrator or other school personnel required to hold a teach-
2 ing or administrative license or certificate; SCHOOL ATHLETIC DIRECTOR;
3 SCHOOL PERSONNEL OR OTHER PERSON REQUIRED TO HOLD A TEMPORARY COACHING
4 LICENSE OR PROFESSIONAL COACHING CERTIFICATE; social services worker;
5 director of a children's overnight camp, summer day camp or traveling
6 summer day camp, as such camps are defined in section thirteen hundred
7 ninety-two of the public health law; day care center worker; school-age
8 child care worker; provider of family or group family day care; or any
9 other child care or foster care worker; mental health professional;
10 substance abuse counselor; alcoholism counselor; all persons creden-
11 tialed by the office of alcoholism and substance abuse services; peace
12 officer; police officer; district attorney or assistant district attor-
13 ney; investigator employed in the office of a district attorney; or
14 other law enforcement official.

15 S 2. Paragraph (a) of subdivision 1 of section 413 of the social
16 services law, as amended by chapter 554 of the laws of 2013, is amended
17 to read as follows:

18 (a) The following persons and officials are required to report or
19 cause a report to be made in accordance with this title when they have
20 reasonable cause to suspect that a child coming before them in their
21 professional or official capacity is an abused or maltreated child, or
22 when they have reasonable cause to suspect that a child is an abused or
23 maltreated child where the parent, guardian, custodian or other person
24 legally responsible for such child comes before them in their profes-
25 sional or official capacity and states from personal knowledge facts,
26 conditions or circumstances which, if correct, would render the child an
27 abused or maltreated child: any physician; registered physician assist-
28 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
29 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
30 psychologist; registered nurse; social worker; emergency medical techni-
31 cian; licensed creative arts therapist; licensed marriage and family
32 therapist; licensed mental health counselor; licensed psychoanalyst;
33 licensed behavior analyst; certified behavior analyst assistant; hospi-
34 tal personnel engaged in the admission, examination, care or treatment
35 of persons; a Christian Science practitioner; school official, which
36 includes but is not limited to school teacher, school guidance counse-
37 lor, school psychologist, school social worker, school nurse, school
38 administrator or other school personnel required to hold a teaching or
39 administrative license or certificate; SCHOOL ATHLETIC DIRECTOR; SCHOOL
40 PERSONNEL OR OTHER PERSON REQUIRED TO HOLD A TEMPORARY COACHING LICENSE
41 OR PROFESSIONAL COACHING CERTIFICATE; social services worker; director
42 of a children's overnight camp, summer day camp or traveling summer day
43 camp, as such camps are defined in section thirteen hundred ninety-two
44 of the public health law; day care center worker; school-age child care
45 worker; provider of family or group family day care; or any other child
46 care or foster care worker; mental health professional; substance abuse
47 counselor; alcoholism counselor; all persons credentialed by the office
48 of alcoholism and substance abuse services; peace officer; police offi-
49 cer; district attorney or assistant district attorney; investigator
50 employed in the office of a district attorney; or other law enforcement
51 official.

52 S 3. This act shall take effect immediately; provided, however, that:
53 section two of this act shall take effect on the same date and in the
54 same manner as chapter 554 of the laws of 2013, takes effect.