

5649

2015-2016 Regular Sessions

I N   S E N A T E

May 21, 2015

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Introduced by Sen. YOUNG -- 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 requiring persons and officials who are required to report cases of suspected child abuse or maltreatment to complete annual training relating to identifying and reporting such abuse and maltreatment

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

1     Section 1. Legislative intent. The legislature hereby finds that in  
2     order to better protect the state's most vulnerable population, the  
3     persons and officials who are required to report cases of suspected  
4     child abuse or maltreatment would be better served to be required to  
5     take a free, annual electronically-provided, self-directed online train-  
6     ing course to refresh such persons and officials on the signs and indi-  
7     cators of suspected child abuse or maltreatment.  
8     Accurate and timely reporting of child abuse or maltreatment is essen-  
9     tial to ensure cases are appropriately addressed and investigated by the  
10    appropriate agencies. Timely and thoroughly investigated reports of  
11    child abuse or maltreatment are necessary in order to prevent future  
12    abuse or maltreatment while also holding accountable the parties respon-  
13    sible for such abuse or maltreatment and to remove children from danger-  
14    ous situations.  
15    By completing this type of training course annually, persons and offi-  
16    cials who are required to report cases of suspected child abuse or  
17    maltreatment will be able to stay current with all of the information  
18    necessary to ensure that they are best able to identify signs of child  
19    abuse or maltreatment, as well as current reporting procedures and any  
20    potential changes in reporting requirements.  
21    S 2. The social services law is amended by adding a new section 413-a  
22    to read as follows:

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

LBD11308-01-5

1 S 413-A. MANDATORY ANNUAL CHILD ABUSE AND MALTREATMENT REPORTING  
2 TRAINING. 1. THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES SHALL  
3 ESTABLISH A COURSE OF INSTRUCTION AND MAY APPROVE COURSES OF INSTRUCTION  
4 OFFERED BY THIRD PARTIES FOR PERSONS AND OFFICIALS REQUIRED TO REPORT  
5 CASES OF SUSPECTED CHILD ABUSE AND MALTREATMENT PURSUANT TO SECTION FOUR  
6 HUNDRED THIRTEEN OF THIS TITLE. SUCH COURSES SHALL PROVIDE SUCH TRAINING  
7 ON THE IDENTIFICATION AND REPORTING OF CHILD ABUSE OR MALTREATMENT  
8 PURSUANT TO THIS TITLE AS SUCH COMMISSIONER SHALL DEEM TO BE NECESSARY.  
9 EACH COURSE OF INSTRUCTION SHALL BE PROVIDED FREE OF CHARGE VIA LINKS ON  
10 THE WEBSITE OPERATED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES AND  
11 SHALL BE APPROXIMATELY TWO HOURS IN DURATION. FURTHERMORE, THE COMMIS-  
12 SIONER OF CHILDREN AND FAMILY SERVICES SHALL ESTABLISH A METHODOLOGY  
13 WHICH PROVIDES PROOF THAT A PERSON HAS COMPLETED SUCH COURSE OF INSTRU-  
14 TION.

15 2. EVERY PERSON AND OFFICIAL REQUIRED TO REPORT CASES OF SUSPECTED  
16 CHILD ABUSE OR MALTREATMENT PURSUANT TO SECTION FOUR HUNDRED THIRTEEN OF  
17 THIS TITLE SHALL EACH CALENDAR YEAR COMPLETE A COURSE OF INSTRUCTION  
18 ESTABLISHED OR APPROVED PURSUANT TO SUBDIVISION ONE OF THIS SECTION.  
19 UPON EACH COMPLETION OF SUCH A COURSE, THE PERSON OR OFFICIAL SHALL  
20 PROVIDE PROOF OF COMPLETION TO THE EMPLOYER OF SUCH PERSON OR OFFICIAL,  
21 UNLESS THE PERSON IS SELF-EMPLOYED, THEN HE OR SHE SHALL RETAIN A COPY  
22 OF SUCH PROOF.

23 3. EVERY PERSON AND EMPLOYER RECEIVING A PROOF OF COURSE COMPLETION  
24 PURSUANT TO THIS SECTION SHALL MAINTAIN A COPY THEREOF, IN EITHER PRINT-  
25 ED OR ELECTRONIC FORM, FOR A PERIOD OF FIVE YEARS, AND SHALL MAKE SUCH  
26 COPY AVAILABLE TO ANY EMPLOYEE OF THE OFFICE OF CHILDREN AND FAMILY  
27 SERVICES OR CHILD PROTECTIVE AGENCY, OR LAW ENFORCEMENT OFFICER ENGAGED  
28 IN THE INVESTIGATION OF SUSPECTED CHILD ABUSE OR MALTREATMENT.

29 S 3. This act shall take effect immediately, except that subdivisions  
30 2 and 3 of section 413-a of the social services law, as added by section  
31 two of this act, shall take effect on the first of January next succeed-  
32 ing the date on which it shall have become a law.