

SENATE No. 82

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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 authorizing the Commonwealth of Massachusetts to establish additional mandated reporters for the purpose of the protection and care of children.

PETITION OF:

NAME:

Paul R. Feeney

F. Jay Barrows

DISTRICT/ADDRESS:

Bristol and Norfolk

1st Bristol

SENATE No. 82

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 82) of Paul R. Feeney and F. Jay Barrows for legislation to authorize the Commonwealth of Massachusetts to establish additional mandated reporters for the purpose of the protection and care of children. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 104 OF 2021-2022.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—————

An Act authorizing the Commonwealth of Massachusetts to establish additional mandated reporters for the purpose of the protection and care of children.

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 119of the General Laws is hereby amended by
2 striking out the definition of “Mandated reporter” and inserting in place thereof the following
3 definition:-

4 "Mandated reporter", a person 18 years old or older who is either a paid or unpaid
5 employee, or a paid or unpaid volunteer, working in a profession or role listed herein, or any
6 other person, paid or unpaid, contracted by any entity to perform the functions of a profession or
7 role listed herein, if such person resides in the commonwealth or performs the functions of the
8 profession or role listed herein for any person whose residence is in the commonwealth or who is

9 physically in the commonwealth, including but not limited to any of the following professions or
10 roles:

11 (i) a physician, medical intern, hospital personnel engaged in the examination, care or
12 treatment of persons, medical examiner, psychologist, emergency medical technician, dentist,
13 nurse, chiropractor, podiatrist, optometrist, osteopath, allied mental health and human services
14 professional licensed under section 165 of chapter 112, drug and alcoholism counselor,
15 psychiatrist or clinical social worker; (ii) a public or private school teacher, educational
16 administrator, guidance or family counselor, child care worker, person paid to care for or work
17 with a child in any public or private facility or organized setting including but not limited to
18 athletic coaches and higher education personnel, or home or program funded by the
19 commonwealth or licensed under chapter 15D that provides child care or residential services to
20 children or that provides the services of child care resource and referral agencies, voucher
21 management agencies or family child care systems or child care food programs, licensor of the
22 department of early education and care or school attendance officer; (iii) a probation officer,
23 clerk-magistrate of a district court, parole officer, social worker, foster parent, firefighter, police
24 officer or animal control officer; (iv) a priest, rabbi, clergy member, ordained or licensed
25 minister, leader of any church or religious body, accredited Christian Science practitioner, person
26 performing official duties on behalf of a church or religious body that are recognized as the
27 duties of a priest, rabbi, clergy, ordained or licensed minister, leader of any church or religious
28 body, accredited Christian Science practitioner, or person employed by a church or religious
29 body to supervise, educate, coach, train or counsel a child on a regular basis; (v) in charge of a
30 medical or other public or private institution, school or facility or that person's designated agent;
31 (vi) a recreational service provider, including but not limited to any personnel of a public,

32 private, or religious organization providing recreational activities or services on a regular basis
33 that are specifically designed for children and require direct supervision of children, including
34 but not limited to day camps, summer camps, youth programs, sports organizations, and scouting
35 groups, personnel of a public library; or (vii) the child advocate.

36 SECTION 2. Section 51A of Chapter 119 of the General Laws, as appearing in the 2020
37 Official Edition, is hereby amended by striking out subsection (k) and inserting in place thereof
38 the following subsection:

39 (k) All persons considered mandated reporters under chapter 119 shall, within 180 days
40 of their designation as a mandated reporter under this section, be required by the entity for which
41 such person performs the functions or role listed herein, to participate in evidence-based training,
42 approved by the Office of the Child Advocate, that specializes in the prevention of child sexual
43 abuse, other forms of abuse, neglect, and mandated reporting. Such training, as approved by the
44 Office of the Child Advocate, in consultation with the Attorney General of the Commonwealth,
45 may be conducted in-person with a facilitator or online. Refresher training may be required by
46 the entity for mandated reporters that have completed initial training.