

STATE OF NEW YORK

1488

2019-2020 Regular Sessions

IN SENATE

January 15, 2019

Introduced by Sen. HOYLMAN -- 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 expanding the persons responsible for reporting cases of suspected child abuse to include employees, volunteers, or agents of any corporate entity having an agreement with a municipality as a tier II facility or any other shelter providing temporary housing to persons under the age of 18

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 section 7 of part C of chapter 57 of the
3 laws of 2018, 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: any physician; registered physician assist-
14 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
15 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
16 psychologist; registered nurse; social worker; emergency medical techni-
17 cian; licensed creative arts therapist; licensed marriage and family
18 therapist; licensed mental health counselor; licensed psychoanalyst;
19 licensed behavior analyst; certified behavior analyst assistant; hospi-
20 tal personnel engaged in the admission, examination, care or treatment
21 of persons; a Christian Science practitioner; school official, which

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

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1 includes but is not limited to school teacher, school guidance counse-
2 lor, school psychologist, school social worker, school nurse, school
3 administrator or other school personnel required to hold a teaching or
4 administrative license or certificate; full or part-time compensated
5 school employee required to hold a temporary coaching license or profes-
6 sional coaching certificate; social services worker; employee of a publ-
7 icly-funded emergency shelter for families with children; director of a
8 children's overnight camp, summer day camp or traveling summer day camp,
9 as such camps are defined in section thirteen hundred ninety-two of the
10 public health law; day care center worker; school-age child care worker;
11 provider of family or group family day care; employee or volunteer in a
12 residential care facility for children that is licensed, certified or
13 operated by the office of children and family services; or any other
14 child care or foster care worker; mental health professional; substance
15 abuse counselor; alcoholism counselor; all persons credentialed by the
16 office of alcoholism and substance abuse services; employees, who are
17 expected to have regular and substantial contact with children, of a
18 health home or health home care management agency contracting with a
19 health home as designated by the department of health and authorized
20 under section three hundred sixty-five-1 of this chapter or such employ-
21 ees who provide home and community based services under a demonstration
22 program pursuant to section eleven hundred fifteen of the federal social
23 security act who are expected to have regular and substantial contact
24 with children; peace officer; police officer; district attorney or
25 assistant district attorney; investigator employed in the office of a
26 district attorney; or other law enforcement official; or any employee of
27 a tier II facility or any other shelter providing temporary housing to
28 persons under the age of eighteen.

29 § 2. This act shall take effect immediately.