



General Assembly

February Session, 2000

**Raised Bill No. 390**

LCO No. 1530

Referred to Committee on Program Review and Investigations

Introduced by:  
(PRI)

***An Act Implementing The Recommendations Of The Legislative Program Review And Investigations Committee Concerning The Department Of Children And Families.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-3 of the general statutes, as amended by  
2 sections 11 and 17 of public act 99-26, is repealed and the following is  
3 substituted in lieu thereof:

4 The department shall plan, create, develop, operate or arrange for,  
5 administer and evaluate a comprehensive and integrated state-wide  
6 program of services, including preventive services, for children and  
7 youth [whose behavior does not conform to the law or to acceptable  
8 community standards, or who are mentally ill, including deaf and  
9 hearing impaired children and youth who are mentally ill, emotionally  
10 disturbed, substance abusers, delinquent,] who are abused, neglected  
11 or uncared for, including all children and youth who are or may be  
12 committed to it by any court, and all children and youth voluntarily  
13 admitted to the department for services of any kind. Services shall not  
14 be denied to any such child or youth solely because of other  
15 complicating or multiple disabilities. The department shall work in

16 cooperation with other child-serving agencies and organizations to  
17 provide or arrange for preventive programs, [including but not limited  
18 to teenage pregnancy and youth suicide prevention,] for children and  
19 youth and their families. The program shall provide child protective  
20 services and placements that are clinically indicated and appropriate to  
21 the needs of the child or youth. In furtherance of this purpose, the  
22 department shall: [(a) Maintain Long Lane School\* and other  
23 appropriate facilities exclusively for delinquents; (b) develop] (1)  
24 Develop a comprehensive program for prevention of abuse and  
25 neglect problems of children and youth and provide a flexible,  
26 innovative and effective program for the placement, care and  
27 treatment of children and youth committed by any court to the  
28 department by other departments, or voluntarily admitted to the  
29 department; [(c)] (2) provide appropriate services to families of  
30 children and youth as needed to achieve the purposes of sections 17a-1  
31 to 17a-26, inclusive, 17a-28 to 17a-49, inclusive, and 17a-51; [(d)] (3)  
32 establish incentive paid work programs for children and youth under  
33 the care of the department and the rates to be paid such children and  
34 youth for work done in such programs and may provide allowances to  
35 children and youth in his custody; [(e)] (4) be responsible to collect,  
36 interpret and publish statistics relating to children and youth within  
37 the department; [(f)] (5) conduct studies of any program, service or  
38 facility developed, operated, contracted for or supported by the  
39 department in order to evaluate its effectiveness; [(g)] (6) establish staff  
40 development and other training and educational programs designed to  
41 improve the quality of departmental services and programs, provided  
42 no social worker trainee shall be assigned a case load prior to  
43 completing training, and may establish educational or training  
44 programs for children, youth, parents or other interested persons on  
45 any matter related to the promotion of the well-being of children; [or  
46 the prevention of mental illness, emotional disturbance, delinquency  
47 and other disabilities in children and youth; (h)] (7) develop and  
48 implement aftercare and follow-up services appropriate to the needs of  
49 any child or youth under his care; [(i)] (8) establish a case audit unit to

50 monitor each region's compliance with regulations and procedures;  
51 [(j)] (9) develop and maintain a database listing available community  
52 service programs funded by the department; [(k)] (10) provide  
53 outreach and assistance to persons caring for children whose parents  
54 are unable to do so by informing such persons of programs and  
55 benefits for which they may be eligible; [(l)] (11) collect data sufficient  
56 to identify the housing needs of children served by the department  
57 and share such data with the Department of Economic and  
58 Community Development; [(m)] and (12) prepare and submit  
59 biennially to the General Assembly a five-year master plan. The master  
60 plan shall include, but not be limited to: [(1)] (A) The long-range goals  
61 and the current level of attainment of such goals of the department;  
62 [(2)] (B) a detailed description of the types and amounts of services  
63 presently provided to the department's clients; [(3)] (C) a detailed  
64 forecast of the service needs of current and projected target  
65 populations; [(4)] (D) detailed cost projections for alternate means of  
66 meeting projected needs; [(5)] (E) funding priorities for each of the five  
67 years included in the plan and specific plans indicating how the funds  
68 are to be used; [(6)] (F) a written plan for the prevention of child abuse  
69 and neglect; [(7)] a comprehensive mental health plan for children and  
70 adolescents, including children with complicating or multiple  
71 disabilities; (8) a comprehensive plan for children and youth who are  
72 substance abusers, developed in conjunction with the Department of  
73 Mental Health and Addiction Services pursuant to the provisions of  
74 sections 19a-2a and 19a-7; and (9)] and (G) an overall assessment of the  
75 adequacy of children's protective services in Connecticut. The plan  
76 shall be prepared within existing funds appropriated to the  
77 department. [; and (n) prepare a plan to keep children who are  
78 convicted as delinquent and will be committed to the Department of  
79 Children and Families and placed in the new\*\* Connecticut Juvenile  
80 Training School in such facility for at least one year after their referral  
81 to the department, which plan shall include provisions for  
82 development of a comprehensive approach to juvenile rehabilitation.]

83 Sec. 2. Section 17a-450 of the general statutes, as amended by section

84 1 of public act 99-234, is repealed and the following is substituted in  
85 lieu thereof:

86 (a) There shall be a Department of Mental Health and Addiction  
87 Services headed by a Commissioner of Mental Health and Addiction  
88 Services, appointed by the Governor with the advice of the Board of  
89 Mental Health and Addiction Services established pursuant to section  
90 17a-456.

91 (b) For the purposes of chapter 50, the Department of Mental Health  
92 and Addiction Services shall be a single budgeted agency. It shall  
93 consist of [two] three divisions, the Division of Mental Health Services,  
94 [and] the Division of Substance Abuse Services and the Division of  
95 Children's Behavioral Health, that shall be organized to promote  
96 comprehensive, client-based services for all persons, including persons  
97 under eighteen years of age, in the areas of mental health treatment  
98 and substance abuse treatment and to ensure the programmatic  
99 integrity and clinical identity of services in each area. The department  
100 shall perform the functions of: Centralized administration, planning  
101 and program development; prevention and treatment programs and  
102 facilities, both inpatient and outpatient, for persons with psychiatric  
103 disabilities or persons with substance abuse disabilities, or both; youth  
104 suicide prevention; community mental health centers and community  
105 or regional programs and facilities providing services for persons with  
106 psychiatric disabilities or persons with substance abuse disabilities, or  
107 both; training and education; and research and evaluation of programs  
108 and facilities providing services for persons with psychiatric  
109 disabilities or persons with substance abuse disabilities, or both. The  
110 [department shall include, but not be limited to, the following  
111 divisions and facilities or their successor facilities: The office of the  
112 Commissioner of Mental Health and Addiction Services; Capitol  
113 Region Mental Health Center; Connecticut Valley Hospital; Riverview  
114 Hospital for Children and Youth at Connecticut Valley Hospital; High  
115 Meadows; the Connecticut Mental Health Center; the Whiting Forensic  
116 Division; Ribicoff Research Center; Cedarcrest Hospital; the Southwest

117 Connecticut Mental Health System, including the Franklin S. DuBois  
118 Center and the Greater Bridgeport Community Mental Health Center;  
119 the Southeastern Mental Health Authority; River Valley Services; the  
120 Western Connecticut Mental Health Network; and any other  
121 state-operated facility for the treatment of persons with psychiatric  
122 disabilities or persons with substance abuse disabilities, or both. [ but  
123 shall not include those portions of such facilities transferred to the  
124 Department of Children and Families for the purpose of consolidation  
125 of children's services.]

126 (c) The Department of Mental Health and Addiction Services may:

127 (1) Solicit and accept for use any gift of money or property made by  
128 will or otherwise, and any grant of money, services or property from  
129 the federal government, the state or any political subdivision thereof or  
130 any private source, and do all things necessary to cooperate with the  
131 federal government or any of its agencies in making an application for  
132 any grant;

133 (2) Keep records and engage in research and the gathering of  
134 relevant statistics;

135 (3) Work with public or private agencies, organizations, facilities or  
136 individuals to ensure the operation of the programs set forth in  
137 accordance with sections 17a-75 to 17a-83, inclusive, 17a-450 to 17a-  
138 484, inclusive, 17a-495 to 17a-528, inclusive, 17a-540 to 17a-550,  
139 inclusive, 17a-560 to 17a-576, inclusive, 17a-580 to 17a-603, inclusive,  
140 and 17a-615 to 17a-618, inclusive;

141 (4) Hold hearings, issue subpoenas, administer oaths, compel  
142 testimony and order production of books, papers and records in the  
143 performance of its duties;

144 (5) Operate trustee accounts, in accordance with procedures  
145 prescribed by the Comptroller, on behalf of inpatient and outpatient  
146 department clients;

147 (6) Notwithstanding any provisions of sections 4-101 and 17b-239 to  
148 the contrary, establish medical reimbursement rates for behavioral  
149 health services including, but not limited to, inpatient, outpatient and  
150 residential services purchased by the department; and

151 (7) Perform such other acts and functions as may be necessary or  
152 convenient to execute the authority expressly granted to it.

153 Sec. 3. (NEW) The Division of Children's Behavioral Health, within  
154 the Department of Mental Health and Addiction Services, shall  
155 develop policy, plan, evaluate and assure the quality of behavioral  
156 health services for children and oversee the establishment and  
157 maintenance of a comprehensive continuum of mental health and  
158 substance abuse services responsive to the individualized needs of  
159 children. The division shall: (1) Establish policy and long-range  
160 strategic plans for children's behavioral health; (2) develop standards  
161 and protocols for a continuum of children's mental health and  
162 substance abuse facilities, programs and services that are responsive to  
163 the individual needs of children and their families; (3) conduct  
164 evaluation, research and quality assurance of behavioral health  
165 programs and services for children; (4) establish procedures for the  
166 transition of clients from the children's system of behavioral health  
167 services to the adult system, when necessary; (5) provide clinical and  
168 technical assistance related to children's mental health and substance  
169 abuse issues to other state agencies, including the Department of  
170 Children and Families and the Connecticut Juvenile Authority; (6)  
171 coordinate efforts with the secretary and the Department of Social  
172 Services to ensure the provision of medically necessary behavioral  
173 health services required by children who are mentally or emotionally  
174 ill and who are covered by the Medical program; (7) submit a  
175 proposed biennial budget related to services for children under the age  
176 of eighteen and their families, separate from the adult services budget,  
177 to the legislature and fully participate in the process to pool funds with  
178 other state children's agencies to support an integrated, community-  
179 based care system and prevention services; (8) coordinate efforts with

180 the Judicial Department and other state agencies to effectively and  
181 efficiently provide behavioral health services to children; and (9)  
182 establish any other facility or program necessary to carry out the  
183 provisions of this section.

