

STATE OF NEW YORK

6741

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the
Committee on Children and Families

AN ACT to amend the social services law and the public authorities law,
in relation to requiring the mandatory reporting of suspected child
abuse or maltreatment by certain employees of the metropolitan trans-
portation authority

The People of the State of New York, represented in Senate and Assem-
bly, 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
22 includes but is not limited to school teacher, school guidance counse-
23 lor, school psychologist, school social worker, school nurse, school

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

LBD10754-01-3

1 administrator or other school personnel required to hold a teaching or
2 administrative license or certificate; full or part-time compensated
3 school employee required to hold a temporary coaching license or profes-
4 sional coaching certificate; social services worker; employee of a publ-
5 ically-funded emergency shelter for families with children; director of a
6 children's overnight camp, summer day camp or traveling summer day camp,
7 as such camps are defined in section thirteen hundred ninety-two of the
8 public health law; day care center worker; school-age child care worker;
9 provider of family or group family day care; employee or volunteer in a
10 residential care facility for children that is licensed, certified or
11 operated by the office of children and family services; or any other
12 child care or foster care worker; mental health professional; substance
13 abuse counselor; alcoholism counselor; all persons credentialed by the
14 office of alcoholism and substance abuse services; employees, who are
15 expected to have regular and substantial contact with children, of a
16 health home or health home care management agency contracting with a
17 health home as designated by the department of health and authorized
18 under section three hundred sixty-five-1 of this chapter or such employ-
19 ees who provide home and community based services under a demonstra-
20 tion program pursuant to section eleven hundred fifteen of the federal social
21 security act who are expected to have regular and substantial contact
22 with children; peace officer; police officer; district attorney or
23 assistant district attorney; investigator employed in the office of a
24 district attorney; or other law enforcement official; or any employees
25 of the metropolitan transportation authority who are expected to have
26 regular contact with children.

27 § 2. The public authorities law is amended by adding a new section
28 1266-m to read as follows:

29 § 1266-m. Training in the reporting of suspected cases of child abuse
30 and maltreatment. 1. Every employee of the authority required to report
31 child abuse or maltreatment, pursuant to subdivision one of section four
32 hundred thirteen of the social services law, shall, prior to assumption
33 of the position which requires such reporting, complete two hours of
34 coursework or training regarding the identification and reporting of
35 child abuse and maltreatment; provided that every employee holding such
36 a position on or before the effective date of this section shall
37 complete such coursework or training within one year of the effective
38 date of this section. Employees shall complete two hours of subsequent
39 coursework or training not less than once every two years.

40 2. The office of children and family services shall approve and/or
41 establish the coursework and training required to implement the
42 provisions of this section. Such coursework and training may be devel-
43 oped so that it can be offered through various means including, but not
44 limited to, internet-based courses and teleconferences.

45 § 3. This act shall take effect on the one hundred twentieth day after
46 it shall have become a law.