



General Assembly

February Session, 2000

**Amendment**

LCO No. 3025

Offered by:

SEN. WILLIAMS, 29<sup>th</sup> Dist.

To: Subst. Senate Bill No. 479

File No. 114

Cal. No. 145

***"An Act Concerning The Uniform Child Custody  
Jurisdiction And Enforcement Act."***

1 In line 18, strike "held" and insert "requested" in lieu thereof

2 After line 29, add the following:

3 "Sec. 4. Subsection (a) of section 46a-13k of the general statutes is  
4 repealed and the following is substituted in lieu thereof:

5 (a) There is established an Office of the Child Advocate. The  
6 Governor, with the approval of the General Assembly, shall appoint a  
7 person with knowledge of the child welfare system and the legal  
8 system to fill the Office of the Child Advocate. Such person shall be  
9 qualified by training and experience to perform the duties of the office  
10 as set forth in section 46a-13l, as amended by this act. The appointment  
11 shall be made from a list of at least three persons prepared and  
12 submitted by the advisory committee established pursuant to section  
13 46a-13q. Upon any vacancy in the position of Child Advocate, the  
14 advisory committee shall meet to consider and interview successor  
15 candidates and shall submit to the Governor a list of no less than five

16 and no more than seven of the most outstanding candidates, on or  
17 before sixty days of said vacancy. Such list shall rank the candidates in  
18 the order of committee preference. Upon receipt of the list of  
19 candidates from the advisory committee, the Governor shall designate  
20 a candidate for Child Advocate from among the choices within eight  
21 weeks of receipt of such list. If at any time any of the candidates  
22 withdraw from consideration prior to confirmation by the General  
23 Assembly, the designation shall be made from the remaining  
24 candidates on the list submitted to the Governor. If a candidate has not  
25 been designated by the Governor within the eight-week time period,  
26 the candidate ranked first shall receive the designation and be referred  
27 to the General Assembly for confirmation. If the General Assembly is  
28 not in session, the designated candidate shall serve as acting Child  
29 Advocate, and be entitled to the compensation, privileges and powers  
30 of the Child Advocate until the General Assembly meets to take action  
31 on said appointment. The person appointed Child Advocate shall  
32 serve for a term of four years and may be reappointed or shall  
33 continue to hold office until [his] such person's successor is appointed  
34 and qualified. Upon any vacancy in the position of Child Advocate  
35 and until such time as a candidate has been confirmed by the General  
36 Assembly or, if the General Assembly is not in session, has been  
37 designated by the Governor, the Associate Child Advocate shall serve  
38 as the acting Child Advocate and be entitled to the compensation,  
39 privileges and powers of the Child Advocate.

40 Sec. 5. Section 46a-13l of the general statutes, as amended by section  
41 8 of public act 99-2, is repealed and the following is substituted in lieu  
42 thereof:

43 (a) The Child Advocate shall:

44 (1) Evaluate the delivery of services to children by state agencies  
45 and those entities that provide services to children through funds  
46 provided by the state;

47 (2) Review periodically the procedures established by any state

48 agency providing services to children to carry out the provisions of  
49 sections 46a-13k to 46a-13q, inclusive, as amended by this act, with a  
50 view toward the rights of the children and recommend revisions to  
51 such procedures;

52 (3) Review complaints of persons concerning the actions of any state  
53 or municipal agency providing services to children and of any entity  
54 that provides services to children through funds provided by the state,  
55 make appropriate referrals and investigate those where the Child  
56 Advocate determines that a child or family may be in need of  
57 assistance from the Child Advocate or that a systemic issue in the  
58 state's provision of services to children is raised by the complaint;

59 (4) Pursuant to an investigation, provide assistance to a child or  
60 family who the Child Advocate determines is in need of such  
61 assistance including, but not limited to, advocating with an agency,  
62 provider or others on behalf of the best interests of the child;

63 [(4)] (5) Periodically review the facilities and procedures of any and  
64 all institutions or residences, public or private, where a juvenile has  
65 been placed by any agency or department;

66 [(5)] (6) Recommend changes in state policies concerning children  
67 including changes in the system of providing juvenile justice, child  
68 care, foster care and treatment;

69 [(6)] (7) Take all possible action including, but not limited to,  
70 conducting programs of public education, undertaking legislative  
71 advocacy and making proposals for systemic reform and formal legal  
72 action, in order to secure and ensure the legal, civil and special rights  
73 of children who reside in this state;

