

HOUSE No. 125

By Mr. Murphy of Lowell, petition of Kevin J. Murphy and others relative to the reporting of child abuse cases by certain municipal inspectors. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

PETITION OF:

Kevin J. Murphy
Steven C. Panagiotakos

David M. Nangle
Thomas A. Golden, Jr.

In the Year Two Thousand and Seven.

AN ACT REQUIRING CERTAIN MUNICIPAL INSPECTORS TO REPORT CASES OF CHILD ABUSE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The first paragraph of section 51A of chapter 119 of the General
2 Laws is hereby further amended by striking out the first sentence
3 and inserting in place thereof the following sentence:—
4 Any physician, medical intern, hospital personnel engaged in the
5 examination, care or treatment of persons, medical examiner, psy-
6 chologist, emergency medical technician, dentist, nurse, chiro-
7 practor, podiatrist, optometrist, osteopath, public or private school
8 teacher, educational administrator, guidance or family counselor, day
9 care worker or any person paid to care for or work with a child in
10 any public or private facility, or home or program funded by the
11 commonwealth or licensed pursuant to the provisions of chapter
12 28A, which provides day care or residential services to children or
13 which provides the services of child care resource and referral agen-
14 cies, voucher management agencies, family day care systems and
15 childcare food programs, probation officer, clerk/magistrate of the
16 district courts, parole officer, social worker, foster parent, firefighter
17 or policeman, building inspector, board of health inspector, lead
18 paint inspector, office for children licenser, school attendance
19 officer, allied mental health and human services professional as

20 licensed pursuant to the provisions of section 165 of chapter 112,
21 drug and alcoholism counselor, psychiatrist, and clinical social
22 worker, who, in his professional capacity shall have reasonable
23 cause to believe that a child under the age of 18 years is suffering
24 physical or emotional injury resulting from abuse inflicted upon him
25 which causes harm or substantial risk of harm to the child's health or
26 welfare including sexual abuse, or from neglect, including malnutri-
27 tion, or who is determined to be physically dependent upon an
28 addictive drug at birth, shall immediately report such condition to
29 the department by oral communication and by making a written
30 report within 48 hours after such oral communication; provided,
31 however, that whenever such person so required to report is a
32 member of the staff of a medical or other public or private institu-
33 tion, school or facility, he shall immediately either notify the depart-
34 ment or notify the person in charge of such institution, school or
35 facility, or that person's designated agent, whereupon such person in
36 charge or his said agent shall then become responsible to make the
37 report in the manner required by this section.