

Text of an amendment, offered by Mr. Cabral of New Bedford, as amended (Mr. Tobin of Quincy) to the Senate Bill requiring religious officials to be mandated reporters of child abuse (Senate, No. 2230). February 22, 2002.

The Commonwealth of Massachusetts

In the Year Two Thousand and Two.

Striking out all after the enacting clause and inserting in place thereof the following:

1 SECTION 1. Section 51A of chapter 119 of the General Laws,
2 as appearing in the 2000 Official Edition, is hereby amended by
3 inserting after the word "worker", in line 17, the following
4 words:— , priest, rabbi, or ordained or licensed minister of any
5 church or religious body, an accredited Christian Science practi-
6 tioner, any person performing official duties on behalf of a church
7 or religious body that are recognized as the duties of a priest,
8 rabbi, or ordained or licensed minister of any church or religious
9 body, or an accredited Christian Science practitioner, or any
10 person employed by a church or religious body to supervise, edu-
11 cate, coach, train, or counsel a child on a regular basis.

1 SECTION 2. The last paragraph of said section 51A of said
2 chapter 119, as so appearing, is further amended by adding the
3 following two sentences:— For the purposes of this chapter,
4 section 20A of chapter 233 shall not prohibit the filing of a report;
5 provided that a priest, rabbi, ordained or licensed minister, or an
6 accredited Christian Science practitioner shall not be required by
7 this section to file a report based on information communicated to
8 him in his professional character if disclosure is enjoined by the
9 rules or practice of the church or religious body to which the
10 priest, rabbi, ordained or licensed minister, or an accredited Chris-

11 tian Science practitioner belongs. Nothing in the General Laws
12 shall be construed to modify or limit the duty of a priest, rabbi,
13 ordained or licensed minister, or an accredited Christian Science
14 practitioner to report a reasonable cause that a child is being
15 injured as set forth in section 51A of chapter 119 when the priest,
16 rabbi, ordained or licensed minister, or an accredited Christian
17 Science practitioner is acting in some other capacity that would
18 otherwise make him a reporter.

1 SECTION 3. Any religious official mentioned in section 51A
2 of chapter 119 of the General Laws, as amended by section 1 of
3 this act, who was not previously subject to said section 51A and
4 who on the effective date of this act has reasonable cause that a
5 child is or was being injured as set forth in section 51A, based on
6 information that a priest, rabbi, ordained or licensed minister, or
7 an accredited Christian Science practitioner received before the
8 effective date of this act, other than information exempt from
9 reporting under section 2 of this act, shall make the reports
10 required by said section 51A to the department of social services
11 by July 8, 2002.

1 SECTION 4. Section 135A of Chapter 112 is hereby amended
2 by inserting after “patient participant” in line 72:

3 (j) in a proceeding involving abuse of a child under the age of
4 eighteen.

1 SECTION 5. Section 135B of Chapter 112 is hereby amended
2 by adding after line 65:

3 (i) in a proceeding involving abuse of a child under the age of
4 eighteen.