

2582

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 20, 2015

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Introduced by M. of A. PEOPLES-STOKES, SCHIMMINGER -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to transmitting the history of record of all previous reports and previous calls including records of calls not accepted for local district investigation to the central register to the appropriate local child protective services for investigation

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 357 of the laws of 2014, 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 of children and family services, alleging child abuse or  
20    maltreatment, and for use by all persons so authorized by this title for  
21    determining the existence of prior reports in order to evaluate the  
22    condition or circumstances of a child. When any allegations contained in

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

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1 such telephone calls could reasonably constitute a report of child abuse  
2 or maltreatment, such allegations and any previous reports to the  
3 central registry involving the subject of such report or children named  
4 in such report, INCLUDING RECORDS OF CALLS NOT ACCEPTED FOR LOCAL  
5 DISTRICT INVESTIGATION, AND including any previous report containing  
6 allegations of child abuse and maltreatment alleged to have occurred in  
7 other counties and districts in New York state shall be immediately  
8 transmitted orally or electronically by the office of children and fami-  
9 ly services to the appropriate local child protective service for inves-  
10 tigation. The inability of the person calling the register to identify  
11 the alleged perpetrator shall, in no circumstance, constitute the sole  
12 cause for the register to reject such allegation or fail to transmit  
13 such allegation for investigation. If the records indicate a previous  
14 report concerning a subject of the report, the child alleged to be  
15 abused or maltreated, a sibling, other children in the household, other  
16 persons named in the report or other pertinent information, the appro-  
17 priate local child protective service shall be immediately notified of  
18 the fact. If the report involves either (i) an allegation of an abused  
19 child described in paragraph (i), (ii) or (iii) of subdivision (e) of  
20 section one thousand twelve of the family court act or sexual abuse of a  
21 child or the death of a child or (ii) suspected maltreatment which  
22 alleges any physical harm when the report is made by a person required  
23 to report pursuant to section four hundred thirteen of this title within  
24 six months of any other two reports that were indicated, or may still be  
25 pending, involving the same child, sibling, or other children in the  
26 household or the subject of the report, the office of children and fami-  
27 ly services shall identify the report as such and note any prior reports  
28 when transmitting the report to the local child protective services for  
29 investigation.

30 S 2. This act shall take effect on the first of April next succeeding  
31 the date on which it shall have become a law.