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 Assembly, do enact as follows:

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

6. A social services district may establish a multidisciplinary investigative team or teams and may establish or work as part of a child advocacy center established pursuant to section four hundred twenty-three-a of this title, at a local or regional level, for the purpose of investigating reports of suspected child abuse or maltreatment. The social services district shall have discretion with regard to the category or categories of suspected child abuse or maltreatment such team or teams may investigate, provided, however, the social services district shall place particular emphasis on cases involving the abuse of a child as described in paragraph (i), (ii) or (iii) of subdivision (e) of section one thousand twelve of the family court act, sexual abuse of a child or the death of a child. Members of multidisciplinary teams shall include but not be limited to representatives from the following agencies: child protective services, law enforcement, district attorney's office, physician or medical provider trained in forensic pediatrics, mental health professionals, victim advocacy personnel and, if one exists, a child advocacy center**; provided however, that multidisciplinary teams shall make efforts to have available for consultation at least one child abuse medical specialist that has received specialized training on child abuse or in recognizing the signs of child abuse or maltreatment, which may include a physician, nurse or licensed nurse practitioner, or other licensed medical professional acting within their 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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first, two thousand twenty-five the membership of the multidisciplinary teams shall include at least one child abuse medical specialist, unless such multidisciplinary team certifies to the office of children and family services that they were unable to include a child abuse medical specialist within such team due to a lack of available child abuse medical specialists in the region or fiscal hardship. Members of the multidisciplinary team primarily responsible for the investigation of child abuse reports, including child protective services, law enforcement and district attorney's office, shall participate in joint interviews and conduct investigative functions consistent with the mission of the particular agency member involved. It shall not be required that members of a multidisciplinary team not responsible for the investigation of reports participate in every investigation. Such other members shall provide victim advocacy, emotional support, and **recommendations and** access to medical and mental health care, where applicable. All members, consistent with their respective agency missions, shall facilitate efficient delivery of services to victims and appropriate **medical care and/or** disposition of cases through the criminal justice system and/or the family court system in a collaborative manner, **as may be appropriate; provided further,** however, non-investigative team members shall note their specific role in the team for reports covered under this title. Notwithstanding any other provision of law to the contrary, members of a multidisciplinary investigative team or a child advocacy center may share with other team members client-identifiable information concerning the child or the child's family to facilitate the investigation of suspected child abuse or maltreatment. Nothing in this subdivision shall preclude the creation of multidisciplinary teams or child advocacy centers which include more than one social services district. Each team shall develop a written protocol for investigation of child abuse and maltreatment cases and for interviewing child abuse and maltreatment victims. The social services district is encouraged to train each team member in risk assessment, indicators of child abuse and maltreatment, and appropriate interview techniques.

§ 2. This act shall take effect immediately.