74 [(7)] (8) Provide training and technical assistance to attorneys  
75 representing children and guardians ad litem appointed by the  
76 Superior Court;

77 [(8)] (9) Periodically review the number of special needs children in

78 any foster care or permanent care facility and recommend changes in  
79 the policies and procedures for the placement of such children;

80 [(9)] (10) Serve or designate a person to serve as a member of the  
81 child fatality review panel established in subsection (b) of this section;  
82 and

83 [(10)] (11) Take appropriate steps to advise the public of the services  
84 of the Office of the Child Advocate, the purpose of the office and  
85 procedures to contact the office.

86 (b) There is established a child fatality review panel composed of  
87 seven permanent members as follows: A pediatrician, appointed by  
88 the Governor; a representative of law enforcement, appointed by the  
89 president pro tempore of the Senate; the Child Advocate, or a  
90 designee; a public child welfare practitioner, appointed by the  
91 minority leader of the Senate; a representative of a community service  
92 group appointed by the speaker of the House of Representatives; a  
93 medical examiner, appointed by the minority leader of the House of  
94 Representatives; and the Chief State's Attorney, or a designee. A  
95 majority of the panel may select not more than two additional  
96 temporary members with particular expertise or interest to serve on  
97 the review of a specific fatality. Such temporary members shall have  
98 the same duties and powers as the permanent members of the panel.  
99 The chairperson shall be elected from among the panel's permanent  
100 members. The panel shall, to the greatest extent possible, reflect the  
101 ethnic, cultural and geographic diversity of the state.

102 (c) The panel shall review the circumstances of the death of a child  
103 placed in out-of-home care or whose death was due to unexpected or  
104 unexplained causes to facilitate development of prevention strategies  
105 to address identified trends and patterns of risk and to improve  
106 coordination of services for children and families in the state. Members  
107 of the panel shall not be compensated for their services, but may be  
108 reimbursed for necessary expenses incurred in the performance of  
109 their duties.

110 (d) On or before January 1, 2000, and annually thereafter, the panel  
111 shall issue an annual report which shall include its findings and  
112 recommendations to the Governor and the General Assembly on its  
113 review of child fatalities for the preceding year.

114 (e) Upon request of two-thirds of the members of the panel and  
115 within available appropriations, the Governor, the General Assembly  
116 or at the Child Advocate's discretion, the Child Advocate shall conduct  
117 an in-depth investigation and review and issue a report with  
118 recommendations on the death or critical incident of a child. The  
119 report shall be submitted to the Governor, the General Assembly and  
120 the commissioner of any state agency cited in the report and shall be  
121 made available to the general public.

122 (f) The Chief Medical Examiner shall provide timely notice to the  
123 Child Advocate and to the chairperson of the child fatality review  
124 panel of the death of any child that is to be investigated pursuant to  
125 section 19a-406.

126 (g) Any agency having responsibility for the custody or care of  
127 children shall provide timely notice to the Child Advocate and the  
128 chairperson of the child fatality review panel of the death of a child or  
129 a critical incident involving a child in its custody or care.

130 Sec. 6. Subsection (b) of section 17a-101 of the general statutes, as  
131 amended by section 13 of public act 99-102, is repealed and the  
132 following is substituted in lieu thereof:

133 (b) The following persons shall be mandated reporters: Any  
134 physician or surgeon licensed under the provisions of chapter 370, any  
135 resident physician or intern in any hospital in this state, whether or not  
136 so licensed, [and] any registered nurse, licensed practical nurse,  
137 medical examiner, dentist, dental hygienist, psychologist, school  
138 teacher, school principal, school guidance counselor, school  
139 paraprofessional, social worker, police officer, clergyman, pharmacist,  
140 physical therapist, optometrist, chiropractor, podiatrist, mental health  
141 professional or physician assistant, any person who is a licensed

142 substance abuse counselor, any person who is a licensed marital and  
143 family therapist, any person who is a sexual assault counselor or a  
144 battered women's counselor as defined in section 52-146k, [or] any  
145 person paid to care for a child in any public or private facility, day care  
146 center or family day care home licensed by the state, the Child  
147 Advocate and any employee of the Office of Child Advocate.

148       Sec. 7. This act shall take effect from its passage, except that sections  
149 1 to 3, inclusive, and 5 and 6 shall take effect July 1, 2000."