

7212

I N S E N A T E

May 6, 2014

Introduced by Sen. FELDER -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law, in relation to reports of suspected child abuse or maltreatment by certain officials and persons

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 554 of the laws of 2013, 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, OR WHEN THEY HAVE REASONABLE CAUSE TO
14 BELIEVE THAT A PARENT COMING BEFORE THEM IN THEIR PROFESSIONAL OR OFFI-
15 CIAL CAPACITY HAS BEEN CONVICTED OF A CRIME RELATED TO PHYSICALLY OR
16 SEXUALLY ABUSING A CHILD AND SUCH PARENT HAS SUBSEQUENTLY GIVEN BIRTH TO
17 OR FATHERED A CHILD, OR HAS REASONABLE CAUSE TO BELIEVE THAT A COURT HAS
18 PREVIOUSLY TERMINATED SUCH PARENT'S RIGHTS TO A CHILD FOR ANY CAUSE AND
19 SUCH PARENT HAS SUBSEQUENTLY GIVEN BIRTH TO OR FATHERED A CHILD: any
20 physician; registered physician assistant; surgeon; medical examiner;
21 coroner; dentist; dental hygienist; osteopath; optometrist; chiroprac-
22 tor; podiatrist; resident; intern; psychologist; registered nurse;
23 social worker; emergency medical technician; licensed creative arts
24 therapist; licensed marriage and family therapist; licensed mental
25 health counselor; licensed psychoanalyst; licensed behavior analyst;
26 certified behavior analyst assistant; hospital personnel engaged in the
27 admission, examination, care or treatment of persons; a Christian
28 Science practitioner; school official, which includes but is not limited

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

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1 to school teacher, school guidance counselor, school psychologist,
2 school social worker, school nurse, school administrator or other school
3 personnel required to hold a teaching or administrative license or
4 certificate; social services worker; director of a children's overnight
5 camp, summer day camp or traveling summer day camp, as such camps are
6 defined in section thirteen hundred ninety-two of the public health law;
7 day care center worker; school-age child care worker; provider of family
8 or group family day care; or any other child care or foster care worker;
9 mental health professional; substance abuse counselor; alcoholism coun-
10 selor; all persons credentialed by the office of alcoholism and
11 substance abuse services; peace officer; police officer; district attor-
12 ney or assistant district attorney; investigator employed in the office
13 of a district attorney; or other law enforcement official.

14 S 2. This act shall take effect on the same date and in the same
15 manner as section 12 of chapter 554 of the laws of 2013 takes effect.