





Children’s Legislation of the 2009 Connecticut General Assembly

This year, Connecticut lawmakers had to contend with the worst recession in decades, making it difficult just to maintain the gains made for children and families in recent years. Though the 2009 regular session ended without a new state budget, they nevertheless adopted a wide range of legislation affecting our youngest citizens. It is summarized below.

To read the text and legislative history of any of these laws, visit the Connecticut General Assembly’s website, at www.cga.ct.gov. To read more about children’s issues, visit the Commission on Children’s website, at www.cga.ct.gov/coc.

Children in the Recession	2
Child Health	3
Fatherhood	4
Health and Environment	5
Department of Children and Families (DCF)	6
Early Care and Education	8
Education	9
Health Care and Health Insurance	10

KEY:		Adopted by the legislature and signed into law by the governor.		Adopted by the legislature but vetoed by the governor.

The Connecticut Commission on Children (COC) was created with bipartisan support in 1985 by an act of the Connecticut General Assembly (Public Act 85-584). It brings representatives from the legislative, executive and judicial branches of government together with the private sector to promote public policies in children’s interest.

Children in the Recession

Though it didn't require legislation, one of the most important actions at the Capitol this year came on June 16, when Speaker of the House of Representatives Chris Donovan announced the formation of a legislative task force to determine how Connecticut should respond to the recession's impact on children.

The task force, whose members include the Commission on Children, is the first of its kind in the nation.

As the recession deepened this year, three things became painfully clear:

- Virtually all the progress made in children's economic well-being since 1975 was likely to be wiped out by the downturn.
- The impact would be especially severe for low-income children of color.
- Children falling into poverty now will feel the impact of the recession well past recovery of the economy.

The task force begins its work on the heels of a report from the Foundation for Child Development and Duke University that the recession will send between 2.6 million and 3.3 million children into poverty, costing American taxpayers \$1.7 trillion. The estimated economic impact on Connecticut is \$800 million annually.

The researchers predict that virtually all the progress made in children's economic well-being since 1975 is likely to be wiped out by the current economic downturn. Researchers said the impact is especially severe for low-income children of color. Children who fall into poverty now will feel the impact well past recovery of the economy.

The report also warns that family income will decline, households run by women will see incomes fall, and single-parent households headed by men will see the steepest drop of all.

Among the other predictions: The housing crisis will disrupt social relationships for children; homelessness will increase; children's health will suffer; obesity and violent crime will rise; Black and Latino children will be affected most by these changes as their communities are most sensitive to fluctuations in the economy.

The task force begins meeting in September 2009.

Child Health



Public Act 09-115: An Act Concerning... Health Insurance Coverage for Autism-Spectrum Disorders

This law requires group health insurers to cover the *diagnosis* of autism-spectrum disorders. It also expands the requirements on insurers to cover the *treatment* of these disorders. Specifically, they must cover behavioral therapy for a child aged 14 or younger, along with certain prescription drugs and psychiatric and psychological services for with autism. The law permits a policy to set a certain annual dollar maximum for behavioral therapy coverage.

Takes effect: January 1, 2010



Public Act 09-20: An Act Requiring Administration of a... Screening Test for Cystic Fibrosis to Newborn Infants

This law requires all health-care institutions caring for newborn infants to test them for cystic fibrosis, unless their parents object on religious grounds. It requires the testing to be done as soon as is medically appropriate. The law specifies that the cystic fibrosis test is in addition to the Public Health Department's newborn screening program for genetic diseases and metabolic disorders. That program, in addition to the initial screening test, directs parents of identified infants to appropriate counseling and treatment.

Takes effect: October 1, 2009



Public Act 09-157: An Act Concerning... Access to Health and Nutritional Information in Restaurants

This bill would have required chain-owned restaurants in Connecticut to display the total number of calories on their standards menu items. The bill defines “chain restaurant” as a restaurant that is part of a group of 15 or more restaurant locations nationally, doing business under the same trade name, offering predominantly the same type of meals, foods, or menu, regardless of the type of ownership of the individual restaurant locations. A “standard printed menu” is a printed menu provided by a restaurant to individual customers.

Passed by the Senate on May 21 and by the House on June 1. Vetoed by the governor on July 2.

Fatherhood



Public Act 09-175: An Act Concerning... Responsible Fatherhood and Strong Families

This law is based on the recognition – prompted by hearings held by the legislature’s Fatherhood Taskforce – that most low-income fathers care about their children and want to be involved in supporting them. Our current child-support policy does not have effective mechanisms to distinguish fathers who evade paying support from those who would pay support if they had the resources, according to the National Conference of State Legislators.