184 Sec. 4 Section 17a-452 of the general statutes is repealed and the  
185 following is substituted in lieu thereof:

186 (a) There shall be [~~two~~] three deputy commissioners of mental  
187 health and addiction services appointed by the commissioner with the  
188 advice of the Board of Mental Health and Addiction Services. The  
189 deputy commissioner for adult mental health services shall hold a  
190 master's degree or higher, shall have a minimum of ten years'  
191 experience in business, hospital, health or mental health  
192 administration and shall be responsible for the supervision of medical  
193 and other treatment activities of the Division of Mental Health. The  
194 deputy commissioner for adult addiction services shall hold a master's  
195 degree or higher, shall have a minimum of ten years' experience in the  
196 prevention and treatment of substance abuse and shall be  
197 knowledgeable in substance abuse program planning and  
198 administration and shall be responsible for the supervision and  
199 coordination of all substance abuse activities of the department and  
200 with other departments. The deputy commissioner for children's  
201 behavioral health shall hold a master's degree or higher and shall have  
202 a minimum of ten years experience in the administration of children's  
203 mental health and substance abuse services. The deputy commissioner  
204 shall be responsible for the supervision and coordination of all  
205 children's mental health and substance abuse programs, services and  
206 facilities.

207 (b) There shall be a medical director appointed by the  
208 Commissioner of Mental Health and Addiction Services with the  
209 advice of the Board of Mental Health and Addiction Services. The  
210 medical director shall be a qualified physician licensed to practice  
211 medicine in Connecticut and shall have experience in comprehensive

212 health care or human services operations. The medical director shall be  
213 responsible for (1) the quality and appropriateness of services by  
214 developing policies relating to clinical services regulated by the  
215 department and those services delivered in department facilities or  
216 under contract to the department; (2) directing a standards and quality  
217 assurance program, a utilization review program, a physician  
218 recruitment and retention program and a peer review program for  
219 physicians and other clinical staff employed by or under contract to  
220 the department; and (3) other tasks as directed by the commissioner.

221 Sec. 5. Section 17a-456 of the general statutes is repealed and the  
222 following is substituted in lieu thereof:

223 (a) There shall be a Board of Mental Health and Addiction Services  
224 that shall consist of (1) fifteen members appointed by the Governor,  
225 subject to the provisions of section 4-9a, ~~[five]~~ three of whom shall  
226 have had experience in the field of adult substance abuse, ~~[and five]~~  
227 three of whom shall be from the adult mental health community, two  
228 of whom shall have experience in children substance abuse and two of  
229 whom shall be from the children's mental health community, ~~[three]~~  
230 two of whom shall be physicians licensed to practice medicine in this  
231 state who have had experience in the field of psychiatry, ~~[and]~~ one of  
232 whom shall be child psychiatrist, ~~[two]~~ one of whom shall be  
233 psychologists licensed to practice in this state ~~[,]~~ and one of whom  
234 shall be a child psychologist, (2) the chairmen of the regional mental  
235 health boards established pursuant to section 17a-484, (3) one designee  
236 of each such board, ~~[and]~~ (4) one designee from each substance abuse  
237 subregional planning and action council established pursuant to  
238 section 17a-671, and (5) the chairperson of the regional advisory boards  
239 created under section 6 of this act. The members of the board shall  
240 serve without compensation except for necessary expenses incurred in  
241 performing their duties. The members of the board shall include  
242 representatives of nongovernment organizations or groups, and of  
243 state agencies, concerned with planning, operation or utilization of  
244 facilities providing mental health and substance abuse services,

245 including consumers and providers of such services who are familiar  
246 with the need for such services, except that no more than half of the  
247 members of the board shall be providers of such services. Members  
248 shall serve on the board for terms of four years each. None of the  
249 appointive members of the board shall be employed by the state or be  
250 a member of the staff of any institution wherein his compensation is  
251 paid wholly by the state. No member may serve more than two  
252 successive terms plus the balance of any unexpired term to which he  
253 has been appointed. A majority of the board shall constitute a quorum.

254 (b) Whenever the term "Board of Mental Health" is used or referred  
255 to in the following sections of the general statutes, the term "Board of  
256 Mental Health and Addiction Services" shall be substituted in lieu  
257 thereof: 2c-2b, 17a-457, 17a-460, 17a-467, 17a-473, 17a-564.

258 Sec. 6 (NEW) The Commissioner of Mental Health and Addiction  
259 Services shall establish regional children's behavioral health advisory  
260 councils to advise the commissioner and the deputy commissioner for  
261 children's behavioral health on mental health and substance abuse  
262 needs of and services for persons under the age of eighteen within  
263 their region. Each advisory council shall have not more than twenty  
264 members and the majority of the members shall derive less than fifty  
265 per cent of their income from the provision of services to children and  
266 families. Each council shall elect a chairperson who shall not be a  
267 service provider and who shall be the representative of the advisory  
268 council to the Board of Mental Health and Addiction Services  
269 established under section 17a-456 of the general statutes, as amended  
270 by section 5 of this act.

271 Sec. 7. (NEW)(a) The Commissioner of Mental Health and Addiction  
272 Services may, in the commissioner's discretion, admit to the Division  
273 of Children's Behavioral Health on a voluntary basis any child or  
274 youth who, in the opinion of the commissioner, could benefit from  
275 any of the services offered or administered by, or under contract with,  
276 or otherwise available to, the division. Application for voluntary

277 admission shall be made in writing by the parent or guardian of a child  
278 under fourteen years of age or by such person if fourteen years of age  
279 or older or a youth.

280 (b) A child or youth voluntarily admitted to the division shall be  
281 deemed to be within the care of the commissioner until such admission  
282 is terminated. The commissioner shall terminate the admission of any  
283 child or youth voluntarily admitted to the division within ten days  
284 after receipt of a written request for termination from a parent or  
285 guardian of any child under fourteen or from a child if fourteen years  
286 of age or over, or youth, unless prior to the expiration of that time the  
287 commissioner has sought and received from the Superior Court an  
288 order of temporary custody as provided by law. The commissioner  
289 may terminate the admission of any child or youth voluntarily  
290 admitted to the division after giving reasonable notice in writing to the  
291 parent or guardian of any child under fourteen years of age and to a  
292 child over fourteen, and to any youth. Any child or youth admitted  
293 voluntarily to the division may be placed in, or transferred to, any  
294 resource, facility or institution within the division or available to the  
295 commissioner, provided the commissioner shall give written notice to  
296 such child or youth and to the parent or guardian of the child of an  
297 intention to make a transfer at least ten days prior to any actual  
298 transfer, unless written notice is waived by those entitled to receive it,  
299 or unless an emergency commitment of such child is made pursuant to  
300 section 17a-502 of the general statutes.

301 (c) Not more than one hundred twenty days after admitting a child  
302 or youth on a voluntary basis, the division shall petition the probate  
303 court for the district in which a parent or guardian of the child or  
304 youth resides for a determination as to whether continuation in care is  
305 in the child's best interest and, if so, whether there is an appropriate  
306 case service plan. Upon receipt of such application, the court shall set a  
307 time and place for hearing to be held within thirty days of receipt of  
308 the application, unless continued by the court for cause shown. The  
309 court shall order notice of the hearing to be given by regular mail at

310 least five days prior to the hearing to the Commissioner of Mental  
311 Health and Addiction Services, and by certified mail, return receipt  
312 requested, at least five days prior to the hearing to the parents or  
313 guardian of the child and the minor, if over twelve years of age. If the  
314 whereabouts of the parent or guardian are unknown, or if delivery  
315 cannot reasonably be effected, then notice shall be ordered to be given  
316 by publication. In making its determination the court shall consider the  
317 items specified in subsection (d) of this section.

318 (d) Not more than twelve months after a child or youth is admitted  
319 to the division on a voluntary basis, the commissioner shall file a  
320 motion in the probate court for the district in which a parent or  
321 guardian of the child or youth resides requesting a dispositional  
322 hearing on the status of the child or youth. Upon receipt of such  
323 motion, the court shall set a time and place for hearing to be held  
324 within thirty days of receipt of the motion, unless continued by the  
325 court for cause shown. The court shall order notice of the hearing to be  
326 given in accordance with subsection (c) of this section. At the  
327 dispositional hearing, all parties shall be heard and oral or written  
328 reports, containing recommendations as to the best interests of the  
329 child or youth may be presented. In determining its order of  
330 disposition, the court shall consider among other things: (1) The  
331 appropriateness of the department's plan for service to the child or  
332 youth and his family; (2) the treatment and support services that have  
333 been offered and provided to the child or youth to strengthen and  
334 reunite the family; (3) if return home is not likely for the child or  
335 youth, the efforts that have been made or should be made to evaluate  
336 and plan for other modes of care; and (4) any further efforts which  
337 have been or will be made to promote the best interests of the child or  
338 youth. At the conclusion of the hearing, the court shall, in accordance  
339 with the best interests of the child or youth, enter an appropriate order  
340 of disposition. The order may: (A) Direct that the services being  
341 provided efforts, be continued if the court, after hearing, determines  
342 that continuation of the child or youth in services or placement is in  
343 the child or youth's best interests; or (B) direct that the child or youth's

344 services or placement be modified to reflect the child or youth's best  
345 interest. The court shall possess continuing jurisdiction in proceedings  
346 under this section and shall conduct a further dispositional hearing  
347 whenever it deems necessary or desirable, but at least every twelve  
348 months.

349 (e) The commissioner shall adopt regulations, in accordance with  
350 chapter 54 of the general statutes, describing the documentation  
351 required for voluntary admission and for informal administrative case  
352 review, upon request, of any denial of an application for voluntary  
353 admission.

354 (f) Any person aggrieved by a decision of the commissioner denying  
355 voluntary services may appeal such decision through an  
356 administrative hearing held pursuant to chapter 54 of the general  
357 statutes.

358 (g) Any person already under the care and supervision of the  
359 Commissioner of Mental Health and Addiction Services who has  
360 attained the age of eighteen but has not yet attained the age of twenty-  
361 one, may be permitted to remain voluntarily under the supervision of  
362 the commissioner, provided said commissioner, in the commissioner's  
363 discretion determines that such person would benefit from further care  
364 and support from the division.

365 (h) Upon motion of any interested party in a probate court  
366 proceeding under this section, the probate court of record may transfer  
367 the file for cause shown to a probate court for a district other than the  
368 district in which the initial or dispositional hearing was held. The file  
369 shall be transferred by the probate court of record making copies of all  
370 recorded documents in the court file, certifying each of them, and  
371 delivering the certified copies to the probate court to which the matter  
372 is transferred.

