

STATE OF NEW YORK

6773

2017-2018 Regular Sessions

IN SENATE

June 16, 2017

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the social services law, in relation to the duty of mandated reporters to report an incident when there are multiple reporters with direct knowledge of such incident

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

1 Section 1. Subdivision 1 of section 491 of the social services law is
2 amended by adding a new paragraph (b-1) to read as follows:

3 (b-1) Where multiple reporters have direct knowledge of the same
4 reportable incident or have reasonable cause to suspect such incident
5 has occurred, each mandated reporter is required to report such inci-
6 dent, unless he or she reasonably believes that the report has already
7 been made by another mandated reporter and that he or she has been named
8 in that report as a person with knowledge of such incident.

9 § 2. Paragraph (b) of subdivision 3 of section 491 of the social
10 services law, as added by section 1 of part B of chapter 501 of the laws
11 of 2012, is amended to read as follows:

12 (b) [A] Except as provided in paragraph (b-1) of subdivision one of
13 this section, a mandated reporter who knowingly and willfully fails to
14 report a case of suspected abuse or neglect to the vulnerable persons'
15 central register may be subject to termination, subject to any applica-
16 ble collective bargaining agreement. Any person or official required by
17 this article to report a case of suspected abuse or neglect to the
18 vulnerable persons' central register who knowingly and willfully fails
19 to do so shall be civilly liable for the damages proximately caused by
20 such failure.

21 § 3. This act shall take effect on the sixtieth day after it shall
22 have become a law.

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

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