

1 which case the custodian(s) shall comply with such request; or (ii) such
 2 evidence is privileged and either (A) the alleged sexual offense victim
 3 gives permission to release the evidence to law enforcement, or (B) the
 4 alleged sexual offense victim signs a statement directing the
 5 custodian(s) to dispose of the evidence, in which case the sexual
 6 offense evidence will be discarded in compliance with state and local
 7 health codes.

8 § 2. This act shall take effect April 1, 2021.

9

PART JJ

10 Section 1. This Part enacts into law major components of legislation
 11 which are related to the availability of adverse childhood experiences
 12 services. Each component is wholly contained within a Subpart identi-
 13 fied as Subparts A and B. The effective date for each particular
 14 provision contained within such Subpart is set forth in the last section
 15 of such Subpart. Any provision in any section contained within a
 16 Subpart, including the effective date of the Subpart, which makes refer-
 17 ence to a section of "this act", when used in connection with that
 18 particular component, shall be deemed to mean and refer to the corre-
 19 sponding section of the Subpart in which it is found. Section two
 20 contains a severability clause for all provisions contained in each
 21 Subpart of this Part. Section three of this act sets forth the general
 22 effective date of this Part.

23

SUBPART A

24 Section 1. The social services law is amended by adding a new section
 25 131-aaa to read as follows:

26 § 131-aaa. Availability of adverse childhood experiences services.
 27 Each local social services district shall be required to make available
 28 to applicants and recipients of public assistance who are a parent,
 29 guardian, custodian or otherwise responsible for a child's care, educa-
 30 tional materials developed pursuant to subdivision two of section three
 31 hundred seventy-c of this article to educate them about adverse child-
 32 hood experiences, the importance of protective factors and the avail-
 33 ability of services for children at risk for or suffering from adverse
 34 childhood experiences. The educational materials may be made available
 35 electronically and shall be offered at the time of application and
 36 recertification.

37 § 2. Article 5 of the social services law is amended by adding a new
 38 title 12-A to read as follows:

TITLE 12-A

SUPPORTS AND SERVICES FOR YOUTH SUFFERING FROM ADVERSE
CHILDHOOD EXPERIENCES

42 Section 370-c. Supports and services for youth suffering from adverse
 43 childhood experiences.

44 § 370-c. Supports and services for youth suffering from adverse child-
 45 hood experiences. 1. Youth suffering from or at risk of adverse child-
 46 hood experiences, as defined in paragraph (c) of subdivision one of
 47 section twenty-d of this chapter, may be eligible for a range of appro-
 48 priate services and supports that enhance protective factors, or are
 49 culturally competent, evidence based and trauma informed and beneficial
 50 to the overall health and well-being of the youth, including but not
 51 necessarily limited to available: (i) appropriate health and behavioral
 52 health services provided to youth who are otherwise eligible under

1 subdivision seven of section twenty-five hundred ten of the public
2 health law and subdivision two of section three hundred sixty-five-a of
3 this article; (ii) preventive services provided to youth who are other-
4 wise eligible pursuant to section four hundred nine-a of this article;
5 (iii) services provided to youth who are otherwise eligible pursuant to
6 subdivision two of section four hundred fifty-eight-m of this chapter;
7 or (iv) to the extent funds are specifically appropriated therefor, any
8 other services necessary to serve youth suffering from adverse childhood
9 experiences.

10 2. The office of children and family services, in consultation with
11 the office of temporary and disability assistance, the office of mental
12 health, the office of addiction services and supports, the department of
13 health and not-for-profit organizations that have expertise providing
14 services to individuals suffering from adverse childhood experiences,
15 shall develop or utilize existing educational materials to be used to
16 educate parents, guardians and other authorized individuals about
17 adverse childhood experiences including the environmental events that
18 may impact or lead to adverse childhood experiences, the importance of
19 protective factors and the availability of services for children at risk
20 of or suffering from adverse childhood experiences. Such information
21 shall be made available electronically and shall be posted on each agen-
22 cy's website.