373 Sec. 8 (NEW) (a) No child or youth placed or treated under the  
374 direction of the Commissioner of Mental Health and Addiction

375 Services in any public or private facility shall be deprived of any  
376 personal, property or civil rights, except in accordance with due  
377 process of law.

378 (b) Each child or youth placed or treated under the direction of the  
379 Commissioner of Mental Health and Addiction Services in any public  
380 or private facility shall receive humane and dignified treatment at all  
381 times, with full respect for his personal dignity and right to privacy,  
382 consistent with his treatment plan as determined by the commissioner.

383 (c) (1) Each child and youth shall be permitted to communicate with  
384 any individual, group or agency, consistent with his treatment  
385 objectives as determined by the Commissioner of Mental Health and  
386 Addiction Services.

387 (2) Each public or private facility under the direction of the  
388 Commissioner of Mental Health and Addiction Services shall furnish  
389 writing materials and postage to any child or youth desiring them.

390 (3) A child or youth shall be permitted to make or receive telephone  
391 calls to or from his attorneys at any reasonable time. Public telephones  
392 shall be made available in appropriate locations.

393 (d) (1) The Commissioner of Mental Health and Addiction Services  
394 shall adopt regulations, in accordance with chapter 54 of the general  
395 statutes with respect to each facility or institution under his  
396 jurisdiction, to specify the following: (A) When a child or youth may  
397 be placed in restraint or seclusion or when force may be used upon a  
398 child or youth; (B) when the head of a facility may limit the use or  
399 receipt of mail by any child or youth and a procedure for return of  
400 unopened mail; and (C) when the head of a facility may restrict the use  
401 of a telephone by any child or youth.

402 (2) A copy of any order placing a child or youth in restraint or  
403 seclusion in accordance with the regulations adopted in subdivision (1)  
404 of this subsection shall be made a part of the child's or youth's

405 permanent clinical record. Any special restriction on the use or receipt  
406 of mail or telephone calls made in accordance with the regulations  
407 adopted in subdivision (1) of this subsection, shall be noted in writing,  
408 signed by the head of the facility, and made a part of the child's or  
409 youth's permanent clinical record.

410 (e) (1) Each child or youth shall be permitted to receive visitors  
411 subject to reasonable restrictions consistent with the child's or youth's  
412 treatment objectives. The head of each facility shall establish visiting  
413 hours and inform all children and youth and their families and other  
414 visitors of these hours. Any special restriction shall be noted in writing,  
415 signed by the head of the facility, and made a part of the child's or  
416 youth's permanent clinical record.

417 (2) Each child or youth may receive his clergyman and attorney at  
418 any reasonable time.

419 (f) No person shall be denied employment, housing, civil service  
420 rank, any license or permit, including a professional license, or any  
421 other civil or legal right, solely because of a present or past placement  
422 with the Commissioner of Mental Health and Addiction Services  
423 except as otherwise provided by law.

424 (g) Each child or youth under the supervision of the Commissioner  
425 of Mental Health and Addiction Services shall have the right to  
426 counsel of his own choosing, and the right to receive visits from  
427 physicians and mental health professionals as may be arranged by his  
428 counsel.

429 (h) Each child or youth shall have a right to a hearing pursuant to  
430 procedures adopted by the commissioner, in accordance with sections  
431 4-176e to 4-181a, inclusive, of the general statutes, before he is  
432 involuntarily transferred by the Commissioner of Mental Health and  
433 Addiction Services to any facility outside the state of Connecticut.

434 (i) Any child or youth aggrieved by a violation of subsections (a) to

435 (h), inclusive, of this section, may petition the superior court for the  
436 venue district provided in section 46b-142 of the general statutes  
437 within which the child or youth is or resides for appropriate relief,  
438 including temporary and permanent injunctive relief. Such petition  
439 shall be treated as a juvenile matter.

440 Sec. 9. (NEW) (a) For the purpose of this section, a psychiatric clinic  
441 means an organization licensed by the Department of Mental Health  
442 and Addiction Services and staffed by psychiatrists, psychologists,  
443 social workers and such other professional, paraprofessional and  
444 clerical personnel as local circumstances may require, working in  
445 collaboration with other social service agencies, to provide mental  
446 health services that are designed to (1) effectively decrease the  
447 prevalence and incidence of mental illness, emotional disturbance and  
448 social disfunctioning, and (2) promote mental health in individuals,  
449 groups and institutions, and includes a general hospital with such  
450 clinic services. The Department of Mental Health and Addiction  
451 Services shall develop and maintain a program of outpatient  
452 psychiatric clinics for children and youth and their families.

453 (b) For purposes of this section, a child guidance clinic means a  
454 subset of psychiatric clinics for children designated by the Department  
455 of Mental Health and Addiction Services pursuant to this section to  
456 receive grant funds for the purpose of assisting the department to  
457 provide community-based psychiatric services for children, youth and  
458 families. In order to meet such mandate, the department shall  
459 designate a subset of outpatient psychiatric clinics for children to be  
460 known as child guidance clinics. The department shall provide grants  
461 to such child guidance clinics in accordance with the provisions of this  
462 section. Any town having a population of not less than forty thousand,  
463 as most recently determined by the Secretary of the Office of Policy  
464 and Management, or any combination of towns with a combined  
465 population of not less than forty thousand as similarly determined, or  
466 any nonprofit corporation organized or existing for the purpose of  
467 establishing or maintaining a psychiatric clinic for children and youth

468 or for children and youth and their families, or any clinic designated  
469 by the Department of Children and Families as of January 1, 1995, may  
470 apply to the Department of Mental Health and Addiction Services for  
471 funds to be used to assist in establishing, maintaining or expanding a  
472 psychiatric clinic. The applications, and any grant of funds pursuant  
473 thereto, shall not be subject to the provisions of section 17a-476 of the  
474 general statutes, except to the extent required by federal law. The  
475 department shall base any grant of funds on the services provided to  
476 children and youth under eighteen years of age and on the  
477 effectiveness of the services. No grant shall exceed two-thirds of the  
478 ordinary recurring operating expenses of the clinic, nor shall any grant  
479 be made to pay for any portion of capital expenditures for the clinic.  
480 No clinic in existence as of October 1, 1995, shall be eligible for grants  
481 of any funds under this section unless it has obtained a license within  
482 six months of the adoption of regulations under subsection (c) of this  
483 section. No clinic receiving funds under this section shall refuse  
484 services to any resident of this state solely because of his place of  
485 residence.

486 (c) The Department of Mental Health and Addiction Services shall  
487 adopt regulations, in accordance with the provisions of chapter 54 of  
488 the general statutes, defining the minimum requirements for  
489 outpatient psychiatric clinics for children to be eligible for licensure  
490 under this section in regard to (1) qualification and number of staff  
491 members, (2) clinic operation including but not limited to physical  
492 plant, governing body and recordkeeping, (3) effectiveness of services,  
493 and (4) populations targeted for priority access. The regulations shall  
494 also govern the granting of the funds to assist in establishing,  
495 maintaining and expanding psychiatric clinics. The department shall,  
496 upon payment of a fee of three hundred dollars, issue to any  
497 qualifying clinic a license that shall be in force for twenty-four months  
498 from the date of issue and shall be renewable for additional twenty-  
499 four-month periods, upon payment of a fee of three hundred dollars  
500 for each such period, provided the clinic continues to meet conditions  
501 satisfactory to the department. The department shall make available to

502 child guidance clinics forms to be used in making application for  
503 available funds. Upon receipt of proper application, the department  
504 shall grant the funds, provided the plans for financing, the standards  
505 of operation and the effectiveness of services of the clinics are  
506 approved by the department in accordance with the provisions of this  
507 section. The grants shall be made on an annual basis.

508       Sec. 10. (NEW) Psychiatric hospitals and general hospitals providing  
509 psychiatric care to children and youth, licensed under sections 19a-490  
510 to 19a-503, inclusive, of the general statutes shall report to the  
511 Commissioner of Mental Health and Addiction Services on a quarterly  
512 basis the date of and reason for admission, diagnosis, date of birth, sex,  
513 town of residence and date of discharge of all children and youth who  
514 have been admitted and treated for a psychiatric illness at these  
515 facilities.

516       Sec. 11. (NEW) The Department of Mental Health and Addiction  
517 Services shall develop and maintain a program of day treatment  
518 centers and extended day treatment programs for emotionally  
519 disturbed, mentally ill, behaviorally disordered or multiply  
520 handicapped children and youth. For the purposes of this section, "day  
521 treatment center" means a facility for outpatient therapy, care and  
522 training of children and youth who, after appropriate evaluation, are  
523 deemed in need of such therapy, care and training. Any nonprofit  
524 corporation organized or existing for the purpose of establishing or  
525 maintaining a day treatment center or an extended day treatment  
526 program, as defined in section 17a-147 of the general statutes, for  
527 emotionally disturbed, mentally ill, behaviorally disordered or  
528 multiply handicapped children and youth, any hospital, any  
529 psychiatric clinic or any regional educational service center, as  
530 established in accordance with section 10-66a of the general statutes,  
531 may apply to the Department of Mental Health and Addiction Services  
532 for funds to be used to assist in establishing, maintaining or expanding  
533 a day treatment center or an extended day treatment program, as  
534 defined in section 17a-147 of the general statutes, for emotionally

535 disturbed, mentally ill, behaviorally disordered or multiply  
536 handicapped children and youth. No grant to assist in establishing,  
537 maintaining or expanding a day treatment center or an extended day  
538 treatment program under the provisions of this section shall exceed the  
539 ordinary and recurring operating expenses of any such day treatment  
540 center or extended day treatment program, nor shall any grant be  
541 made to pay for all or any part of the capital Mental Health and  
542 Addiction Services shall (1) establish minimum eligibility requirements  
543 for the receipt of such grants in regard to qualification and number of  
544 staff members and the operation of day treatment centers and  
545 extended day treatment programs, including, but not limited to,  
546 physical plant and record keeping; (2) establish procedures to be used  
547 in making application for such funds, and (3) prescribe regulations  
548 governing the granting of funds to assist in establishing, maintaining  
549 and expanding day treatment centers and extended day treatment  
550 programs. Upon receipt of proper application and approval by said  
551 department of the plans for financing and the standards of operation  
552 of a day treatment center or extended day treatment program, said  
553 department shall authorize the payment of such grant. Any application  
554 for a grant, and any grant of funds pursuant thereto, shall not be  
555 subject to the provisions of section 17a-476 of the general statutes,  
556 except to the extent required by federal law.

