

NEW YORK STATE
 DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

CESAR A. PERALES
 Commissioner



[An Informational Letter informs local districts of potential developments in the Social Services field, or of actual or potential developments in collateral fields of interest.]

INFORMATIONAL LETTER

TRANSMITTAL NO.: 85 INF-1
 [Family & Children Services]

TO: Commissioners of Social Services

SUBJECT: Mandated Reporting of Child Abuse or Maltreatment

DATE: January 24, 1985

SUGGESTED DISTRIBUTION:
 Director of Services
 CPS Supervisors

CONTACT PERSON:

For additional information on the content of this release, contact Mr. Paul Thompson at 1-800-342-3715, extension 4-9433.

I. PURPOSE

The purpose of this letter is to inform local districts of the provisions of Chapter 932 of the Laws of 1984 which became effective September 1, 1984. The legislation requires mandated reporters to report cases of suspected child abuse or maltreatment if they have reasonable cause to suspect that a child is an abused or maltreated child where a parent, guardian or other person legally responsible for the child comes before them in their professional or official capacity and makes statements which if accurate would render the child an abused or maltreated child.

II. BACKGROUND

Prior to September 1, 1984, the Child Protective Act of 1973 (Social Services Law 413) only required certain officials and professionals to report to the State Central Register whenever they have reasonable cause to suspect that a child coming before them in their professional or official capacity

FILING REFERENCES

Previous INFs/ADMs	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
		SSL 413	932 of the Laws of 1984	

was abused or maltreated. In enacting Chapter 932, legislators sought to increase reporting of suspected child abuse or maltreatment by mandated reporters by requiring officials or professionals to report cases in which information about suspected child abuse or maltreatment comes from the child's parent or legal guardian. The prior statute did not pertain to situations where information about suspected child abuse or maltreatment was derived solely from the child's parent or guardian. Concern that officials or professionals may not be reporting cases where information about suspected child abuse or maltreatment comes from the child's parent or guardian because the law previously required the child to physically come before the professional resulted in passage of Chapter 932. A copy of the law has been attached.

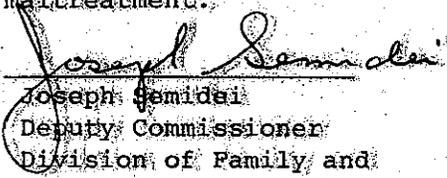
III. PROGRAM IMPLICATIONS

The amended law does not make substantive change in State Department of Social Services policy regarding the reporting of cases of suspected child abuse or maltreatment by mandated reporters. This policy is to encourage all such persons to report whenever they have reasonable cause to suspect child abuse or maltreatment irrespective of the source of the information. This new statute does expand the situations where mandated reporters are now legally required to report.

A mandated reporter who has knowledge of situations in their professional capacity through statements made by the child's parent(s) or guardian which might indicate inability to minimally care for a child is now required to report to the State Central Register. The professional, prior to reporting to the SCR, should determine whether the information collected from the child's parent(s) or guardian(s) if accurate is sufficient to meet the requirements of abuse or maltreatment as defined in Section 412 of the Social Services Law or Section 1012 of the Family Court Act.

II. RECOMMENDED ACTION

Concurrent with on-going public awareness and education programs, local districts should inform mental health officials and other professionals of the expanded situation in which professionals are required to report cases of suspected child abuse or maltreatment.


Joseph Samidal
Deputy Commissioner
Division of Family and
Children Services