

SENATE No. 33

The Commonwealth of Massachusetts

In the Year Two Thousand 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
2 Official Edition, is hereby amended by inserting the following paragraph:-

3 “Emotional abuse” shall include recurrent behavior, with or without accompanying
4 physical abuse, including but not limited to neglect, isolation, or verbal assault, that results in
5 serious harm to a child’s health and welfare. Symptoms of emotional abuse include both physical
6 and 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
8 Official Edition, is hereby amended by striking out lines 25-29 in their entirety and inserting in
9 place thereof the following:-

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

child's physical or emotional health or welfare, including emotional or sexual abuse, or from neglect, including malnutrition,"

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

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