557 Sec. 12 Section 17a-32 of the general statutes, as amended by section  
558 21 of public act 99-26, is repealed and the following is substituted in  
559 lieu thereof:

560 (a) The name of the Department of [Children and Families] Mental  
561 Health and Addiction Services facility at Connecticut Valley Hospital  
562 shall be Riverview Hospital for Children and Youth.

563 (b) The name of the [Department of Children and Families]  
564 Connecticut Juvenile Authority facility in the city of Middletown shall  
565 be Long Lane School\*.

566 (c) The name of the Department of Children and Families facility in

567 the town of East Windsor shall be the Connecticut Children's Place.

568 (d) The name of the Department of [Children and Families] Mental  
569 Health and Addiction Services facility in the town of Hamden shall be  
570 High Meadows.

571 (e) The name of the [Department of Children and Families]  
572 Connecticut Juvenile Authority facility in the town of Hartland shall be  
573 the Wilderness School.

574 Sec. 13. Section 17a-36 of the general statutes is repealed and the  
575 following is substituted in lieu thereof:

576 The Commissioner of Administrative Services shall determine  
577 financial liability for services in psychiatric clinics and day treatment  
578 programs operated or funded by the [Department of Children and  
579 Families] Division of Children's Behavioral Health in the Department  
580 of Mental Health and Addiction Services and the same persons and  
581 estates as are legally liable for support of patients in state humane  
582 institutions shall be liable for payment of such charges in accordance  
583 with subsection (c) of section 4a-12 and subsection (b) of section 17b-  
584 223.

585 Sec. 14. Section 17a-52 of the general statutes is repealed and the  
586 following is substituted in lieu thereof:

587 (a) There is established a Youth Suicide Advisory Board, within the  
588 Department of [Children and Families] Mental Health and Addiction  
589 Services, which shall be a coordinating source for youth suicide  
590 prevention. The board shall consist of twenty members, which shall  
591 include one psychiatrist licensed to practice medicine in this state, one  
592 psychologist licensed in this state, one representative of a local or  
593 regional board of education, one high school teacher, one high school  
594 student, one college or university faculty member, one college or  
595 university student and one parent, all appointed by the Commissioner  
596 of [Children and Families] Mental Health and Services, one

597 representative of the Department of Children and Families, appointed  
598 by the Commissioner of Children and Families, one representative of  
599 the Connecticut Juvenile Authority, appointed by the Commissioner of  
600 the Connecticut Juvenile Authority,, one representative of the  
601 Department of Public Health appointed by the Commissioner of Public  
602 Health, one representative of the state Department of Education  
603 appointed by the Commissioner of Education and one representative  
604 of the Department of Higher Education appointed by the  
605 Commissioner of Higher Education. The balance of the board shall be  
606 comprised of persons with expertise in the mental health of children or  
607 mental health issues with a focus on suicide prevention and shall be  
608 appointed by the Commissioner of [Children and Families] Mental  
609 Health and Addiction Services. Members of the board shall serve for  
610 two-year terms, without compensation. Any member who fails to  
611 attend three consecutive meetings or fifty per cent of all meetings held  
612 during any calendar year shall be deemed to have resigned from the  
613 board. The Commissioner of [Children and Families] Mental Health  
614 and Addiction Services shall be a nonvoting, ex-officio member of the  
615 board. The board shall elect a chairman, and a vice-chairman to act in  
616 the chairman's absence.

617 (b) The board shall: (1) Increase public awareness of the existence of  
618 youth suicide and means of prevention; (2) make recommendations to  
619 the commissioner for the development of state-wide training in the  
620 prevention of youth suicide; (3) develop a strategic youth suicide  
621 prevention plan; (4) recommend interagency policies and procedures  
622 for the coordination of services for youth and families in the area of  
623 suicide prevention; (5) make recommendations for the establishment  
624 and implementation of suicide prevention procedures in schools and  
625 communities; (6) establish a coordinated system for the utilization of  
626 data for the prevention of youth suicide; and (7) make  
627 recommendations concerning the integration of suicide prevention and  
628 intervention strategies into other youth focused prevention and  
629 intervention programs.

630 Sec. 15. Section 17a-129 of the general statutes is repealed and the  
631 following is substituted in lieu thereof:

632 There shall be no requirement for the Department of [Children  
633 and Families] Mental Health and Addiction Services to seek custody  
634 of any child or youth with mental illness, emotional disturbance, a  
635 behavioral disorder or developmental or physical disability if such  
636 child is voluntarily placed with the department by a parent or  
637 guardian of the child for the purpose of accessing an out-of-home  
638 placement or intensive outpatient service, including, but not limited  
639 to, residential treatment programs, therapeutic foster care programs  
640 and extended day treatment programs, except as permitted  
641 pursuant to sections 17a-101g and 46b-129. Commitment to or  
642 protective supervision or protection by the [department]  
643 Department of Children and Families shall not be a condition for  
644 receipt of services or benefits delivered or funded by the  
645 [department] Department of Mental Health and Addiction Services.

646 Sec. 16. Section 17a-22 of the general statutes is repealed and the  
647 following is substituted in lieu thereof:

648 The state Department of [Children and Families] Mental Health and  
649 Addiction Services shall develop and maintain a program of day  
650 treatment centers and extended day treatment programs for  
651 emotionally disturbed, mentally ill, behaviorally disordered or  
652 multiply handicapped children and youth. For the purposes of this  
653 section, "day treatment center" means a facility for outpatient therapy,  
654 care and training of children and youth who, after appropriate  
655 evaluation, are deemed in need of such therapy, care and training. Any  
656 nonprofit corporation organized or existing for the purpose of  
657 establishing or maintaining a day treatment center or an extended day  
658 treatment program, as defined in section 17a-147, for emotionally  
659 disturbed, mentally ill, behaviorally disordered or multiply  
660 handicapped children and youth, any hospital, any psychiatric clinic  
661 or any regional educational service center, as established in accordance

662 with section 10-66a, may apply to the state Department of [Children  
663 and Families] Mental Health and Addiction Services for funds to be  
664 used to assist in establishing, maintaining or expanding a day  
665 treatment center or an extended day treatment program, as defined in  
666 section 17a-147, for emotionally disturbed, mentally ill, behaviorally  
667 disordered or multiply handicapped children and youth. No grant to  
668 assist in establishing, maintaining or expanding a day treatment center  
669 or an extended day treatment program under the provisions of this  
670 section shall exceed the ordinary and recurring operating expenses of  
671 any such day treatment center or extended day treatment program, nor  
672 shall any grant be made to pay for all or any part of the capital  
673 expenditures for any such center or program. The state Department of  
674 [Children and Families] Mental Health and Addiction Services shall (1)  
675 establish minimum eligibility requirements for the receipt of such  
676 grants in regard to qualification and number of staff members and the  
677 operation of day treatment centers and extended day treatment  
678 programs, including, but not limited to, physical plant and record  
679 keeping; (2) establish procedures to be used in making application for  
680 such funds, and (3) prescribe regulations governing the granting of  
681 funds to assist in establishing, maintaining and expanding day  
682 treatment centers and extended day treatment programs. Upon receipt  
683 of proper application and approval by said department of the plans for  
684 financing and the standards of operation of a day treatment center or  
685 extended day treatment program, said department shall authorize the  
686 payment of such grant. Any application for a grant, and any grant of  
687 funds pursuant thereto, shall not be subject to the provisions of section  
688 17a-476, except to the extent required by federal law.

689 Sec. 17. Section 17a-147 of the general statutes is repealed and the  
690 following is substituted in lieu thereof:

691 (a) For the purposes of this section and section 17a-22, "extended  
692 day treatment" means a supplementary care community-based  
693 program providing a comprehensive multidisciplinary approach to  
694 treatment and rehabilitation of emotionally disturbed, mentally ill,

695 behaviorally disordered or multiply handicapped children and youth  
696 during the hours immediately before and after school while they  
697 reside with their parents or surrogate family. Extended day treatment  
698 programs, except any such program provided by a regional  
699 educational service center established in accordance with section 10-  
700 66a, shall be licensed by the Department of [Children and Families]  
701 Mental Health and Addiction Services.

702 (b) The goal of extended day treatment is to improve the  
703 functioning of the child or youth as an individual and the family as a  
704 unit with the least possible interruption of beneficial relationships with  
705 the family and the community. An extended day treatment program  
706 (1) shall offer the broadest range of therapeutic services consistent with  
707 the needs of the children and youths it serves including, but not  
708 limited to, (A) a therapeutic setting, (B) the integration of the family  
709 into the treatment and the treatment planning process, (C) support and  
710 emergency services to families designed to allow continued residence  
711 of the children and youth in their homes, (D) professional clinical  
712 services, (E) access to educational services, and (F) the coordination of  
713 community services in support of the treatment effort or (2) if  
714 provided for children requiring special education by a regional  
715 educational service center, shall offer such services as are specified in  
716 the prescribed educational program for each such child in accordance  
717 with section 10-76d.

718 (c) The Commissioner of [Children and Families] Mental Health and  
719 Addiction Services shall adopt such regulations, in accordance with  
720 chapter 54, as are necessary to establish procedures and requirements  
721 for the licensure of extended day treatment programs, except any such  
722 program provided by a regional educational service center.

723 Sec. 18. Subsection (a) of section 10-76w of the general statutes is  
724 repealed and the following is substituted in lieu thereof:

725 (a) The department shall: (1) Coordinate school-based early  
726 detection and prevention programs funded under sections 10-76u to

727 10-76x, inclusive; and (2) in conjunction with the [Department of  
728 Children and Families] Division of Children's Behavioral Health,  
729 within the Department of Mental Health and Addiction Services, and  
730 local mental health agencies, provide training, consultation, and  
731 technical assistance to local and regional boards of education in early  
732 detection, intervention techniques, screening, staffing, program  
733 management and evaluation.

734 Sec. 19. Section 17a-82 of the general statutes is repealed and the  
735 following is substituted in lieu thereof:

736 (a) When any child is in need of hospitalization and is hospitalized  
737 in a state hospital for children under sections 17a-75 to 17a-83,  
738 inclusive, or when an applicant is indigent, all fees and expenses  
739 incurred upon the court commitment proceedings, except attorneys  
740 fees paid pursuant to the provisions of section 17a-77, shall be paid by  
741 the state, from funds appropriated to the [Department of Children and  
742 Families] Division of Children's Behavioral Health, within the  
743 Department of Mental Health and Addiction Services, and if any child  
744 is hospitalized in a private hospital or if any child is found not to be  
745 mentally disordered and in need of hospitalization, such fees and  
746 expenses shall be paid by the applicant, except attorneys fees paid  
747 under the provisions of section 17a-77. Compensation shall be  
748 determined by the court hearing the matter in accordance with rules  
749 adopted by the Superior Court.

