

3935

2015-2016 Regular Sessions

I N S E N A T E

February 23, 2015

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 separately amended by chapters 126 and 205 of the laws
3 of 2014, is amended 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;

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

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1 certified behavior analyst assistant; hospital personnel engaged in the
2 admission, examination, care or treatment of persons; a Christian
3 Science practitioner; school official, which includes but is not limited
4 to school teacher, school guidance counselor, school psychologist,
5 school social worker, school nurse, school administrator or other school
6 personnel required to hold a teaching or administrative license or
7 certificate; full or part-time compensated school employee required to
8 hold a temporary coaching license or professional coaching certificate;
9 social services worker; director of a children's overnight camp, summer
10 day camp or traveling summer day camp, as such camps are defined in
11 section thirteen hundred ninety-two of the public health law; day care
12 center worker; school-age child care worker; provider of family or group
13 family day care; employee or volunteer in a residential care facility
14 for children that is licensed, certified or operated by the office of
15 children and family services; or any other child care or foster care
16 worker; mental health professional; substance abuse counselor; alcohol-
17 ism counselor; all persons credentialed by the office of alcoholism and
18 substance abuse services; peace officer; police officer; district attor-
19 ney or assistant district attorney; investigator employed in the office
20 of a district attorney; or other law enforcement official.

21 S 2. This act shall take effect on the same date and in the same
22 manner as section 1 of chapter 205 of the laws of 2014 takes effect.