

DEPARTMENT OF SOCIAL SERVICES

40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

BARBARA B. BLUM  
Commissioner



[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

**ADMINISTRATIVE DIRECTIVE**

TRANSMITTAL NO.: 80 ADM-100  
[Services]

TO: Commissioners of Social Services

SUBJECT: Suspected Child Abuse/Maltreatment in Institutions

DATE: December 31, 1980

SUGGESTED DISTRIBUTION: Director of Social Services  
Child Protective Service Staff

CONTACT PERSON: Any question concerning this release should be forwarded to Eric Brettschneider, Associate Commissioner, Office of Services Program Planning, at 1-800-342-3715, extension 4-9436.

- I. Purpose: The purpose of the directive is to advise local social service districts of the provisions of section 424-b of the social service law, which became effective on October 1, 1980. This recently enacted law pertains to receiving and investigating reports of suspected child abuse/maltreatment in certain public and private agencies.
- II. Background: Historically, the State Central Register accepted reports of suspected child abuse/maltreatment concerning children in homes or facilities operated or supervised by a Department of Social Services authorized agency, the Division for Youth, or an Office of the Department of Mental Hygiene. These reports were received and telephoned to local child protective staff for investigation (in conjunction with Department regional office staff in the case of local district certified or operated homes). Recent Department fair hearing decisions have called into question the authority of the State Central Register to accept reports and maintain information concerning suspected child abuse/maltreatment in various types of facilities. The new section 424-b is intended to provide clear authority for the State Central Register to accept reports and maintain information on children suspected of being abused or maltreated in certain facilities. Additionally, the new section gives structure as to who shall perform the investigation.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
78 ADM-87	76 ADM-77		SSL 424-b		

III. Program Implications: For those homes or facilities operated by the Division for Youth or an office of the Department of Mental Hygiene, where child abuse/maltreatment is suspected, the State Central Register will refer the report to the central office of the Division for Youth or appropriate office of the Department of Mental Hygiene so that they may perform an investigation, come to a determination as to the validity of the allegation, and report their determination to the State Central Register. The local child protective service will no longer receive telephone notice of such reports from the State Central Register, nor will they be responsible for performing an investigation as of October 1, 1980, the effective date of the new law.

In districts which operate a local reporting system (Monroe and Onondaga), if a person wishes to report a case of suspected child abuse/maltreatment in one of the above type facilities or homes, they shall either be instructed to telephone the State Central Register directly, or the local district may take the information from the reporting source and transmit this information immediately to the State Central Register. In any event, such reports shall not be made a part of the local register and should not be investigated or assessed by the local district.

If the State Central Register should transmit a report to a local district, and upon investigation the local child protective service learns that the report pertains to a facility or home under the jurisdiction of the Division for Youth or an office of the Department of Mental Hygiene, the district should cease its involvement and notify the State Central Register immediately. Responsibility for completing the investigation will fall upon the appropriate State agency.

State Central Register staff have conducted three two-day regional training and technical assistance sessions for those Division for Youth, Office of Mental Health and Office of Mental Retardation and Developmental Disability staff who will be involved in the investigation of reports of suspected child abuse and maltreatment in facilities or homes under their jurisdiction. As the implementation of the legislation proceeds, and as additional training needs become more pronounced, it is anticipated that additional training will take place. In that the State Central Register will maintain its monitoring function in these types of reports, it is expected that technical assistance will be provided to the State agencies involved through the feedback process on individual reports.

IV. Required Action: In those facilities under the jurisdiction of the Department or certified or operated by the local social service district, the current operational policy for performing an investigation of suspected child abuse/maltreatment as described in 78 ADM-87, will continue to remain in effect.

As such, the local child protective service will have the responsibility for carrying out its investigative and assessment responsibilities in all of the facilities under the jurisdiction of the Department and the facilities certified or operated by the local social service district. Also to be continued will be the direct involvement of the Department's Regional Office staff in those reports which allege abuse/maltreatment in facilities certified or operated by the local social service district.



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