

STATE OF NEW YORK

3153

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 2017

Introduced by M. of A. PEOPLES-STOKES, SCHIMMINGER -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to transmitting the history of record of all previous reports and previous calls including records of calls not accepted for local district investigation to the central register to the appropriate local child protective services for investigation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (a) of subdivision 2 of section 422 of the social
2 services law, as amended by chapter 357 of the laws of 2014, is amended
3 to read as follows:

4 (a) The central register shall be capable of receiving telephone calls
5 alleging child abuse or maltreatment and of immediately identifying
6 prior reports of child abuse or maltreatment and capable of monitoring
7 the provision of child protective service twenty-four hours a day, seven
8 days a week. To effectuate this purpose, but subject to the provisions
9 of the appropriate local plan for the provision of child protective
10 services, there shall be a single statewide telephone number that all
11 persons, whether mandated by the law or not, may use to make telephone
12 calls alleging child abuse or maltreatment and that all persons so
13 authorized by this title may use for determining the existence of prior
14 reports in order to evaluate the condition or circumstances of a child.
15 In addition to the single statewide telephone number, there shall be a
16 special unlisted express telephone number and a telephone facsimile
17 number for use only by persons mandated by law to make telephone calls,
18 or to transmit telephone facsimile information on a form provided by the
19 commissioner of children and family services, alleging child abuse or
20 maltreatment, and for use by all persons so authorized by this title for
21 determining the existence of prior reports in order to evaluate the
22 condition or circumstances of a child. When any allegations contained in

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

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1 such telephone calls could reasonably constitute a report of child abuse
2 or maltreatment, such allegations and any previous reports to the
3 central registry involving the subject of such report or children named
4 in such report, including records of calls not accepted for local
5 district investigation, and including any previous report containing
6 allegations of child abuse and maltreatment alleged to have occurred in
7 other counties and districts in New York state shall be immediately
8 transmitted orally or electronically by the office of children and fami-
9 ly services to the appropriate local child protective service for inves-
10 tigation. The inability of the person calling the register to identify
11 the alleged perpetrator shall, in no circumstance, constitute the sole
12 cause for the register to reject such allegation or fail to transmit
13 such allegation for investigation. If the records indicate a previous
14 report concerning a subject of the report, the child alleged to be
15 abused or maltreated, a sibling, other children in the household, other
16 persons named in the report or other pertinent information, the appro-
17 priate local child protective service shall be immediately notified of
18 the fact. If the report involves either (i) an allegation of an abused
19 child described in paragraph (i), (ii) or (iii) of subdivision (e) of
20 section one thousand twelve of the family court act or sexual abuse of a
21 child or the death of a child or (ii) suspected maltreatment which
22 alleges any physical harm when the report is made by a person required
23 to report pursuant to section four hundred thirteen of this title within
24 six months of any other two reports that were indicated, or may still be
25 pending, involving the same child, sibling, or other children in the
26 household or the subject of the report, the office of children and fami-
27 ly services shall identify the report as such and note any prior reports
28 when transmitting the report to the local child protective services for
29 investigation.

30 § 2. This act shall take effect on the first of April next succeeding
31 the date on which it shall have become a law.