The law will give judges the option to refer fathers to services instead of jail if they fall behind in their payments due to unemployment. The services would focus on improving their employability or life skills. The law would also:

- require the Department of Social Services (DSS) to report to the legislature by February 1, 2010 on the effectiveness of child-support collection efforts.
- encourage DSS to seek federal and private funds that promote stable father involvement. The Obama administration appears likely to release several million dollars to increase father engagement in their children’s lives.
- require the Chief Court Administrator to create a “problem-solving” docket to help noncustodial parents with child-support payment arrearages. Judges handling cases on this docket would then be free to consider the services option.

Families aren’t the only ones who’d benefit from this legislation – so would taxpayers. Other states that have taken these measures have seen increases in child-support payments, decreases in incarceration, and significant fiscal savings. Missouri, for instance, saved \$7 million.

Takes effect: October 1, 2009

Health and Environment



Public Act 09-103: An Act Concerning... Banning Bisphenol-A in Children's Products & Food Products

Bisphenol-A (BPA) is an industrial chemical used to make a hard, clear plastic known as polycarbonate, which is used in many consumer products, including reusable water bottles and baby bottles. BPA is also found in the lining of some metal-based food and beverage cans. It has been shown in laboratory animal studies to have reproductive and developmental toxicity.

This law makes Connecticut the first state to ban the sale, manufacture, and distribution of:

- infant formula and baby food stored in plastic containers, jars, and cans containing bisphenol-A, and;
- reusable food and beverage containers containing bisphenol-A.

Takes effect: October 1, 2011



Public Act 09-81: An Act Concerning... Green Cleaning Products in Schools

This law requires local and regional school boards to implement “green” cleaning programs for their schools by July 1, 2011. They must use cleaning products that: (1) meet guidelines or standards set by a national or international certification program approved by the Department of Administrative Services (DAS) in consultation with the environmental protection commissioner; and (2) as far as possible, minimize potential harmful effects on human health and the environment. The law applies to general purpose, bathroom, glass, and carpet cleaners; hand cleaners and soaps; and floor finishes and strippers.

School districts must also provide annual statements notifying staff and (if they request it) parents or guardians of enrolled students of the green cleaning program. Districts must publish notices of the programs on their websites; those with no websites must publicize them in another way.

Takes effect: October 1, 2009



Public Act 09-154: An Act... Improving Bicycle and Pedestrian Access

Better known as “complete streets,” this legislation takes several steps to promote bicycle and pedestrian access across the state. By making it easier for all Connecticut residents to enjoy healthy lifestyles, it also stands as a victory against childhood obesity.

The new law:

- requires, beginning October 1, 2010, that at least 1 percent of state funds for highway or street projects go toward creating facilities for “all users” including, at least, bikeways and sidewalks with curb cuts or ramps. This is not new spending; it’s a reallocation.
- establishes an 11-member Connecticut Bicycle and Pedestrian Advisory Board, which will report annually to the governor, the transportation commissioner, and the legislature’s Transportation Committee on what’s being done to improve the bicycling and walking environment in Connecticut.
- requires the transportation commissioner to report, later this year and next year, to the Transportation Committee and the advisory board with a list of transportation projects he has undertaken that contain bicycle and pedestrian access.

Takes effect (unless otherwise specified): July 1, 2009

Department of Children and Families (DCF)



Public Act 09-185, An Act Concerning... Proceedings and Operations of the Department of Children and Families

This law creates a presumption that it is in the best interests of a child who has been, or is at risk of being, removed from his home due to abuse or neglect allegations to be placed with a relative. It requires courts to look for relatives in the early stages of such cases. It also allows a parent who is the subject of the abuse or neglect charges to ask DCF to investigate placing the child with relatives and, where practicable, requires DCF to report on a relative’s suitability at the first court hearing in the case.

Takes effect October 1, 2009, with some exceptions.



**Public Act 09-66, An Act Providing...
State-Funded Medical Coverage to Children in the Care of the
Department of Developmental Services**

This law extends eligibility for state-funded medical assistance to children who are in DDS's voluntary services program but cannot get Medicaid. It also extends these benefits to any child under Department of Children and Families (DCF) supervision who cannot get Medicaid, not just those ineligible because of institutional status.

Takes effect July 1, 2009



**Public Act 09-96, An Act Concerning...
Stuck Kids**

This law requires DCF to report annually on the number and age of the children in its care who are in out-of-state placements, who have run away, or who are homeless. The aim is to create accountability and give DCF a tool for tracking trends in out-of-state placements and overstays in institutions. It also will help the department identify the reasons for runaways, homelessness, refusal of services, and other matters.

