STATE OF NEW YORK

6463--A

Cal. No. 861

2023-2024 Regular Sessions

IN SENATE

April 20, 2023

Introduced by Sens. MANNION, KENNEDY, BORRELLO, MARTINEZ, MURRAY, ROLISON, WEBB, WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the social services law, in relation to updating the mandated reporter training to include how to identify an abused or maltreated child with an intellectual or developmental disability

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

Section 1. Section 413 of the social services law is amended by adding a new subdivision 6 to read as follows:

6. The office of children and family services shall update training issued to persons and officials required to report cases of suspected child abuse or maltreatment to include guidance on identifying an abused or maltreated child when such child is an individual with an intellectual or developmental disability as defined in section 1.03 of the mental hygiene law. Such guidance shall be developed in consultation with the justice center for the protection of people with special needs. Persons and officials required to report cases of suspected child abuse or maltreatment shall have one year from the effective date of this subdivision to receive such updated mandated reporter training.

§ 2. Paragraph (c) of subdivision 2 of section 421 of the social services law, as amended by section 7 of subpart A of part JJ of chapter 56 of the laws of 2021, is amended to read as follows:

(c) issue guidelines to assist local child protective services in the interpretation and assessment of reports of abuse and maltreatment made to the statewide central register described in section four hundred twenty-two of this article. Such guidelines shall include information, standards and criteria for the identification of evidence of alleged

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

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abuse and maltreatment as required to determine whether a report may be indicated pursuant to this article. Provided further, the office of children and family services shall update such guidelines, standards and criteria issued to the local child protective services to include protocols to reduce implicit bias in the decision-making processes, strategies for identifying adverse childhood experiences as defined in paragraph (c) of subdivision one of section twenty-d of this chapter, [~~and~~] guidelines to assist in recognizing signs of abuse or maltreatment while interacting virtually**, and guidance on identifying an abused or maltreated child when such child is an individual with an intellectual or developmental disability as defined in section 1.03 of the mental hygiene law**. The office may utilize existing programs or materials established pursuant to section twenty-d of this chapter.

§ 3. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.