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I N   A S S E M B L Y

May 29, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Peoples-Stokes) -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to transmitting certain information to the local child protective services

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

1     Section 1. Paragraph (a) of subdivision 2 of section 422 of the social  
2     services law, as amended by chapter 574 of the laws of 2008, is amended  
3     to read as follows:  
4     (a) The central register shall be capable of receiving telephone calls  
5     alleging child abuse or maltreatment and of immediately identifying  
6     prior reports of child abuse or maltreatment and capable of monitoring  
7     the provision of child protective service twenty-four hours a day, seven  
8     days a week. To effectuate this purpose, but subject to the provisions  
9     of the appropriate local plan for the provision of child protective  
10    services, there shall be a single statewide telephone number that all  
11    persons, whether mandated by the law or not, may use to make telephone  
12    calls alleging child abuse or maltreatment and that all persons so  
13    authorized by this title may use for determining the existence of prior  
14    reports in order to evaluate the condition or circumstances of a child.  
15    In addition to the single statewide telephone number, there shall be a  
16    special unlisted express telephone number and a telephone facsimile  
17    number for use only by persons mandated by law to make telephone calls,  
18    or to transmit telephone facsimile information on a form provided by the  
19    commissioner, alleging child abuse or maltreatment, and for use by all  
20    persons so authorized by this title for determining the existence of  
21    prior reports in order to evaluate the condition or circumstances of a  
22    child. When any allegations contained in such telephone calls could  
23    reasonably constitute a report of child abuse or maltreatment, such  
24    allegations shall be immediately transmitted orally or electronically by  
25    the office of children and family services to the appropriate local  
26    child protective service for investigation. The inability of the person  
27    calling the register to identify the alleged perpetrator shall, in no

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

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1 circumstance, constitute the sole cause for the register to reject such  
2 allegation or fail to transmit such allegation for investigation. If the  
3 records indicate a previous report concerning a subject of the report,  
4 the child alleged to be abused or maltreated, a sibling, other children  
5 in the household, other persons named in the report or other pertinent  
6 information, the appropriate local child protective service shall be  
7 immediately notified of the fact, except as provided in subdivision  
8 eleven of this section. If the report involves either (i) an allegation  
9 of an abused child described in paragraph (i), (ii) or (iii) of subdivi-  
10 sion (e) of section one thousand twelve of the family court act or sexu-  
11 al abuse of a child or the death of a child or (ii) suspected maltreat-  
12 ment which alleges any physical harm when the report is made by a person  
13 required to report pursuant to section four hundred thirteen of this  
14 title within six months of any other two reports that were indicated, or  
15 may still be pending, involving the same child, sibling, or other chil-  
16 dren in the household or the subject of the report, the office of chil-  
17 dren and family services shall identify the report as such and note any  
18 prior reports when transmitting the report to the local child protective  
19 services for investigation. THE OFFICE OF CHILDREN AND FAMILY SERVICES  
20 SHALL IMMEDIATELY DETERMINE AND THEN NOTIFY THE APPROPRIATE LOCAL CHILD  
21 PROTECTIVE SERVICES IF A SUBJECT OF AN ALLEGATION OF CHILD ABUSE OR  
22 MALTREATMENT IS THE OPERATOR OF A LICENSED OR REGISTERED CHILD CARE  
23 FACILITY, OR ANY SIMILAR FACILITY THAT RECEIVES FUNDING PURSUANT TO  
24 TITLE FIVE-C OF ARTICLE SIX OF THIS CHAPTER, OR IF ANY PERSON NAMED IN A  
25 REPORT IS A KNOWN SEX OFFENDER OR TO HAVE PREVIOUSLY BEEN THE SUBJECT OF  
26 AN INDICATED REPORT OF ABUSE OR NEGLECT. SUCH NOTICE TO THE LOCAL CHILD  
27 PROTECTIVE SERVICES SHALL TAKE PLACE AT THE TIME THAT THE OFFICE OF  
28 CHILDREN AND FAMILY SERVICES TRANSMITS THE REPORT OF SUSPECTED CHILD  
29 ABUSE OR NEGLECT REQUIRED BY THIS SUBDIVISION.

30 S 2. This act shall take effect immediately.