S T A T E O F N E W Y O R K

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:

Section 1. Paragraph (a) of subdivision 1 of section 413 of the social services law, as separately amended by chapters 126 and 205 of the laws of 2014, is amended to read as follows:

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledge facts, conditions or circumstances which, if correct, would render the child an abused or maltreated child, OR WHEN THEY HAVE REASONABLE CAUSE TO BELIEVE THAT A PARENT COMING BEFORE THEM IN THEIR PROFESSIONAL OR OFFICIAL CAPACITY HAS BEEN CONVICTED OF A CRIME RELATED TO PHYSICALLY OR SEXUALLY ABUSING A CHILD AND SUCH PARENT HAS SUBSEQUENTLY GIVEN BIRTH TO OR FATHERED A CHILD, OR HAS REASONABLE CAUSE TO BELIEVE THAT A COURT HAS PREVIOUSLY TERMINATED SUCH PARENT'S RIGHTS TO A CHILD FOR ANY CAUSE AND SUCH PARENT HAS SUBSEQUENTLY GIVEN BIRTH TO OR FATHERED A CHILD: any physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; psychologist; registered nurse; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental 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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certified behavior analyst assistant; hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; director of a children's overnight camp, summer day camp or traveling summer day camp, as such camps are defined in section thirteen hundred ninety-two of the public health law; day care center worker; school-age child care worker; provider of family or group family day care; employee or volunteer in a residential care facility for children that is licensed, certified or operated by the office of children and family services; or any other child care or foster care worker; mental health professional; substance abuse counselor; alcoholism counselor; all persons credentialed by the office of alcoholism and substance abuse services; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official.

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