

STATE OF NEW YORK

9722

IN ASSEMBLY

February 2, 2018

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to including amateur athletic organization personnel as required reporters of suspected child abuse or maltreatment

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 2 of part Q of chapter 56 of the
3 laws of 2017, 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 licensed behavior analyst; certified behavior analyst assistant; hospi-
20 tal personnel engaged in the admission, examination, care or treatment
21 of persons; a Christian Science practitioner; school official, which
22 includes but is not limited to school teacher, school guidance counse-
23 lor, school psychologist, school social worker, school nurse, school
24 administrator or other school personnel required to hold a teaching or
25 administrative license or certificate; full or part-time compensated
26 school employee required to hold a temporary coaching license or profes-
27 sional coaching certificate; amateur sports organization personnel;

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

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1 social services worker; employee of a publicly-funded emergency shelter
2 for families with children; director of a children's overnight camp,
3 summer day camp or traveling summer day camp, as such camps are defined
4 in section thirteen hundred ninety-two of the public health law; day
5 care center worker; school-age child care worker; provider of family or
6 group family day care; employee or volunteer in a residential care
7 facility for children that is licensed, certified or operated by the
8 office of children and family services; or any other child care or
9 foster care worker; mental health professional; substance abuse counse-
10 lor; alcoholism counselor; all persons credentialed by the office of
11 alcoholism and substance abuse services; peace officer; police officer;
12 district attorney or assistant district attorney; investigator employed
13 in the office of a district attorney; or other law enforcement official.

14 § 2. Section 412 of the social services law is amended by adding three
15 new subdivisions 10, 11 and 12 to read as follows:

16 10. "Amateur sports organization" means a not-for-profit corporation,
17 association, or other group organized in New York state that sponsors or
18 arranges a contest, game, meet, match, tournament, regatta, or other
19 event in which amateur athletes compete.

20 11. "Amateur sports organization personnel" means an adult who is
21 authorized by an amateur sports organization or a member of an amateur
22 sports organization to interact with a minor or amateur athlete at an
23 amateur sports organization facility or at any event sanctioned by an
24 amateur sports organization or a member of an amateur sports organiza-
25 tion. For the purposes of this subdivision the term "event" shall
26 include travel, practice, competition and health or medical treatment.

27 12. "Amateur athlete" means an athlete who meets the eligibility stan-
28 dards established by the amateur sports organization for the sport in
29 which such athlete competes.

30 § 3. This act shall take effect on the ninetieth day after it shall
31 have become a law.