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I N A S S E M B L Y

March 12, 2012

Introduced by M. of A. WEISENBERG, DUPREY, ROBINSON, JAFFEE, LAVINE, MURRAY, LOSQUADRO, GIGLIO, McKEVITT, SWEENEY, MONTESANO, CASTRO, TITONE, GUNTHER, ROBERTS, P. RIVERA, BARRON, McDONOUGH, GABRYSZAK -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, CRESPO, CROUCH, HIKIND, MARKEY, McENENY, RA -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law and the mental hygiene law, in relation to reports of abuse or neglect in residential facilities or programs

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

1 Section 1. Subdivisions 6, 7 and 8 of section 424-c of the social
2 services law are renumbered subdivisions 7, 8 and 9 and a new subdivi-
3 sion 6 is added to read as follows:
4 6. GIVE TELEPHONE NOTICE AND FORWARD IMMEDIATELY A COPY OF REPORTS
5 MADE PURSUANT TO SECTION FOUR HUNDRED TWELVE-A OF THIS TITLE WHICH
6 INVOLVE AN ABUSED CHILD IN RESIDENTIAL CARE AS DEFINED IN PARAGRAPH (B),
7 (C) OR (D) OF SUBDIVISION ONE OF SECTION FOUR HUNDRED TWELVE-A OF THIS
8 TITLE TO THE APPROPRIATE LOCAL LAW ENFORCEMENT. A LOCAL LAW ENFORCEMENT
9 AGENCY MAY AFFORD THE OFFICE OF CHILDREN AND FAMILY SERVICES AN OPPORTU-
10 NITY TO CONDUCT ANY RESULTING INVESTIGATION JOINTLY. THE LOCAL LAW
11 ENFORCEMENT AGENCY MAY REQUEST IN WRITING ADDITIONAL REPORTS, AND SHALL
12 SPECIFY THE KINDS OF ALLEGATIONS FOR WHICH NOTICE AND COPIES OF REPORTS
13 SHALL BE REQUIRED PURSUANT TO THIS SUBDIVISION. NOTHING WITHIN THIS
14 SUBDIVISION SHALL PROHIBIT THE OFFICE OF CHILDREN AND FAMILY SERVICES
15 FROM CONSULTING WITH LOCAL LAW ENFORCEMENT ON ANY CHILD ABUSE OR
16 MALTREATMENT REPORT;
17 S 2. Subparagraphs f, g and h of paragraph 2 of subdivision (c) of
18 section 45.07 of the mental hygiene law are relettered subparagraphs g,
19 h and i and a new subparagraph f is added to read as follows:
20 F. GIVE TELEPHONE NOTICE AND FORWARD IMMEDIATELY A COPY OF REPORTS
21 MADE PURSUANT TO SECTION FOUR HUNDRED TWELVE-A OF THE SOCIAL SERVICES
22 LAW WHICH INVOLVE AN ABUSED CHILD IN RESIDENTIAL CARE AS DEFINED IN
23 PARAGRAPH (B), (C) OR (D) OF SUBDIVISION ONE OF SECTION FOUR HUNDRED

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

LBD13885-05-2

1 TWELVE-A OF THE SOCIAL SERVICES LAW TO THE APPROPRIATE LOCAL LAW
2 ENFORCEMENT. A LOCAL LAW ENFORCEMENT AGENCY MAY AFFORD THE OFFICE OF
3 CHILDREN AND FAMILY SERVICES AN OPPORTUNITY TO CONDUCT ANY RESULTING
4 INVESTIGATION JOINTLY. THE LOCAL LAW ENFORCEMENT AGENCY MAY REQUEST IN
5 WRITING ADDITIONAL REPORTS, AND SHALL SPECIFY THE KINDS OF ALLEGATIONS
6 FOR WHICH NOTICE AND COPIES OF REPORTS SHALL BE REQUIRED PURSUANT TO
7 THIS SUBPARAGRAPH. NOTHING WITHIN THIS SUBPARAGRAPH SHALL PROHIBIT THE
8 OFFICE OF CHILDREN AND FAMILY SERVICES FROM CONSULTING WITH LOCAL LAW
9 ENFORCEMENT ON ANY CHILD ABUSE OR MALTREATMENT REPORT;
10 S 3. This act shall take effect immediately.