



Office of Children and Family Services

Summary Guide for Mandated Reporters in New York State

This material provides mandated reporters with an overview of their obligations and some basic information about the New York State Child Protective Services (CPS) system.

Who Are Mandated Reporters?

New York State recognizes that certain professionals are specially equipped to perform the important role of mandated reporter of child abuse or maltreatment. Those professionals include:

- * Physician
- * Registered physician's assistant
- * Surgeon
- * Medical examiner
- * Coroner
- * Dentist
- * Dental hygienist
- * Osteopath
- * Optometrist
- * Chiropractor
- * Podiatrist
- * Resident
- * Intern
- * Psychologist
- * Registered nurse
- * Social worker
- * Emergency medical technician
- * Licensed creative arts therapist
- * Licensed marriage and family therapist
- * Licensed mental health counselor
- * Licensed psychoanalyst
- * Licensed behavior analysts
- * Certified behavior analyst assistants
- * Hospital personnel engaged in the admission, examination, care or treatment of persons
- * Christian science practitioner
- * School official, including (but not limited to):
 - teacher
 - guidance counselor
 - psychologist
 - social worker
 - nurse
 - administrator or other school personnel required to hold a teaching or administrative license or certificate
- * Social services worker
- * Director of a
 - children's overnight camp,
 - summer day camp or
 - traveling summer day camp
- * Day care center worker
- * School age child care worker
- * Provider of family or - group family day care
- * Employee or volunteer in a residential care facility for children
- * Any other child care or foster care worker
- * Mental health professional
- * Substance abuse counselor
- * Alcoholism counselor
- * All persons credentialed by the NYS Office of Alcoholism and Substance Abuse Services
- * Peace officer
- * Police officer
- * District attorney or assistant district attorney
- * Investigator employed in the office of the district attorney
- * Any other law enforcement official

The entire current list can be found in Article 6, Title 6, and Section 413 of the New York Social Services Law. The website can be accessed online through the New York State Legislature's Website (<http://public.leginfo.state.ny.us/menuf.cgi>). Click on Laws of New York to access Social Services Law.

When Am I Mandated to Report?

Mandated reporters are required to report suspected child abuse or maltreatment when they are presented with a reasonable cause to suspect child abuse or maltreatment in a situation where a child, parent, or other person legally responsible for the child is before the mandated reporter when the mandated reporter is acting in his or her official or professional capacity. "Other person legally responsible" refers to a guardian, caretaker, or other person 18 years of age or older who is responsible for the care of the child.

Mandated reporters who are social services workers have expanded reporting requirements. Social services workers are required to report when, in their official or professional role, they are presented with a reasonable cause to suspect child abuse or maltreatment where any person is before the mandated reporter and the mandated reporter is acting in his or her official or professional capacity.

What is a Professional Role?

For example, a doctor examining a child in her practice who has a reasonable suspicion of abuse must report her concern. In contrast, the doctor who witnesses child abuse when riding her bike while off-duty is not mandated to report that abuse. The mandated reporter's legal responsibility to report suspected child abuse or maltreatment ceases when the mandated reporter stops practicing his/her profession. Of course, anyone may report any suspected abuse or maltreatment at any time and is encouraged to do so.

Reasonable Cause to Suspect

Reasonable cause to suspect child abuse or maltreatment means that, based on your rational observations, professional training and experience, you have a suspicion that the parent or other person legally responsible for a child is responsible for harming that child or placing that child in imminent danger of harm. Your suspicion can be as simple as distrusting an explanation for an injury.