

STATE OF NEW YORK

5711--A

2019-2020 Regular Sessions

IN SENATE

May 13, 2019

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to establishing the "child abuse reporting expansion act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "child
2 abuse reporting expansion act".
3 § 2. Paragraph (a) of subdivision 1 of section 413 of the social
4 services law, as amended by section 7 of part C of chapter 57 of the
5 laws of 2018, is amended to read as follows:
6 (a) The following persons and officials are required to report or
7 cause a report to be made in accordance with this title when they have
8 reasonable cause to suspect that a child coming before them in their
9 professional or official capacity is an abused or maltreated child, or
10 when they have reasonable cause to suspect that a child is an abused or
11 maltreated child where the parent, guardian, custodian [~~or~~], other
12 person legally responsible for such child comes before them in their
13 professional or official capacity and states from personal knowledge
14 facts, conditions or circumstances which, if correct, would render the
15 child an abused or maltreated child: any physician; registered physician
16 assistant; surgeon; medical examiner; coroner; dentist; dental hygien-
17 ist; osteopath; optometrist; chiropractor; podiatrist; resident; intern;
18 psychologist; registered nurse; social worker; emergency medical techni-
19 cian; licensed creative arts therapist; licensed marriage and family
20 therapist; licensed mental health counselor; licensed psychoanalyst;
21 licensed behavior analyst; certified behavior analyst assistant; hospi-
22 tal personnel engaged in the admission, examination, care or treatment

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

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

29 § 3. This act shall take effect immediately.