S T A T E O F N E W Y O R K

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:

Section 1. Subparagraph (iv) of paragraph (b) of subdivision 1 of section 424-a of the social services law is renumbered subparagraph (v) and a new subparagraph (iv) is added to read as follows:

(IV) EACH LICENSING AND PROVIDER AGENCY MAKING AN INQUIRY PURSUANT TO THE PROVISIONS OF SUBPARAGRAPHS (I), (II) AND (III) OF THIS PARAGRAPH SHALL ANNUALLY RESUBMIT SUCH INQUIRY AND THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL, SUBJECT TO THE PROVISIONS OF PARAGRAPH (E) OF THIS SUBDIVISION, INFORM SUCH AGENCY WHETHER THE PERSON SUBJECT TO THE INITIAL INQUIRY HAS SUBSEQUENTLY BEEN OR IS CURRENTLY THE SUBJECT OF AN INDICATED CHILD ABUSE AND MALTREATMENT REPORT ON FILE WITH THE STATEWIDE CENTRAL REGISTER OF CHILD ABUSE AND MALTREATMENT.

S 2. Subdivision 3 of section 424-a of the social services law, as amended by chapter 578 of the laws of 1997, is amended to read as follows:

3. For purposes of this chapter, the term "provider" or "provider agency" shall mean an authorized agency, the [division for youth] OFFICE OF CHILDREN AND FAMILY SERVICES, juvenile detention facilities subject to the certification of such [division] OFFICE, programs established pursuant to article nineteen-H of the executive law, non-residential or residential programs or facilities licensed or operated by the office of mental health or the office of mental retardation and developmental 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.

LBD05852-01-9

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

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

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

S 4. This act shall take effect immediately.