

5374

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. ERRIGO, BARCLAY, FINCH, HAYES, KOLB, TOBACCO, TOWNSEND, WALKER -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, CALHOUN, CROUCH, GIGLIO, JORDAN, McKEVITT, MOLINARO, REILICH, SPANO, TEDISCO -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to the statewide central register of child abuse and maltreatment

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

1 Section 1. Subparagraph (iv) of paragraph (b) of subdivision 1 of
2 section 424-a of the social services law is renumbered subparagraph (v)
3 and a new subparagraph (iv) is added to read as follows:
4 (IV) EACH LICENSING AND PROVIDER AGENCY MAKING AN INQUIRY PURSUANT TO
5 THE PROVISIONS OF SUBPARAGRAPHS (I), (II) AND (III) OF THIS PARAGRAPH
6 SHALL ANNUALLY RESUBMIT SUCH INQUIRY AND THE OFFICE OF CHILDREN AND
7 FAMILY SERVICES SHALL, SUBJECT TO THE PROVISIONS OF PARAGRAPH (E) OF
8 THIS SUBDIVISION, INFORM SUCH AGENCY WHETHER THE PERSON SUBJECT TO THE
9 INITIAL INQUIRY HAS SUBSEQUENTLY BEEN OR IS CURRENTLY THE SUBJECT OF AN
10 INDICATED CHILD ABUSE AND MALTREATMENT REPORT ON FILE WITH THE STATEWIDE
11 CENTRAL REGISTER OF CHILD ABUSE AND MALTREATMENT.
12 S 2. Subdivision 3 of section 424-a of the social services law, as
13 amended by chapter 578 of the laws of 1997, is amended to read as
14 follows:
15 3. For purposes of this chapter, the term "provider" or "provider
16 agency" shall mean an authorized agency, the [division for youth] OFFICE
17 OF CHILDREN AND FAMILY SERVICES, juvenile detention facilities subject
18 to the certification of such [division] OFFICE, programs established
19 pursuant to article nineteen-H of the executive law, non-residential or
20 residential programs or facilities licensed or operated by the office of
21 mental health or the office of mental retardation and developmental
22 disabilities except family care homes, licensed child day care centers,

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

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1 including head start programs which are funded pursuant to title V of
2 the federal economic opportunity act of nineteen hundred sixty-four, as
3 amended, early intervention service established pursuant to section
4 twenty-five hundred forty of the public health law, preschool services
5 established pursuant to section forty-four hundred ten of the education
6 law, school-age child care programs, [special act] school districts [as
7 enumerated in chapter five hundred sixty-six of the laws of nineteen
8 hundred sixty-seven, as amended], programs and facilities licensed by
9 the office of alcoholism and substance abuse services [and], PRIMARY AND
10 SECONDARY PRIVATE SCHOOLS, MUNICIPAL PARK AND RECREATIONS DEPARTMENTS,
11 residential schools which are operated, supervised or approved by the
12 education department AND SUCH OTHER ENTITIES PROVIDING REGULAR AND
13 SUBSTANTIAL CONTACT WITH CHILDREN AS DESIGNATED IN RULES AND REGULATIONS
14 ADOPTED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES.

15 S 3. Section 424-a of the social services law is amended by adding a
16 new subdivision 7 to read as follows:

17 7. THE OFFICE OF CHILDREN AND FAMILY SERVICES IS AUTHORIZED AND
18 DIRECTED TO ADOPT RULES AND REGULATIONS PROVIDING FOR SHARING OF CHILD
19 ABUSE AND MALTREATMENT INFORMATION WITH APPROPRIATE CHILD PROTECTION
20 SERVICES IN OTHER STATES WHO ARE WILLING TO SHARE SIMILAR INFORMATION
21 WITH THE OFFICE.

22 S 4. This act shall take effect immediately.