750 (b) The expenses, if any, of necessary transportation to a state  
751 hospital for mental illness for hospitalization of any child shall be paid  
752 for by the [Department of Children and Families] Division of  
753 Children's Behavioral Health, within the Department of Mental Health  
754 and Addiction Services, if such child or legally liable relative is unable  
755 to pay for the same.

756 (c) The expenses of medically necessary transportation from any  
757 state facility or hospital to any other state facility or hospital shall be  
758 assumed by the state facility or hospital which initiated the transfer of

759 such child.

760 Sec. 20. (NEW) (a) The Commissioner Of Mental Health and  
761 Addiction Services may, in the discretion of the commissioner, admit  
762 to the department on a voluntary basis any child or youth who, in the  
763 commissioner's opinion, could benefit from any of the services offered  
764 or administered by, or under contract with, or otherwise available to,  
765 the Department of Mental Health and Addiction Services. Application  
766 for voluntary admission shall be made in writing by the parent or  
767 guardian of a child under fourteen years of age or by such person  
768 himself if he is a child fourteen years of age or older or a youth.

769 (b) A child or youth voluntarily admitted to the department shall be  
770 deemed to be within the care of the commissioner until such admission  
771 is terminated. The commissioner shall terminate the admission of any  
772 child or youth voluntarily admitted to the department within ten days  
773 after receipt of a written request for termination from a parent or  
774 guardian of any child under fourteen or from a child if fourteen years  
775 of age or over, or youth, unless prior to the expiration of that time the  
776 commissioner has sought and received from the Superior Court an  
777 order of temporary custody as provided by law. The commissioner  
778 may terminate the admission of any child or youth voluntarily  
779 admitted to the department after giving reasonable notice in writing to  
780 the parent or guardian of any child under fourteen years of age and to  
781 a child over fourteen, and to any youth. Any child or youth admitted  
782 voluntarily to the department may be placed in, or transferred to, any  
783 resource, facility or institution within the department or available to  
784 the commissioner, provided the commissioner shall give written notice  
785 to such child or youth and to the parent or guardian of the child of his  
786 intention to make a transfer at least ten days prior to any actual  
787 transfer, unless written notice is waived by those entitled to receive it,  
788 or unless an emergency commitment of such child is made pursuant to  
789 section 17a-502 of the general statutes.

790 (c) Not more than one hundred twenty days after admitting a child

791 or youth on a voluntary basis, the department shall petition the  
792 probate court for the district in which a parent or guardian of the child  
793 or youth resides for a determination as to whether continuation in care  
794 is in the child's best interest and, if so, whether there is an appropriate  
795 case service plan. Upon receipt of such application, the court shall set a  
796 time and place for hearing to be held within thirty days of receipt of  
797 the application, unless continued by the court for cause shown. The  
798 court shall order notice of the hearing to be given by regular mail at  
799 least five days prior to the hearing to the Commissioner of Mental  
800 Health and Addiction Services, and by certified mail, return receipt  
801 requested, at least five days prior to the hearing to the parents or  
802 guardian of the child and the minor, if over twelve years of age. If the  
803 whereabouts of the parent or guardian are unknown, or if delivery  
804 cannot reasonably be effected, then notice shall be ordered to be given  
805 by publication. In making its determination the court shall consider the  
806 items specified in subsection (d) of this section.

807 (d) Not more than twelve months after a child or youth is admitted  
808 to the department on a voluntary basis, the commissioner shall file a  
809 motion in the probate court for the district in which a parent or  
810 guardian of the child or youth resides requesting a dispositional  
811 hearing on the status of the child or youth. Upon receipt of such  
812 motion, the court shall set a time and place for hearing to be held  
813 within thirty days of receipt of the motion, unless continued by the  
814 court for cause shown. The court shall order notice of the hearing to be  
815 given in accordance with subsection (c) of this section. At the  
816 dispositional hearing, all parties shall be heard and oral or written  
817 reports, containing recommendations as to the best interests of the  
818 child or youth may be presented. In determining its order of  
819 disposition, the court shall consider among other things: (1) The  
820 appropriateness of the department's plan for service to the child or  
821 youth and his family; (2) the treatment and support services that have  
822 been offered and provided to the child or youth to strengthen and  
823 reunite the family; (3) if return home is not likely for the child or  
824 youth, the efforts that have been made or should be made to evaluate

825 and plan for other modes of care; and (4) any further efforts which  
826 have been or will be made to promote the best interests of the child or  
827 youth. At the conclusion of the hearing, the court shall, in accordance  
828 with the best interests of the child or youth, enter an appropriate order  
829 of disposition. The order may: (A) Direct that the services being  
830 provided, or the placement of the child or youth and reunification  
831 efforts, be continued if the court, after hearing, determines that  
832 continuation of the child or youth in services or placement is in the  
833 child or youth's best interests or (B) direct that the child or youth's  
834 services or placement be modified to reflect the child or youth's best  
835 interest. The court shall possess continuing jurisdiction in proceedings  
836 under this section and shall conduct a further dispositional hearing  
837 whenever it deems necessary or desirable, but at least every twelve  
838 months.

839 (e) The commissioner shall adopt regulations, in accordance with  
840 chapter 54 of the general statutes, describing the documentation  
841 required for voluntary admission and for informal administrative case  
842 review, upon request, of any denial of an application for voluntary  
843 admission.

844 (f) Any person aggrieved by a decision of the commissioner denying  
845 voluntary services may appeal such decision through an  
846 administrative hearing held pursuant to chapter 54 of the general  
847 statutes.

848 (g) Upon motion of any interested party in a probate court  
849 proceeding under this section, the probate court of record may transfer  
850 the file for cause shown to a probate court for a district other than the  
851 district in which the initial or dispositional hearing was held. The file  
852 shall be transferred by the probate court of record making copies of all  
853 recorded documents in the court file, certifying each of them, and  
854 delivering the certified copies to the probate court to which the matter  
855 is transferred.

856 Sec. 21. (NEW) The shall be a Connecticut Juvenile Authority which

857 shall be a single budgeted state agency consisting of any programs or  
858 facilities transferred to the authority and any other institutions,  
859 facilities and programs as may be established or transferred to the  
860 department by the General Assembly.

861 Sec. 22. Section 4-5 of the general statutes is repealed and the  
862 following is substituted in lieu thereof:

863 As used in sections 4-6, 4-7 and 4-8, the term "department head"  
864 means Secretary of the Office of Policy and Management,  
865 Commissioner of Administrative Services, Commissioner of Revenue  
866 Services, Commissioner of Banking, Commissioner of Children and  
867 Families, Commissioner of Consumer Protection, Commissioner of  
868 Correction, Commissioner of Economic and Community Development,  
869 State Board of Education, Commissioner of Environmental Protection,  
870 Commissioner of Agriculture, Commissioner of Public Health,  
871 Insurance Commissioner, Labor Commissioner, Liquor Control  
872 Commission, Commissioner of Mental Health and Addiction Services,  
873 Commissioner of Public Safety, Commissioner of Social Services,  
874 Commissioner of Mental Retardation, Commissioner of Motor  
875 Vehicles, Commissioner of Transportation, Commissioner of Public  
876 Works, Commissioner of Veterans' Affairs, Commissioner of Health  
877 Care Access, Chief Information Officer, [and] the chairperson of the  
878 Public Utilities Control Authority and the Commissioner of the  
879 Connecticut Juvenile Authority.

880 Sec. 23. (NEW) The authority shall ensure public safety and  
881 intervene in delinquent behavior by providing individualized  
882 supervision, care and treatment to juveniles under sixteen years of age  
883 who require pre-trial detention or who are committed as delinquent by  
884 the court. The department shall (1) organize its facilities, programs and  
885 services in accordance with geographical boundaries designed by the  
886 five human service regions of the state; (2) conduct intake and  
887 assessment of all youth in its custody and facilities and provide  
888 information, when necessary, to the Judicial Department and other

889 state agencies serving the delinquent population; (3) establish intake  
890 guidelines and protocols for pre-trial detention centers, including  
891 eligibility requirements and supervision conditions for pretrial release  
892 supervision; (4) develop policies and procedures for a minimum-time-  
893 serviced requirement based on a standardized risk assessment and  
894 individualized treatment plan for all committed delinquents and  
895 determine when and under what conditions the youth may be released  
896 from confinement to a residential program or the community; (5)  
897 establish a community supervision program that includes an offender  
898 revocation unit and other specialized supervision units for specific  
899 populations; (6) coordinate efforts with the Judicial Department and  
900 other state agencies to effectively and efficiently provide juvenile  
901 justice services; and (7) prepare a plan to keep children who are  
902 convicted as delinquent and will be committed to the authority and  
903 placed in the new Connecticut Juvenile Training School to a specific  
904 period of time to be determined by the commissioner, which plan shall  
905 include provisions for development of a comprehensive approach to  
906 juvenile rehabilitation.

907       Sec. 24. (NEW) In accordance with the provisions of sections 4-5 to  
908 4-8, inclusive, of the general statutes, as amended by this act, the  
909 Governor shall appoint a Commissioner of the Juvenile Authority who  
910 shall be the administrative head of the department. The commissioner  
911 shall be experience and qualified as a juvenile justice administrator  
912 and shall devote full time to the duties of the office. The commissioner  
913 shall appoint two deputy directors , one of whom shall be experienced  
914 and qualified in the administration and operation of secure juvenile  
915 facilities and one of whom shall be experienced and qualified in the  
916 development and implementation of programs and services to treat  
917 delinquent youth.

918       Sec. 25. Section 17a-7 of the general statutes is repealed and the  
919 following is substituted in lieu thereof:

920       Except as otherwise limited by subsection (i) of section 46b-140 and

921 subsection (a) of section 46b-141, the Commissioner of [Children and  
922 Families or his] the Connecticut Juvenile Authority or a designee may,  
923 when deemed in the best interests of a child committed to the custody  
924 of the commissioner as delinquent by the Superior Court, place such  
925 child on parole under such terms or conditions as the commissioner or  
926 [his] a designee deem to be in the best interests of such child. When in  
927 the opinion of the commissioner or [his] a designee it is no longer in  
928 the best interest of such child to remain on parole such child may be  
929 returned to any institution, resource or facility administered by or  
930 available to the [Department of Children and Families] Connecticut  
931 Juvenile Authority.

