

SENATE No. 33

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to protect children from emotional abuse.

PETITION OF:

NAME:

Cynthia Stone Creem

DISTRICT/ADDRESS:

First Middlesex and Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00074 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO PROTECT CHILDREN FROM EMOTIONAL 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 SECTION 1. Section 21 of Chapter 119 of the General laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting the following paragraph:-

3 “Emotional abuse” shall include recurrent behavior, with or without accompanying physical
4 abuse, including but not limited to neglect, isolation, or verbal assault, that results in serious
5 harm to a child’s health and welfare. Symptoms of emotional abuse include both physical and
6 emotional harm and physical abuse is not required for a finding of emotional abuse.

7 SECTION 2. Chapter 119: Section 51A of the General Laws, as appearing in the 2004 Official
8 Edition, is hereby amended by striking out lines 25-29 in their entirety and inserting in place
9 thereof the following:-

10 “child on a regular basis, who, in his professional capacity shall have reasonable cause to believe
11 that a child under the age of eighteen years is suffering physical or emotional injury resulting
12 from abuse inflicted upon the child which causes harm or substantial risk of harm to the child’s

13 physical or emotional health or welfare, including emotional or sexual abuse, or from neglect,
14 including malnutrition,”

15 SECTION 3. said section 51A of said chapter 119, as so appearing, is hereby amended by
16 striking out the second paragraph and inserting in place thereof the following paragraph:-

17 Said reports shall contain the names and addresses of the child and his parents or other person
18 responsible for his care, if known; the child’s age; the child’s sex; the nature and extent of the
19 child’s physical or emotional injuries, abuse, maltreatment, or neglect, including any evidence of
20 prior physical or emotional injuries, abuse, maltreatment, or neglect; the circumstances under
21 which the person required to report first became aware of the child’s physical or emotional
22 injuries, abuse, maltreatment or neglect; whatever action, if any, was taken to treat, shelter, or
23 otherwise assist the child; the name of the person or persons making such report; and any other
24 information which the person reporting believes might be helpful in establishing the cause of the
25 injuries; the identity of the person or persons responsible therefore; and such other information as
26 shall be required by the department.

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