

**SENATE . . . . . No. 62**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Joan B. Lovely*

*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 adoption of the accompanying bill:

An Act relative to mandated reporter reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/25/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/1/2019</i>

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By Ms. Lovely, a petition (accompanied by bill, Senate, No. 62) of Joan B. Lovely, Kay Khan, Patrick M. O'Connor and Joanne M. Comerford for legislation relative to mandated reporter reform. Children, Families and Persons with Disabilities.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4852 OF 2017-2018.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
In the One Hundred and Ninety-First General Court  
(2019-2020)  
\_\_\_\_\_

An Act relative to mandated reporter reform.

*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. (a) There shall be a special commission to review existing mandated  
2 reporter laws and regulations and to report and make recommendations on how to improve the  
3 response to, and prevention of, child abuse and neglect. The report shall include, but not be  
4 limited to, findings and recommendations on: (i) improving or adding training requirements for  
5 employees, including employees of licensees or contracted organizations; and (ii) improving  
6 accountability in the mandated reporter system, including procedures for a mandated reporter to  
7 notify the person or designated agent in charge and responses to reports of intimidation and  
8 retaliation.

9           (b) The commission shall consist of the child advocate, who shall serve as chair and the  
10 following persons, or their designees: the secretary of health and human services; the secretary of

11 education; the secretary of public safety and security; the attorney general; the commissioner of  
12 elementary and secondary education; the commissioner of early education and care; the  
13 commissioner of children and families; the commissioner of the division of professional  
14 licensure; the chief counsel of the committee for public counsel services; and a representative of  
15 the Massachusetts district attorney association. The commission may consider input from any  
16 relevant organization, including but not limited to: the Children’s League of Massachusetts, Inc.,  
17 the Massachusetts Children’s Alliance, Inc. and Children’s Trust Massachusetts.

18 (c) The commission shall review: (i) the agencies and employers responsible for training  
19 mandated reporters; (ii) the frequency of mandated reporter training and continuing education;  
20 (iii) whether agencies and employers follow best practices for mandated reporter training,  
21 including profession-specific training for recognizing the signs of child sexual abuse and  
22 physical and emotional abuse and neglect; (iv) how agencies notify mandated reporters of  
23 changes to the General Laws and regulations; (v) responses by the department of children and  
24 families to a written report filed under section 51A of chapter 119 of the General Laws,  
25 including a listing of offenses requiring a report be referred to the district attorney; (vi) the  
26 feasibility of the development of a confidential internal tracking system for all reports filed under  
27 said section 51A of said chapter 119; (vii) whether employer, agency, and employee trainings  
28 cover retaliation protections for mandated reporter filing; (viii) whether employer, agency and  
29 employee trainings cover fines and penalties for failure to report pursuant to said section 51A of  
30 said chapter 119; (ix) protocols related to reports filed under said section 51A of said chapter  
31 119, including procedures for a mandated reporter to notify the person or designated agent in  
32 charge and the required documentation; (x) the availability of information at schools regarding  
33 the protocols for filing reports under said section 51A of said chapter 119; (xi) options for the

34 development of public service announcements to ensure the safety and well-being of children;  
35 (xii) proposals to revise the definition of child abuse and neglect to ensure a standard definition  
36 among state agencies that is consistent with appropriate federal authorities; and (xiii) proposals  
37 to expand mandated reporting requirements under sections 51A to 51F, inclusive, of said chapter  
38 119.

39 (d) The commission shall file a report of its findings and recommendations, together with  
40 drafts of legislation necessary to carry those recommendations into effect, by filing the same  
41 with the clerks of the senate and the house of representatives, the chairs of the senate and house  
42 committees on ways and means and the chairs of the joint committee on children, families and  
43 persons with disabilities not later than July 31, 2020.