932 Sec. 26. Section 17a-7a of the general statutes is repealed and the  
933 following is substituted in lieu thereof:

934 The Commissioner of [Children and Families] the Connecticut  
935 Juvenile Authority shall adopt regulations, in accordance with chapter  
936 54, setting standard leave and release policies for juvenile delinquents  
937 committed to the [Department of Children and Families] Connecticut  
938 Juvenile Authority and assigned to state facilities and private  
939 residential programs. Such regulations shall provide that juvenile  
940 delinquents shall not be eligible for leave without an initial sixty-day  
941 evaluation of fitness and security risk, including a trial leave not  
942 exceeding one day. Such regulations shall provide that juvenile  
943 delinquents shall not be eligible for any leave or release without (1)  
944 first having served the minimum time period, to be set by the  
945 commissioner or his designee upon commitment to the Connecticut  
946 Juvenile Authority, (2) an evaluation of fitness and security risk, [(2)]  
947 (3) the assignment of supervision and clear identification of custody of  
948 a parent, legal guardian or other responsible adult, [(3)] (4) confidential  
949 notification of local police for a leave or release granted to a serious  
950 juvenile offender, and [(4)] (5) a determination of eligibility  
951 immediately prior to granting the leave or release of a delinquent.

952 Sec. 27. Section 17a-8 of the general statutes is repealed and the

953 following is substituted in lieu thereof:

954 (a) All children and youth who are or have been committed to the  
955 custody of the Commissioner of [Children and Families] The  
956 Connecticut Juvenile Authority as delinquent shall remain in such  
957 custody until such custody expires or terminates as provided by the  
958 order of the Superior Court. Any child or youth who while placed in  
959 an institution administered by the [Department of Children and  
960 Families] Connecticut Juvenile Authority escapes from such institution  
961 or any child or youth who violates the terms or conditions of parole  
962 may be returned to actual custody. The request of the Commissioner of  
963 [Children and Families or his] the Connecticut Juvenile Authority or a  
964 designee shall be sufficient warrant to authorize any officer of the  
965 [Department of Children and Families] Connecticut Juvenile Authority  
966 or any officer authorized by law to serve criminal process within this  
967 state to return any such child or youth into actual custody; and any  
968 such officer, police officer, constable or sheriff shall arrest and hold any  
969 such child or youth when so requested, without written warrant.

970 (b) If the commissioner finds that a child or youth committed to his  
971 custody as delinquent who is fourteen years of age or older cannot  
972 benefit from continued school attendance and if[he] the commissioner  
973 further finds that such person may benefit from part or full-time  
974 employment at some useful occupation, the commissioner may place  
975 him on vocational parole, under the supervision of an employee of the  
976 department. For the purposes of this section, the limitations of  
977 subsection (a) of section 31-23, on the employment of minors under the  
978 age of sixteen years, shall not apply for the duration of such vocational  
979 parole.

980 Sec. 28. Section 17a-8a of the general statutes is repealed and the  
981 following is substituted in lieu thereof:

982 The Commissioner of [Children and Families, at his discretion] the  
983 Connecticut Juvenile Authority at the discretion of the commissioner,  
984 may authorize leave for a child convicted as delinquent committed to

985 the [Department of Children and Families] Connecticut Juvenile  
986 Authority and assigned to a state facility or private residential  
987 program, provided there is a reasonable belief, based on the totality of  
988 the information in the possession of the commissioner, that such child  
989 will honor the commissioner's trust and is eligible for leave under  
990 standards adopted pursuant to 17a-7a, as amended by this act. If any  
991 such child who is granted leave under this section fails to return to  
992 such facility or program, the superintendent or director shall disclose  
993 any records created or obtained by the facility or program regarding  
994 such child to the appropriate law enforcement agency.

995 Sec. 29. Section 17a-10 of the general statutes is repealed and the  
996 following is substituted in lieu thereof:

997 (a) Any child committed to the [department] Connecticut Juvenile  
998 Authority by the Superior Court shall be deemed to be within the  
999 custody of the commissioner until such commitment has been  
1000 terminated.

1001 (b) The commissioner shall pay for the support and maintenance of  
1002 any delinquent child who is in residence in any of the department's  
1003 institutions or facilities or in transit from one institution or facility to  
1004 another. The commissioner, in his sole discretion, may, if he has  
1005 sufficient funds, pay for the support and maintenance of any other  
1006 child or youth who is in his custody. If a child is in the custody of the  
1007 commissioner and also committed to the Commissioner of Social  
1008 Services, the Commissioner of Social Services shall pay for his support  
1009 and maintenance when he is living elsewhere than in an institution or  
1010 facility of the [Department of Children and Families] Connecticut  
1011 Juvenile Authority, unless there is other provision for his support.  
1012 Nothing in this section shall exempt any person from liability of  
1013 support of children or youth under the supervision of the  
1014 commissioner, when otherwise provided by law.

1015 (c) When deemed in the best interests of a child in the custody of the  
1016 commissioner, the commissioner, his designee, a superintendent or

1017 assistant superintendent or, when the child is in transit between  
1018 department facilities, a designee of the commissioner, may authorize,  
1019 on the advice of a physician licensed to practice in the state, medical  
1020 treatment, including surgery, to insure the continued good health or  
1021 life of the child. Any of said persons may, when he deems it in the best  
1022 interests of the child, authorize, on the advice of a dentist licensed to  
1023 practice in the state, dentistry, including dental surgery, to insure the  
1024 continued good health of the child. Upon such authorization, the  
1025 commissioner shall exercise due diligence to inform the parents or  
1026 guardian prior to taking such action, and in all cases shall send notice  
1027 to the parents or guardian by letter to their last-known address  
1028 informing them of the actions taken, of their necessity and of the  
1029 outcome, but in a case where the commissioner fails to notify, such  
1030 failure will not affect the validity of the authorization.

1031 (d) If the Superior Court requests a report on any committed child,  
1032 the commissioner shall be responsible for preparing and transmitting  
1033 such report to the requesting court. Not more than sixty days nor less  
1034 than thirty days prior to the expiration of the original commitment of  
1035 any child to the department, the commissioner may petition the court  
1036 for an extension of commitment pursuant to the provisions of section  
1037 46b-141. If the commissioner, or the board of review pursuant to the  
1038 provisions of section 17a-15, at any time during the commitment of any  
1039 child, determines that termination of commitment of a child is in the  
1040 best interest of such child, the commissioner or the board may  
1041 terminate the commitment and such termination shall be effective  
1042 without further action by the court.

1043 Sec. 30. (NEW) (a) No child or youth placed or treated under the  
1044 direction of the Commissioner of the Connecticut Juvenile Authority in  
1045 any public or private facility shall be deprived of any personal,  
1046 property or civil rights, except in accordance with due process of law.

1047 (b) Each child or youth placed or treated under the direction of the  
1048 Commissioner of the Connecticut Juvenile Authority in any public or

1049 private facility shall receive humane and dignified treatment at all  
1050 times, with full respect for his personal dignity and right to privacy,  
1051 consistent with his treatment plan as determined by the commissioner.

1052 (c) (1) Each child and youth shall be permitted to communicate with  
1053 any individual, group or agency, consistent with his treatment  
1054 objectives as determined by the Commissioner of the Connecticut  
1055 Juvenile Authority.

1056 (2) Each public or private facility under the direction of the  
1057 Commissioner of the Connecticut Juvenile Authority shall furnish  
1058 writing materials and postage to any child or youth desiring them.

1059 (3) A child or youth shall be permitted to make or receive telephone  
1060 calls to or from his attorneys at any reasonable time. Public telephones  
1061 shall be made available in appropriate locations.

1062 (d) (1) The Commissioner of the Connecticut Juvenile Authority  
1063 shall adopt regulations, in accordance with chapter 54 of the general  
1064 statutes, with respect to each facility or institution under his  
1065 jurisdiction, to specify the following: (A) When a child or youth may  
1066 be placed in restraint or seclusion or when force may be used upon a  
1067 child or youth; (B) when the head of a facility may limit the use or  
1068 receipt of mail by any child or youth and a procedure for return of  
1069 unopened mail; and (C) when the head of a facility may restrict the use  
1070 of a telephone by any child or youth.

1071 (2) A copy of any order placing a child or youth in restraint or  
1072 seclusion in accordance with the regulations adopted in subdivision (1)  
1073 of this subsection shall be made a part of the child's or youth's  
1074 permanent clinical record. Any special restriction on the use or receipt  
1075 of mail or telephone calls made in accordance with the regulations  
1076 adopted in subdivision (1) of this subsection, shall be noted in writing,  
1077 signed by the head of the facility, and made a part of the child's or  
1078 youth's permanent clinical record.

1079 (e) (1) Each child or youth shall be permitted to receive visitors  
1080 subject to reasonable restrictions consistent with the child's or youth's  
1081 treatment objectives. The head of each facility shall establish visiting  
1082 hours and inform all children and youth and their families and other  
1083 visitors of these hours. Any special restriction shall be noted in writing,  
1084 signed by the head of the facility, and made a part of the child's or  
1085 youth's permanent clinical record.

1086 (2) Each child or youth may receive his clergyman and attorney at  
1087 any reasonable time.

1088 (f) No person shall be denied employment, housing, civil service  
1089 rank, any license or permit, including a professional license, or any  
1090 other civil or legal right, solely because of a present or past placement  
1091 with the Commissioner of the Connecticut Juvenile Authority except  
1092 as otherwise provided by statute.

1093 (g) Each child or youth under the supervision of the Commissioner  
1094 of the Connecticut Juvenile Authority shall have the right to counsel of  
1095 his own choosing, and the right to receive visits from physicians and  
1096 mental health professionals as may be arranged by his counsel.

1097 (h) Each child or youth shall have a right to a hearing pursuant to  
1098 procedures adopted by the commissioner, in accordance with sections  
1099 4-176e to 4-181a, inclusive, of the general statutes before he is  
1100 involuntarily transferred by the Commissioner of the Connecticut  
1101 Juvenile Authority to any facility outside the state of Connecticut.

1102 (i) Any child or youth aggrieved by a violation of subsections (a) to  
1103 (h), inclusive, of this section, may petition the superior court for the  
1104 venue district provided in section 46b-142 of the general statutes  
1105 within which the child or youth is or resides for appropriate relief,  
1106 including temporary and permanent injunctive relief. Such petition  
1107 shall be treated as a juvenile matter.

1108 Sec. 31. Section 17a-27 of the general statutes, as amended by section

1109 20 of public act 99-26, is repealed and the following is substituted in  
1110 lieu thereof:

1111 (a) The Commissioner of [Children and Families] the Connecticut  
1112 Juvenile Authority after consultation with the Council on Children and  
1113 Families is authorized to invest the donation fund of Long Lane School  
1114 held by said institution in accordance with the provisions of the  
1115 statutes relating to the investment of trust funds and, for such purpose,  
1116 may accept, execute and deliver transfers and conveyances of real and  
1117 personal property in the name of the state, for the use and benefit of  
1118 Long Lane School or the Connecticut Juvenile Training School.

