

HOUSE No. 4852

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 30, 2018.

The committee on Ways and Means, to whom was referred the Bill relative to mandated reporter reform (House, No. 4491), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4852).

For the committee,

JEFFREY SÁNCHEZ.

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**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to mandated reporters.

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. Chapter 18C of the General Laws is hereby amended by inserting after
2 section 4 the following section:-

3 Section 4A. (a) There shall be within the office, a task force to review existing mandated
4 reporter laws and regulations that ensure the prevention of child abuse and neglect. The task
5 force shall consist of the following members: the child advocate, who shall serve as the chair; the
6 secretary of health and human services, or a designee; the secretary of education, or a designee;
7 the secretary of public safety and security, or a designee; the attorney general, or a designee; the
8 commissioner of elementary and secondary education, or a designee; the commissioner of early
9 education and care, or a designee; the commissioner of children and families, or a designee; the
10 commissioner of the division of professional licensure or a designee; the chief counsel of the
11 committee for public counsel services, or a designee; and a representative of the Massachusetts
12 district attorney association.

13 (b) The taskforce may consider input from any relevant organization, including but not
14 limited to: the Children’s League of Massachusetts, Inc., the Massachusetts Children’s Alliance,
15 Inc. and Children’s Trust Massachusetts.

16 (c) The task force shall review:

17 (i) the agencies and employers responsible for training mandated reporters;

18 (ii) the frequency of mandated reporter training and continuing education;

19 (iii) whether agencies and employers follow best practices for mandated reporter training,
20 including profession-specific training for recognizing the signs of child sexual abuse and
21 physical and emotional abuse and neglect;

22 (iv) how agencies notify mandated reporters of changes to the General Laws and
23 regulations;

24 (v) department responses to a written report filed under section 51A of chapter 119,
25 including a listing of offenses requiring a report be referred to the district attorney;

26 (vi) the feasibility of the development of a confidential internal tracking system
27 for all section 51A reports;

28 (vii) whether employer, agency, and employee trainings cover retaliation protections for
29 mandated reporter filing;

30 (viii) whether employer, agency, and employee trainings cover fines and penalties for
31 failure to report pursuant to said section 51A;

32 (ix) protocols related to section 51A reports, including procedures for a mandated
33 reporter to notify the person or designated agent in charge and the required documentation;

34 (x) the availability of information at schools regarding the protocols for filing section
35 51A reports;

36 (xi) options for the development of public service announcements to ensure the safety
37 and well-being of children;

38 (xii) proposals to revise the definition of child abuse and neglect to ensure a standard
39 definition among state agencies that is consistent with appropriate federal authorities; and

40 (xiii) proposals to expand mandated reporting requirements under sections 51A to 51F,
41 inclusive, of said chapter 119.

42 (d) The task force shall make recommendations on: (i) improved or additional
43 training requirements for employees, including employees of licensees or contracted
44 organizations; and (ii) improved accountability in the mandated reporter system, including
45 procedures for a mandated reporter to notify the person or designated agent in charge and
46 responses to reports of intimidation and retaliation.

47 (e) The task force shall from time to time examine the laws, regulations and procedures
48 relating to mandated reporters, with a view to advise the general court on matters relating to
49 child abuse and neglect.

50 SECTION 2. The task force established pursuant to section 4A of chapter 18C of the
51 General Laws shall file a report with any recommendations to the house and senate clerks and

52 the chairs of the joint committee on children, families and persons with disabilities no later than
53 July 31, 2019.