



NEW YORK STATE SENATOR

David Carlucci

## Senator Carlucci Strengthens Protections for our Most Vulnerable Populations

DAVID CARLUCCI June 19, 2014

| ISSUE: **HEALTH**

ALBANY- The protection of people with special needs from abuse, neglect and mistreatment, is a top priority in New York State.

Legislation that passed the Senate and the Assembly ensures the New York Justice Center for the Protection of People with Special Needs has the tools its needs to carry out its mission to further enhance protections for our most vulnerable population while helping investigators be more effective.

**Senator Carlucci (D-Rockland/Westchester) said,** “These pieces of legislation will strengthen protections for our most vulnerable populations while giving investigators the tools they need to conduct more effective investigations. By empowering providers to report abuse, neglect or maltreatment to authorities and making sure the Justice Center conducts well rounded investigations, we will fortify our commitment to protecting people with special needs.”

### **S.7232A -- Taking Critical Information Into Account**

Currently Justice Center investigators are not mandated by law to conduct a review of an individual's clinical history prior to conducting an interview. Without this information, the

potential exists for investigators to inadvertently harm the health, safety and welfare of individuals. This gap in the law has raised questions concerning the adequacy of Justice Center procedures and protocols for dealing directly with vulnerable persons and individuals with disabilities and their loved ones, including parents and legal guardians.

This piece of legislation will address these concerns by ensuring that investigators take into consideration the physical, emotional and clinical condition of the individuals who are being interviewed. By having a well rounded approach, investigators will be able to conduct more effective investigations.

### **S.6183 –Fighting Against Retaliatory Action**

This bill ensures that employees of mental hygiene providers are protected from employer retaliation when reporting incidents of abuse, neglect, or maltreatment to authorities.

Employees that are in this field are unique in the sense that the newly created Justice Center for the Protection of People with Special Needs has a multiple reporting requirement when there has been abuse, neglect or maltreatment. Because of this requirement, many employees have become fearful of employers will take retaliatory action against them.

This legislation is important to further clarify that employees who care for our most vulnerable are protected from retaliatory action when they are reporting abuse, neglect or maltreatment to the Justice Center.

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