1119 (b) The Secretary of the Office of Policy and Management, in  
1120 consultation with the Commissioner of [Children and Families] the  
1121 Connecticut Juvenile Authority and the Commissioner of Public  
1122 Works, shall certify to the State Bond Commission that the resources  
1123 derived from any sale authorized by public act 99-26\*\* in the donation  
1124 fund of Long Lane School created by this section are eligible for use for  
1125 the costs incurred in the relocation of Long Lane School, including  
1126 environmental site remediation, and the development of the  
1127 Connecticut Juvenile Training School and related training facilities and  
1128 are in accordance with any deed restrictions for the construction of the  
1129 project and are not in violation of any tax or other covenants made in  
1130 respect of bonds originally issued to finance the Long Lane School and  
1131 related properties. Upon the approval of the State Bond Commission,  
1132 the Treasurer is authorized to transfer all or a portion of such resources  
1133 to the bond fund to which the bond authorization in section 1 of public  
1134 act 99-26\*\*\* has been or will be assigned.

1135 Sec. 32. (NEW) (a) As used in this section:

1136 (1) "Person" means (A) any individual named in a record,  
1137 maintained by the authority, who (i) is presently or at any prior time  
1138 was a ward of or committed to the commissioner for any reason; (ii)  
1139 otherwise received services, voluntarily or involuntarily, from the  
1140 authority; or (iii) is presently or was at any prior time the subject of an

1141 investigation by the authority; (B) the parent of a person, as defined in  
1142 subparagraph (A) of this subdivision, if such person is a minor; or (C)  
1143 the authorized representative of a person, as defined in subparagraph  
1144 (A) of this subdivision, if such person is deceased;

1145 (2) "Attorney" means the licensed attorney authorized to assert the  
1146 confidentiality of or right of access to records of a person;

1147 (3) "Authorized representative" means a parent, guardian,  
1148 conservator or other individual authorized to assert the confidentiality  
1149 of or right of access to records of a person;

1150 (4) "Consent" means permission given in writing by a person, his  
1151 attorney or his authorized representative to disclose specified  
1152 information, within a limited time period, regarding the person to  
1153 specifically identified individuals;

1154 (5) "Records" means information created or obtained in connection  
1155 with the authority's child protection activities or activities related to a  
1156 child while in the care or custody of the authority, including  
1157 information in the registry of reports to be maintained by the  
1158 commissioner pursuant to section 17a-101k of the general statutes,  
1159 provided records which are not created by the department are not  
1160 subject to disclosure, except as provided pursuant to subsection (f), (l)  
1161 or (n) of this section;

1162 (6) "Disclose" means (A) to provide an oral summary of records  
1163 maintained by the department to an individual, agency, corporation or  
1164 organization or (B) to allow an individual, agency, corporation or  
1165 organization to review or obtain copies of such records in whole, part  
1166 or summary form;

1167 (7) "Near fatality" means an act, as certified by a physician, that  
1168 places a child in serious or critical condition.

1169 (b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213  
1170 of the general statutes, records maintained by the authority shall be

1171 confidential and shall not be disclosed. Such records of any person  
1172 may only be disclosed, in whole or in part, to any individual, agency,  
1173 corporation or organization with the consent of the person or as  
1174 provided in this section. Any unauthorized disclosure shall be  
1175 punishable by a fine of not more than one thousand dollars or  
1176 imprisonment for not more than one year, or both.

1177 (c) The commissioner shall make available to the public, without the  
1178 consent of the person, information in general terms or findings  
1179 concerning an incident of abuse or neglect which resulted in a child  
1180 fatality or near fatality of a child, provided disclosure of such  
1181 information or findings does not jeopardize a pending investigation.

1182 (d) The commissioner shall, upon written request, disclose the  
1183 following information concerning agencies licensed by the authority:  
1184 (1) The name of the licensee; (2) the date the original license was  
1185 issued; (3) the current status of the license; (4) whether an authority  
1186 investigation or review is pending or has been completed; and (5) any  
1187 licensing action taken by the authority at any time during the period  
1188 such license was issued and the reason for such action, provided  
1189 disclosure of such information will not jeopardize a pending  
1190 investigation.

1191 (e) The commissioner or a designee shall, upon request, promptly  
1192 provide copies of records, without the consent of a person, to (1) a law  
1193 enforcement agency, (2) the Chief State's Attorney or a designee, for  
1194 purposes of investigating or prosecuting an allegation of child abuse or  
1195 neglect, (3) the attorney appointed to represent a child in any court in  
1196 litigation affecting the best interests of the child, (4) a guardian ad  
1197 litem appointed to represent a child in any court in litigation affecting  
1198 the best interests of the child, (5) the Department of Public Health,  
1199 which licenses any person to care for children for the purposes of  
1200 determining suitability of such person for licensure, (6) any state  
1201 agency which licenses such person to educate or care for children  
1202 pursuant to section 10-145b or 17a-101j of the general statutes, (7) the

1203 Governor, when requested in writing, in the course of his official  
1204 functions or the Legislative Program Review and Investigations  
1205 Committee, the committee of the General Assembly on judiciary and  
1206 the committee of the General Assembly having cognizance of matters  
1207 involving children when requested in the course of such committees'  
1208 official functions in writing, and upon a majority vote of said  
1209 committee, provided no names or other identifying information shall  
1210 be disclosed unless it is essential to the legislative or gubernatorial  
1211 purpose, and (8) a local or regional board of education, provided the  
1212 records are limited to educational records created or obtained by the  
1213 state. A disclosure under this section shall be made of any part of a  
1214 record, whether or not created by the authority, provided no  
1215 confidential record of the Superior Court shall be disclosed other than  
1216 the petition and any affidavits filed therewith in the superior court for  
1217 juvenile matters, except upon an order of a judge of the Superior Court  
1218 for good cause shown.

1219 (f) When the commissioner or his designee determines it to be in a  
1220 person's best interest, the commissioner or a designee may disclose  
1221 records, whether or not created by the authority and not otherwise  
1222 privileged or confidential communications under state or federal law,  
1223 without the consent of a person to:

1224 (1) Multidisciplinary teams which are formed to assist the  
1225 Department of Children and Families in investigation, evaluation or  
1226 treatment of child abuse and neglect cases or a multidisciplinary  
1227 provider of professional treatment services under contract with the  
1228 department for a child referred to the provider;

1229 (2) Any agency in another state which is responsible for  
1230 investigating or protecting against child abuse or neglect for the  
1231 purpose of investigating a child abuse case;

1232 (3) An individual, including a physician, authorized pursuant to  
1233 section 17a-101f of the general statutes to place a child in protective  
1234 custody if such individual has before him a child whom he reasonably

1235 suspects may be a victim of abuse or neglect and such individual  
1236 requires the information in a record in order to determine whether to  
1237 place the child in protective custody;

1238 (4) An individual or public or private agency responsible for a  
1239 person's care or custody and authorized by the Department of  
1240 Children and Families to diagnose, care for, treat or supervise a child  
1241 who is the subject of a record of child abuse or neglect or a public or  
1242 private agency responsible for a person's education for a purpose  
1243 related to the individual's or agency's responsibilities;

1244 (5) The Attorney General or any assistant attorney general  
1245 providing legal counsel for the department;

1246 (6) Individuals or public or private agencies engaged in medical,  
1247 psychological or psychiatric diagnosis or treatment of a person  
1248 perpetrating the abuse or who is unwilling or unable to protect the  
1249 child from abuse or neglect when the commissioner or his designee  
1250 determines that the disclosure is needed to accomplish the objectives  
1251 of diagnosis or treatment;

1252 (7) A person who reports child abuse pursuant to sections 17a-101a  
1253 to 17a-101c, inclusive, and section 17a-103 of the general statutes, who  
1254 made a report of abuse involving the subject child, provided the  
1255 information disclosed is limited to (A) the status of the investigation  
1256 and (B) in general terms, any action taken by the department;

1257 (8) An individual conducting bona fide research, provided no  
1258 information identifying the subjects of records shall be disclosed  
1259 unless (A) such information is essential to the purpose of the research;  
1260 (B) each person identified in a record or his authorized representative  
1261 has authorized such disclosure in writing; and (C) the authority has  
1262 given written approval;

1263 (9) The Auditors of Public Accounts or their representative,  
1264 provided no information identifying the subjects of the records shall be

1265 disclosed unless such information is essential to an audit conducted  
1266 pursuant to section 2-90 of the general statutes;

1267 (10) The Department of Social Services, provided the information  
1268 disclosed is necessary to promote the health, safety and welfare of the  
1269 child;

1270 (11) A judge of the Superior Court for purposes of determining the  
1271 appropriate disposition of a child convicted as delinquent or a child  
1272 who is a member of a family with service needs; and

1273 (12) The superintendents, or their designees, of state-operated  
1274 facilities within the authority.

1275 (g) The commissioner or a designee may disclose the name, address  
1276 and fees for services to a person, to individuals or agencies involved in  
1277 the collection of fees for such services, except as provided in section  
1278 17b-225 of the general statutes. In cases where a dispute arises over  
1279 such fees or claims or where additional information is needed to  
1280 substantiate the fee or claim, such disclosure of further information  
1281 shall be limited to the following: (1) That the person was in fact  
1282 committed to or otherwise served by the authority; (2) dates and  
1283 duration of service; and (3) a general description of the service, which  
1284 shall include evidence that a service or treatment plan exists and has  
1285 been carried out and evidence to substantiate the necessity for  
1286 admission and length of stay in any institution or facility.

1287 (h) Notwithstanding the provisions of subsections (e) and (k) of this  
1288 section, the name of an individual reporting child abuse or neglect  
1289 shall not be disclosed without his written consent except to (1) an  
1290 employee of the department responsible for child protective services or  
1291 the abuse registry; (2) a law enforcement officer; (3) an appropriate  
1292 state's attorney; (4) an appropriate assistant attorney general; (5) a  
1293 judge of the Superior Court and all necessary parties in a court  
1294 proceeding pursuant to section 46b-129 of the general statutes, or a  
1295 criminal prosecution involving child abuse or neglect; or (6) a state

1296 child care licensing agency, executive director of any institution, school  
1297 or facility or superintendent of schools pursuant to section 17a-101i of  
1298 the general statutes.

1299 (i) Notwithstanding the provisions of subsection (f) of this section,  
1300 the name of any individual who cooperates with an investigation of a  
1301 report of child abuse or neglect shall be kept confidential upon request  
1302 or upon determination by the Department of Children and Families  
1303 that disclosure of such information may be detrimental to the safety or  
1304 interests of the individual, except the name of any such individual  
1305 shall be disclosed to the persons listed in subsection (h) of this section.

1306 (j) Notwithstanding the confidentiality provisions of this section, the  
1307 commissioner, upon request of an employee, shall disclose such  
1308 records to such employee or his authorized representative which  
1309 would be applicable and necessary for the purposes of an employee  
1310 disciplinary hearing or appeal from a decision after such hearing.

