

421--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. PAULIN, MORELLE, SCARBOROUGH, AUBRY, GUNTHER, MAGNARELLI, ZEBROWSKI, ABINANTI, GALEF, CAMARA, ENGLEBRIGHT, JAFFEE, MOYA, HOOPER -- Multi-Sponsored by -- M. of A. ARROYO, GOTTFRIED, PERRY, SCHIMEL, SIMOTAS -- read once and referred to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to expanding the persons responsible for reporting cases of suspected child abuse

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 chapter 91 of the laws of 2011, is amended  
3     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    hospital personnel engaged in the admission, examination, care or treat-  
20    ment of persons; a Christian Science practitioner; school official,  
21    which includes but is not limited to school teacher, school guidance  
22    counselor, school psychologist, school social worker, school nurse,  
23    school administrator or other school personnel required to hold a teach-

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

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1 ing or administrative license or certificate; SCHOOL ATHLETIC DIRECTOR;  
2 SCHOOL PERSONNEL OR OTHER PERSON REQUIRED TO HOLD A TEMPORARY COACHING  
3 LICENSE OR PROFESSIONAL COACHING CERTIFICATE; social services worker;  
4 director of a children's overnight camp, summer day camp or traveling  
5 summer day camp, as such camps are defined in section thirteen hundred  
6 ninety-two of the public health law; day care center worker; school-age  
7 child care worker; provider of family or group family day care; employee  
8 or volunteer in a residential care facility defined in subdivision four  
9 of section four hundred twelve-a of this title or any other child care  
10 or foster care worker; mental health professional; substance abuse coun-  
11 selor; alcoholism counselor; all persons credentialed by the office of  
12 alcoholism and substance abuse services; peace officer; police officer;  
13 district attorney or assistant district attorney; investigator employed  
14 in the office of a district attorney; or other law enforcement official.

15 S 2. Paragraph (a) of subdivision 1 of section 413 of the social  
16 services law, as amended by section 3 of part D of chapter 501 of the  
17 laws of 2012, is amended to read as follows:

18 (a) The following persons and officials are required to report or  
19 cause a report to be made in accordance with this title when they have  
20 reasonable cause to suspect that a child coming before them in their  
21 professional or official capacity is an abused or maltreated child, or  
22 when they have reasonable cause to suspect that a child is an abused or  
23 maltreated child where the parent, guardian, custodian or other person  
24 legally responsible for such child comes before them in their profes-  
25 sional or official capacity and states from personal knowledge facts,  
26 conditions or circumstances which, if correct, would render the child an  
27 abused or maltreated child: any physician; registered physician assist-  
28 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;  
29 osteopath; optometrist; chiropractor; podiatrist; resident; intern;  
30 psychologist; registered nurse; social worker; emergency medical techni-  
31 cian; licensed creative arts therapist; licensed marriage and family  
32 therapist; licensed mental health counselor; licensed psychoanalyst;  
33 hospital personnel engaged in the admission, examination, care or treat-  
34 ment of persons; a Christian Science practitioner; school official,  
35 which includes but is not limited to school teacher, school guidance  
36 counselor, school psychologist, school social worker, school nurse,  
37 school administrator or other school personnel required to hold a teach-  
38 ing or administrative license or certificate; SCHOOL ATHLETIC DIRECTOR;  
39 SCHOOL PERSONNEL OR OTHER PERSON REQUIRED TO HOLD A TEMPORARY COACHING  
40 LICENSE OR PROFESSIONAL COACHING CERTIFICATE; social services worker;  
41 director of a children's overnight camp, summer day camp or traveling  
42 summer day camp, as such camps are defined in section thirteen hundred  
43 ninety-two of the public health law; day care center worker; school-age  
44 child care worker; provider of family or group family day care; or any  
45 other child care or foster care worker; mental health professional;  
46 substance abuse counselor; alcoholism counselor; all persons creden-  
47 tialed by the office of alcoholism and substance abuse services; peace  
48 officer; police officer; district attorney or assistant district attor-  
49 ney; investigator employed in the office of a district attorney; or  
50 other law enforcement official.

51 S 3. This act shall take effect immediately; provided, however, that:  
52 section two of this act shall take effect on the same date and in the  
53 same manner as section 3 of part D of chapter 501 of the laws of 2012,  
54 takes effect.