23 § 3. Subdivision 7 of section 390 of the social services law is
24 amended by adding a new paragraph (c) to read as follows:

25 (c) The office of children and family services shall implement a
26 statewide campaign to educate parents and other consumers of child day
27 care programs about adverse childhood experiences, the importance of
28 protective factors, and the availability of services for children at
29 risk for or experiencing adverse childhood experiences as defined in
30 paragraph (c) of subdivision one of section twenty-d of this chapter.
31 Such statewide campaign, shall include but is not limited to, providing
32 all licensed, registered and enrolled child care providers with educa-
33 tional materials developed pursuant to subdivision two of section three
34 hundred seventy-c of this chapter. The educational materials may be made
35 available electronically and shall be offered to parents and other
36 consumers at the time of enrollment.

37 § 4. Section 305 of the education law is amended by adding a new
38 subdivision 59 to read as follows:

39 59. The commissioner shall make available educational materials devel-
40 oped pursuant to subdivision two of section three hundred seventy-c of
41 the social services law to every school district, charter school,
42 nonpublic school, approved preschool, approved preschool special educa-
43 tion program, approved private residential or non-residential school for
44 the education of students with disabilities, state-supported school in
45 accordance with article eighty-five of this chapter, and board of coop-
46 erative educational services for the purpose of educating parents, guar-
47 dians and other authorized individuals responsible for the child's care
48 about adverse childhood experiences, the importance of protective
49 factors, and the availability of services for children at risk for or
50 experiencing adverse childhood experiences. The commissioner shall
51 provide that such educational materials are made available online pursu-
52 ant to subdivision two of section three hundred seventy-c of the social
53 services law.

54 § 5. The public health law is amended by adding a new section 2509-c
55 to read as follows:

1 § 2509-c. Availability of adverse childhood experiences services.
2 Every pediatrics health care provider licensed pursuant to article one
3 hundred thirty-one of the education law shall be required to provide the
4 parent, guardian, custodian or other authorized individual of a child
5 that the pediatrician sees in their official capacity, with educational
6 materials developed pursuant to subdivision two of section three hundred
7 seventy-c of the social services law. Such materials may be provided
8 electronically and shall be used to inform and educate them about
9 adverse childhood experiences, the importance of protective factors and
10 the availability of services for children at risk for or experiencing
11 adverse childhood experiences.

12 § 6. Paragraph (a) of subdivision 2 of section 422 of the social
13 services law, as amended by chapter 357 of the laws of 2014, is amended
14 to read as follows:

15 (a) The central register shall be capable of receiving telephone calls
16 alleging child abuse or maltreatment and of immediately identifying
17 prior reports of child abuse or maltreatment and capable of monitoring
18 the provision of child protective service twenty-four hours a day, seven
19 days a week. To effectuate this purpose, but subject to the provisions
20 of the appropriate local plan for the provision of child protective
21 services, there shall be a single statewide telephone number that all
22 persons, whether mandated by the law or not, may use to make telephone
23 calls alleging child abuse or maltreatment and that all persons so
24 authorized by this title may use for determining the existence of prior
25 reports in order to evaluate the condition or circumstances of a child.
26 In addition to the single statewide telephone number, there shall be a
27 special unlisted express telephone number and a telephone facsimile
28 number for use only by persons mandated by law to make telephone calls,
29 or to transmit telephone facsimile information on a form provided by the
30 commissioner of children and family services, alleging child abuse or
31 maltreatment, and for use by all persons so authorized by this title for
32 determining the existence of prior reports in order to evaluate the
33 condition or circumstances of a child. When any allegations contained in
34 such telephone calls could reasonably constitute a report of child abuse
35 or maltreatment, after utilizing protocols that would reduce implicit
36 bias from the decision-making process, such allegations and any previous
37 reports to the central registry involving the subject of such report or
38 children named in such report, including any previous report containing
39 allegations of child abuse and maltreatment alleged to have occurred in
40 other counties and districts in New York state shall be immediately
41 transmitted orally or electronically by the office of children and fami-
42 ly services to the appropriate local child protective service for inves-
43 tigation. The inability of the person calling the register to identify
44 the alleged perpetrator shall, in no circumstance, constitute the sole
45 cause for the register to reject such allegation or fail to transmit
46 such allegation for investigation. If the records indicate a previous
47 report concerning a subject of the report, the child alleged to be
48 abused or maltreated, a sibling, other children in the household, other
49 persons named in the report or other pertinent information, the appro-
50 priate local child protective service shall be immediately notified of
51 the fact. If the report involves either (i) an allegation of an abused
52 child described in paragraph (i), (ii) or (iii) of subdivision (e) of
53 section one thousand twelve of the family court act or sexual abuse of a
54 child or the death of a child or (ii) suspected maltreatment which
55 alleges any physical harm when the report is made by a person required
56 to report pursuant to section four hundred thirteen of this title within

