§ 417. Taking a child into protective custody. 1. (a) Pursuant to the requirements and provisions of the family court act, a peace officer, acting pursuant to his or her special duties, a police officer, a law enforcement official, or a designated employee of a city or county department of social services, or an agent or employee of an Indian tribe that has entered into an agreement with the department pursuant to section thirty-nine of this chapter to provide child protective services shall take all appropriate measures to protect a child's life and health including, when appropriate, taking or keeping a child in protective custody without the consent of a parent or guardian if such person has reasonable cause to believe that the circumstances or condition of the child are such that continuing in his or her place of residence or in the care and custody of the parent, guardian, custodian or other person responsible for the child's care presents an imminent danger to the child's life or health.

(b) Any physician shall notify the appropriate police authorities or the local child protective service to take custody of any child such physician is treating whether or not additional medical treatment is required, if such physician has reasonable cause to believe that the circumstances or condition of the child are such that continuing in his place of residence or in the care and custody of the parent, guardian, custodian or other person responsible for the child's care presents an imminent danger to the child's life or health.

2. Notwithstanding any other provision of law, the person in charge of any hospital or similar institution shall, where he has reasonable cause to believe that the circumstances or conditions of the child are such that continuing in his place of residence or in the care and custody of the parent, guardian, custodian or other person responsible for the child's care presents an imminent danger to the child's life or health, take all necessary measures to protect the child including, where appropriate, retaining custody of an abused or maltreated child, until the next regular week day session of the family court in which a child protection proceeding pursuant to article ten of the family court act may be commenced whether or not additional medical treatment is required during that period and whether or not a request is made by a parent or guardian for the return of the child during that period. In all cases

where the person in charge of a hospital or similar institution has retained custody of a child pursuant to this section, he shall immediately notify the appropriate local child protective service which immediately shall commence an investigation. In the case of a child in residential care, the child protective service shall notify the appropriate state agency which shall immediately commence an investigation. If no further medical treatment is necessary, the child protective service shall take all necessary measures to protect a child's life and health, including when appropriate, taking custody of a child. Such child protective service shall commence a child protective proceeding in the family court at the next regular week day session of the appropriate family court or recommend to the court at that time that the child be returned to his parents or guardian.

3. Whenever a child protective service takes a child into protective custody and the parent, guardian or custodian of the child is not present, the service shall immediately notify the local police station closest to the child's home of such removal, and shall provide them with a copy of the notice required pursuant to paragraph (iii) of subdivision (b) of section one thousand twenty-four of the family court act. Upon request by the parent, guardian or custodian of the child, the police shall provide such person with a copy of the notice.