The first report is due by February 1, 2010



**Public Act 09-194, An Act Concerning the...
Policies, Practices and Procedures of the Department of
Children and Families**

Current law requires DCF to review the status of children in its care to ensure everything possible is being done to provide them with stable homes. The new law seeks additional information regarding problems, visitation of family members, timetables for reunification, and other items. It also creates a pilot project for opening to the public the proceedings of cases where children are alleged to have been uncared for, neglected, abused, or the subject of a petition for termination of parental rights.

Takes effect October 1, 2009

Early Care and Early Education



Special Act 09-3: An Act Concerning a ... Uniform Reporting Form for Preschool and Child Care Programs

This law requires the Department of Social Services, in collaboration with the Department of Public Health and Department of Education, to develop a single form to report certain information necessary to receive state funding. The departments can develop a reporting form with minimal additional administrative costs.

Took effect upon passage; form due by January 1, 2010



Special Act 09-10: An Act... Simplifying Procedures for Early Childhood Education Facilities

This law requires the state departments of Social Services, Education, and Public Health to work together on a study of the requirements and procedures faced by early care and education providers, with an eye toward simplifying them. The report must be submitted to the legislature by January 1, 2010. In addition, the departments of Education and Public Health must implement a single standard for determining whether an individual has obtained the minimum number of course credits required for head teachers of child day-care centers and teachers in programs receiving school-readiness funds from the Department of Education.



Public Act 09-56: An Act Concerning... Pesticide Applications at Child Day Care Centers and Schools

Under this law, pesticides may be sprayed at day care centers only during operating hours and only by licensed experts--except in emergencies that require dealing with threats such as ticks, bees, wasps, and so forth. Records of pesticide applications must be maintained at the facility for five years.

The bill also requires that children be kept away from treated areas for the full time spelled out on the pesticide label, and requires day care centers give 24-hour notice of planned pesticide applications to parents and guardians who have requested such notification. In cases of emergency application, notice must be given as soon as possible afterward.

Takes effect October 1, 2009

Education



Public Act 09-1: An Act Concerning... Educator Certification and Professional Development and Other Education Issues

This law revamps teacher certification in Connecticut to make it easier to recruit people from other professions, along with teachers from other states or those whose qualifications do not coincide with Connecticut's. Specifically, it broadens the definition of an alternate route to certification (ARC) program. These programs, which allow participants to attain teacher certification without completing a regular teacher preparation program, previously had to meet two conditions to operate in Connecticut: They had to be provided under a contract with an institution of higher education designated by the Department of Higher Education (DHE), and they had to have State Board of Education approval. The new law eliminates the contract requirement and expands the types of entities that can offer such programs to include the DHE itself, regional education service centers (RESCs), and private teacher or administrator training organizations.

Takes effect July 1, 2009



Public Act 09-94: An Act Concerning the... Availability of Automatic External Defibrillators (AED's) in Schools

This act requires a school board to have at each school in its jurisdiction, if funding is available: (1) an automatic external defibrillator (AED) and (2) school staff trained in its use and in cardiopulmonary resuscitation (CPR). The act allows school boards to accept donated AEDs under certain conditions. It also allows boards to accept gifts, donations, and grants for AED acquisition and staff training costs.

It also requires each school to develop emergency action response plans for the appropriate use of school personnel to respond to individuals experiencing sudden cardiac arrest or similar life-threatening emergencies.

Takes effect July 1, 2009

Health Care and Health Insurance



Public Act 09-148: An Act Concerning... Establishment of the Sustinet Plan

Originally, this legislation called for the creation of a self-insured health care delivery plan called Sustinet. In its final form, it establishes a nine-member Sustinet Health Partnership board of directors, which has until January 1, 2011 to make recommendations on the details and implementation of the plan. The law specifies that these recommendations must address:

1. establishment of a public authority or other entity with the power to contract with insurers and health care providers, develop health care infrastructure (“medical homes”), set reimbursement rates, create advisory committees, and encourage the use of health information technology;
2. provisions for the phased-in offering of the Sustinet Plan to state employees and retirees, HUSKY A and B beneficiaries, people without employer sponsored insurance (ESI), people with unaffordable ESI, small and large employers, and others;
3. guidelines for development of a model benefits package; and
4. public outreach and methods of identifying uninsured citizens.

Took effect July 1, except the sections on identifying uninsured adults and children and Medicaid and public education outreach, which take effect July 1, 2011, and on the three task forces, which took effect upon passage.



Public Act 09-147: An Act... Establishing The Connecticut HealthCare Partnership

Under the proposed Connecticut Healthcare Partnership, the state comptroller would have been required to convert the state employee health insurance plan (excluding dental) to a self-insured one. Coverage under it then would have been offered to municipalities, municipal-related and nonprofit employers, and small employers.

Passed by the House on May 20. Passed by the Senate on May 30. Vetoed by the governor on July 8. Veto overridden by the House on July 20. Veto considered but sustained by the Senate on July 20.