

VETO MESSAGE - No. 399

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 7660-A, entitled:

"AN ACT to amend the social services law, in relation to requiring persons and officials required to report suspected child abuse or maltreatment to complete certain ongoing training; to amend the education law, in relation to requiring school superintendents, teachers and certain other licensed professionals to complete training in the reporting of suspected cases of child abuse and maltreatment; and to amend the executive law and the public health law, in relation to child abuse prevention"

NOT APPROVED

This bill would amend the Social Services Law to require ongoing training for statutorily mandated reporters of suspected child abuse or maltreatment. The bill would require mandated reporters to complete two hours of coursework or training on the identification and reporting of child abuse and maltreatment before assuming such a position. Persons who are currently employed in such positions would have one year from the effective date of the bill to complete the required coursework or training. Thereafter, the bill would require mandated reporters to complete two and one-half hours of training every two years. All such training and coursework would have to be approved or established by the Office of Children and Family Services ("OCFS"). The bill similarly would amend the Education Law to impose corresponding requirements on persons who are licensed, or seeking to be licensed, by the State Education Department ("SED") in professions that are statutorily mandated reporters. Additionally, the bill would amend the Executive Law to require the Superintendent of State Police to establish and implement a training program on the identification of abuse and maltreatment and investigation protocols. Finally, the bill would amend the Public Health Law to include, among measures to prevent abuse of children in hospitals, the establishment and implementation of a child abuse and maltreatment identification training program for employees who regularly assess injuries in children. The bill would take effect 120 days after it shall have become a law.

While I fully support the objective of the bill. I am constrained to disapprove the bill based on technical concerns raised by SED, OCFS and the City of New York ("City"). First, both SED and OCFS are concerned that the two-year cycle for training proposed in the bill is inconsistent with the triennial licensure cycle for many of the professions and occupations affected by the bill. Second, SED is concerned that the bill's effective date may not allow ample time for persons seeking positions as mandated reporters to obtain the required training. Third, SED notes that the bill fails to provide a mechanism for ensuring compliance by teachers who hold a permanent teaching certificate. Finally, the City is concerned that the bill conflicts with provisions of the Executive Law governing the training of police officers. While these defects compel my disapproval, I encourage the sponsors and supporters of the bill to work with OCFS and SED to develop revised legislation that

corrects these technical shortcomings.

The bill is disapproved.

(signed) GEORGE E. PATAKI

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