CUNY HRPP Guidance: Mandated Reporting in the State of New York

1. Overview
   New York State Law and/or CUNY policy may require certain professionals to perform certain types of mandated reporting. This document serves as a general guide to some mandated reporting requirements. Please note that these may not be all inclusive. Researchers are responsible for ensuring compliance with reporting requirements as they relate to their specific professions.

2. Role of the IRB
   a. In as much as is necessary to fulfill the IRB’s responsibility of ensuring that risks to subjects are minimized; informed consent is adequate; and privacy and confidentiality protections are sufficient; the IRB may require a researcher to:
      i. Provide his/her analysis of the possibility of a reportable event occurring during certain types of research; and
      ii. Indicate his or her legal obligations to report.

   b. Based on the information provided by the researcher in 2.a. above, the IRB may require that researchers inform subjects, in research consent documents or otherwise, of the investigator’s duty to report to appropriate authorities, and an explanation of how this may affect subject confidentiality.

3. Child Abuse or Maltreatment

   • Reference: New York State Social Service Law, Article 6, Title 6, Section 413: Persons and officials required to report cases of suspected child abuse or maltreatment.

4. Communicable Disease
   • New York State Department of Health’s summary guide for Communicable Disease Reporting is available at http://www.health.ny.gov/professionals/diseases/reporting/communicable/.


5. Wounds
   • Certain wounds must be reported regardless of whether they were obtained during the course of the research.

   • Reference: New York State Penal Law, Title P, Article 265, Section 25: Certain wounds to be reported.

   • Reference: New York State Penal Law, Title P, Article 265, Section 26: Burn injury and wounds to be reported.