

STATE OF NEW YORK

10183

IN ASSEMBLY

May 5, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lunsford) --
(at request of the Office of Children and Family Services) -- read
once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to including a
child abuse medical specialist on the child abuse multidisciplinary
team

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

1 Section 1. Subdivision 6 of section 423 of the social services law, as
2 amended by chapter 574 of the laws of 2008, is amended to read as
3 follows:

4 6. A social services district may establish a multidisciplinary inves-
5 tigative team or teams and may establish or work as part of a child
6 advocacy center established pursuant to section four hundred twenty-
7 three-a of this title, at a local or regional level, for the purpose of
8 investigating reports of suspected child abuse or maltreatment. The
9 social services district shall have discretion with regard to the cate-
10 gory or categories of suspected child abuse or maltreatment such team or
11 teams may investigate, provided, however, the social services district
12 shall place particular emphasis on cases involving the abuse of a child
13 as described in paragraph (i), (ii) or (iii) of subdivision (e) of
14 section one thousand twelve of the family court act, sexual abuse of a
15 child or the death of a child. Members of multidisciplinary teams shall
16 include but not be limited to representatives from the following agen-
17 cies: child protective services, law enforcement, district attorney's
18 office, physician or medical provider trained in forensic pediatrics,
19 mental health professionals, victim advocacy personnel and, if one
20 exists, a child advocacy center; provided however, that multidiscipli-
21 nary teams shall make efforts to have available for consultation at
22 least one child abuse medical specialist that has received specialized
23 training on child abuse or in recognizing the signs of child abuse or
24 maltreatment, which may include a physician, nurse or licensed nurse
25 practitioner, or other licensed medical professional acting within their
26 scope of practice; and provided further, however that effective January

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

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1 first, two thousand twenty-five the membership of the multidisciplinary
2 teams shall include at least one child abuse medical specialist, unless
3 such multidisciplinary team certifies to the office of children and
4 family services that they were unable to include a child abuse medical
5 specialist within such team due to a lack of available child abuse
6 medical specialists in the region or fiscal hardship. Members of the
7 multidisciplinary team primarily responsible for the investigation of
8 child abuse reports, including child protective services, law enforce-
9 ment and district attorney's office, shall participate in joint inter-
10 views and conduct investigative functions consistent with the mission of
11 the particular agency member involved. It shall not be required that
12 members of a multidisciplinary team not responsible for the investi-
13 gation of reports participate in every investigation. Such other members
14 shall provide victim advocacy, emotional support, and recommendations
15 and access to medical and mental health care, where applicable. All
16 members, consistent with their respective agency missions, shall facili-
17 tate efficient delivery of services to victims and appropriate medical
18 care and/or disposition of cases through the criminal justice system
19 and/or the family court system in a collaborative manner, as may be
20 appropriate; provided further, however, non-investigative team members
21 shall note their specific role in the team for reports covered under
22 this title. Notwithstanding any other provision of law to the contrary,
23 members of a multidisciplinary investigative team or a child advocacy
24 center may share with other team members client-identifiable information
25 concerning the child or the child's family to facilitate the investi-
26 gation of suspected child abuse or maltreatment. Nothing in this subdi-
27 vision shall preclude the creation of multidisciplinary teams or child
28 advocacy centers which include more than one social services district.
29 Each team shall develop a written protocol for investigation of child
30 abuse and maltreatment cases and for interviewing child abuse and
31 maltreatment victims. The social services district is encouraged to
32 train each team member in risk assessment, indicators of child abuse and
33 maltreatment, and appropriate interview techniques.

34 § 2. This act shall take effect immediately.