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 transportation authority

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

Section 1. Paragraph (a) of subdivision 1 of section 413 of the social services law, as amended by section 7 of part C of chapter 57 of the laws of 2018, is amended to read as follows:

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledge facts, conditions or circumstances which, if correct, would render the child an abused or maltreated child: any physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; psychologist; registered nurse; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed behavior analyst; certified behavior analyst assistant; hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school

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

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administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; employee of a publicly-funded emergency shelter for families with children; director of a children's overnight camp, summer day camp or traveling summer day camp, as such camps are defined in section thirteen hundred ninety-two of the public health law; day care center worker; school-age child care worker; provider of family or group family day care; employee or volunteer in a residential care facility for children that is licensed, certified or operated by the office of children and family services; or any other child care or foster care worker; mental health professional; substance abuse counselor; alcoholism counselor; all persons credentialed by the office of alcoholism and substance abuse services; employees, who are expected to have regular and substantial contact with children, of a health home or health home care management agency contracting with a health home as designated by the department of health and authorized under section three hundred sixty-five-l of this chapter or such employees who provide home and community based services under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act who are expected to have regular and substantial contact with children; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official**; or any employees of the metropolitan transportation authority who are expected to have regular contact with children**.

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

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

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

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