1 six months of any other two reports that were indicated, or may still be
2 pending, involving the same child, sibling, or other children in the
3 household or the subject of the report, the office of children and fami-
4 ly services shall identify the report as such and note any prior reports
5 when transmitting the report to the local child protective services for
6 investigation.

7 § 7. Paragraph (c) of subdivision 2 of section 421 of the social
8 services law, as amended by section 2 of part R of chapter 56 of the
9 laws of 2020, is amended to read as follows:

10 (c) issue guidelines to assist local child protective services in the
11 interpretation and assessment of reports of abuse and maltreatment made
12 to the statewide central register described in section four hundred
13 twenty-two of this article. Such guidelines shall include information,
14 standards and criteria for the identification of evidence of alleged
15 abuse and maltreatment as required to determine whether a report may be
16 indicated pursuant to this article. Provided further, the office of
17 children and family services shall update such guidelines, standards and
18 criteria issued to the local child protective services to include
19 protocols to reduce implicit bias in the decision-making processes,
20 strategies for identifying adverse childhood experiences as defined in
21 paragraph (c) of subdivision one of section twenty-d of this chapter,
22 and guidelines to assist in recognizing signs of abuse or maltreatment
23 while interacting virtually. The office may utilize existing programs
24 or materials established pursuant to section twenty-d of this chapter.

25 § 8. Section 413 of the social services law is amended by adding a new
26 subdivision 5 to read as follows:

27 5. The office of children and family services shall update training
28 issued to persons and officials required to report cases of suspected
29 child abuse or maltreatment to include protocols to reduce implicit bias
30 in the decision-making processes, strategies for identifying adverse
31 childhood experiences as defined in paragraph (c) of subdivision one of
32 section twenty-d of this chapter, and guidelines to assist in recogniz-
33 ing signs of abuse or maltreatment while interacting virtually. Such
34 persons and officials shall have three years from the effective date of
35 the chapter of the laws of two thousand twenty-one that added this
36 subdivision to receive such updated mandated reported training.

37 § 9. This act shall take effect April 1, 2022, provided, however, that
38 section eight of this act shall expire and be deemed repealed three
39 years after the effective date of this act.

40 SUBPART B

41 Intentionally Omitted.

42 § 2. Severability. If any clause, sentence, paragraph, subdivision,
43 section or part contained in any subpart of this act shall be adjudged
44 by any court of competent jurisdiction to be invalid, such judgment
45 shall not affect, impair, or invalidate the remainder thereof, but shall
46 by confined in its operation to the clause, sentence, paragraph, subdi-
47 vision, section or part contained in any subpart thereof directly
48 involved in the controversy in which such judgment shall have been
49 rendered. It is hereby declared to be the intent of the legislature that
50 this act would have been enacted even if such invalid provisions had not
51 been included herein.