1311 (k) Information disclosed from a person's record shall not be  
1312 disclosed further without the written consent of the person, except if  
1313 disclosed to a party or his counsel pursuant to an order of a court in  
1314 which a criminal prosecution against the party is pending. A state's  
1315 attorney shall disclose to the defendant or his counsel in a criminal  
1316 prosecution, without the necessity of a court order, exculpatory  
1317 information and material contained in such record and may disclose,  
1318 without a court order, information and material contained in such  
1319 record which could be the subject of a disclosure order. All written  
1320 records disclosed to another individual or agency shall bear a stamp  
1321 requiring confidentiality in accordance with the provisions of this  
1322 section. Such material shall not be disclosed to anyone without written  
1323 consent of the person or as provided by this section. A copy of the  
1324 consent form specifying to whom and for what specific use the record  
1325 is disclosed or a statement setting forth any other statutory  
1326 authorization for disclosure and the limitations imposed thereon shall  
1327 accompany such record. In cases where the disclosure is made orally,

1328 the individual disclosing the information shall inform the recipient  
1329 that such information is governed by the provisions of this section.

1330 (l) In addition to the right of access provided in section 1-210 of the  
1331 general statutes, any person, regardless of age, his authorized  
1332 representative or attorney shall have the right of access to any records  
1333 made, maintained or kept on file by the department, whether or not  
1334 such records are required by any law or by any rule or regulation,  
1335 when those records pertain to or contain information or materials  
1336 concerning the person seeking access thereto, including but not limited  
1337 to records concerning investigations, reports, or medical, psychological  
1338 or psychiatric examinations of the person seeking access thereto,  
1339 provided that if the commissioner determines that it would be contrary  
1340 to the best interests of the person or his authorized representative or  
1341 attorney to review the records, he may refuse access by issuing to such  
1342 person or representative or attorney a written statement setting forth  
1343 the reasons for such refusal, and advise the person, his authorized  
1344 representative or attorney of the right to seek judicial relief. When any  
1345 person, attorney or authorized representative, having obtained access  
1346 to any record, believes there are factually inaccurate entries or  
1347 materials contained therein, he shall have the unqualified right to add  
1348 a statement to the record setting forth what he believes to be an  
1349 accurate statement of those facts, and said statement shall become a  
1350 permanent part of said record.

1351 (m) (1) Any person, attorney or authorized representative aggrieved  
1352 by a violation of subsection (b), (e), (f), (g), (h), (i) or (k) of this section  
1353 may seek judicial relief in the same manner as provided in section 52-  
1354 146j of the general statutes; (2) any person, attorney or authorized  
1355 representative denied access to records by the commissioner under  
1356 subdivision (2) of subsection (l) of this section may petition the  
1357 superior court for the venue district provided in section 46b-142 of the  
1358 general statutes in which the person resides for an order requiring the  
1359 commissioner to permit access to those records, and the court after  
1360 hearing, and an in camera review of the records in question, shall issue

1361 such an order unless it determines that to permit such access would be  
1362 contrary to the best interests of the person or authorized  
1363 representative.

1364 (n) The commissioner shall adopt regulations, pursuant to chapter  
1365 54 of the general statutes, within one year of the effective date of this  
1366 act to establish procedures for access to and disclosure of records  
1367 consistent with the provisions of this section.

1368 Sec. 33. Section 17a-49 of the general statutes is repealed and the  
1369 following is substituted in lieu thereof:

1370 (a) The Commissioner of Children and Families shall, upon  
1371 application of any public or private organization or agency, make  
1372 grants, within available appropriations, to develop and maintain  
1373 programs for the treatment and prevention of child abuse and neglect,  
1374 including, but not limited to, child protection teams and parent aid  
1375 programs.

1376 (b) The Commissioner of [Children and Families] the Connecticut  
1377 Juvenile Authority shall, upon application of any public or private  
1378 organization or agency, make grants, within available appropriations,  
1379 to develop and maintain programs for juvenile criminal diversion.

1380 Sec. 34. Section 17a-12 of the general statutes, as amended by section  
1381 19 of public act 99-26, is repealed and the following is substituted in  
1382 lieu thereof:

1383 (a) When the commissioner, or his designee, determines that a  
1384 change of program is in the best interest of any child or youth  
1385 committed or transferred to the department, he, or his designee, may  
1386 transfer such person to any appropriate resource or program  
1387 administered by or available to the department, to any other state  
1388 department or agency, or to any private agency or organization within  
1389 or without the state under contract with the department; provided no  
1390 child or youth voluntarily admitted to the department under section

1391 17a-11 shall be placed or subsequently transferred to Long Lane  
1392 School; and further provided no transfer shall be made to any  
1393 institution, hospital or facility under the jurisdiction of the Department  
1394 of Correction, except as authorized by section 18-87, unless it is so  
1395 ordered by the Superior Court after a hearing. When, in the opinion of  
1396 the commissioner, or his designee, a person fourteen years of age or  
1397 older is dangerous to himself or others or cannot be safely held at Long  
1398 Lane School, or any other facility within the state available to the  
1399 Commissioner of [Children and Families] the Connecticut Juvenile  
1400 Authority, the commissioner, or his designee may request an  
1401 immediate hearing before the Superior Court on the docket for juvenile  
1402 matters where such person was originally committed to determine  
1403 whether such person shall be transferred to the John R. Manson Youth  
1404 Institution, Cheshire, if a male, or the Connecticut Correctional  
1405 Institution, Niantic, if a female. The court shall, within three days of  
1406 the hearing, make such determination. If the court orders such transfer,  
1407 the transfer shall be reviewed by the court every six months thereafter  
1408 to determine whether it should be continued or terminated, unless the  
1409 commissioner has already exercised the powers granted to him under  
1410 section 17a-13 by removing such person from the John R. Manson  
1411 Youth Institution, Cheshire or the Connecticut Correctional Institution,  
1412 Niantic.

1413 (b) Unless ordered by the Superior Court at the time of  
1414 commitment, no child or youth committed to the commissioner shall  
1415 be placed in or transferred to a state-operated residential mental health  
1416 facility under the jurisdiction of the [commissioner] Commissioner of  
1417 the Connecticut Juvenile Authority without a hearing before the  
1418 commissioner or [his] a designee. Such hearing shall be conducted in  
1419 accordance with the provisions of chapter 54.

1420 (c) Notwithstanding the provisions of subsection (b) of this section,  
1421 (1) any delinquent child may be placed at any time in Long Lane  
1422 School, and (2) the commissioner may transfer any child or youth  
1423 committed to him to any institution, hospital or facility for mentally ill

1424 children under his jurisdiction for a period not to exceed fifteen days if  
1425 the need for such emergency treatment is certified by a psychiatrist  
1426 licensed to practice medicine by the state.

1427 Sec. 35. Section 17a-13 of the general statutes is repealed and the  
1428 following is substituted in lieu thereof:

1429 Any person committed to the [Department of Children and  
1430 Families] Connecticut Juvenile Authority who is transferred to the  
1431 John R. Manson Youth Institution, Cheshire, or the Connecticut  
1432 Correctional Institution, Niantic, pursuant to section 17a-12 shall be  
1433 deemed, while so transferred, to be under the jurisdiction of the  
1434 Department of Correction except that the Commissioner of [Children  
1435 and Families] the Connecticut Juvenile Authority shall retain [his]  
1436 powers to remove such person and to place [him] such person in  
1437 another facility or in the community or to terminate the commitment.

1438 Sec. 36. Section 46b-121 of the general statutes is repealed and the  
1439 following is substituted in lieu thereof:

1440 (a) Juvenile matters in the civil session include all proceedings  
1441 concerning uncared-for, neglected or dependent children and youth  
1442 within this state, termination of parental rights of children committed  
1443 to a state agency, matters concerning families with service needs,  
1444 contested matters involving termination of parental rights or removal  
1445 of guardian transferred from the Probate Court and the emancipation  
1446 of minors, but does not include matters of guardianship and adoption  
1447 or matters affecting property rights of any child or youth over which  
1448 the Probate Court has jurisdiction, provided appeals from probate  
1449 concerning adoption, termination of parental rights and removal of a  
1450 parent as guardian shall be included. Juvenile matters in the criminal  
1451 session include all proceedings concerning delinquent children in the  
1452 state and persons sixteen years of age and older who are under the  
1453 supervision of a juvenile probation officer while on probation or a  
1454 suspended commitment to the [Department of Children and Families]  
1455 Connecticut Juvenile Authority, for purposes of enforcing any court

1456 orders entered as part of such probation or suspended commitment.

1457 (b) In juvenile matters, the Superior Court shall have authority to  
1458 make and enforce such orders directed to parents, including any  
1459 person who acknowledges before said court paternity of a child born  
1460 out of wedlock, guardians, custodians or other adult persons owing  
1461 some legal duty to a child or youth therein, as it deems necessary or  
1462 appropriate to secure the welfare, protection, proper care and suitable  
1463 support of a child or youth subject to its jurisdiction or otherwise  
1464 committed to or in the custody of the Commissioner of [Children and  
1465 Families] the Connecticut Juvenile Authority. In addition, with respect  
1466 to proceedings concerning delinquent children, the Superior Court  
1467 shall have authority to make and enforce such orders as it deems  
1468 necessary or appropriate to punish the child, deter the child from the  
1469 commission of further delinquent acts, assure that the safety of any  
1470 other person will not be endangered and provide restitution to any  
1471 victim. Said court shall also have authority to grant and enforce  
1472 injunctive relief, temporary or permanent in all proceedings  
1473 concerning juvenile matters. If any order for the payment of money is  
1474 issued by said court, including any order assessing costs issued under  
1475 section 46b-134 or 46b-136, the collection of such money shall be made  
1476 by said court, except orders for support of children committed to any  
1477 state agency or department, which orders shall be made payable to  
1478 and collected by the Department of Administrative Services. Where the  
1479 court after due diligence is unable to collect such moneys within six  
1480 months, it shall refer such case to the Department of Administrative  
1481 Services for collection as a delinquent account. In juvenile matters, the  
1482 court shall have authority to make and enforce orders directed to  
1483 persons liable hereunder on petition of said Department of  
1484 Administrative Services made to said court in the same manner as is  
1485 provided in section 17b-745, in accordance with the provisions of  
1486 section 17b-81, 17b-223, subsection (b) of section 17b-179, section 17a-  
1487 90, 46b-129 or 46b-130, and all of the provisions of section 17b-745 shall  
1488 be applicable to such proceedings. Any judge hearing a juvenile matter  
1489 may make any other order in connection therewith within his

1490 authority to grant as a judge of the Superior Court and such order shall  
1491 have the same force and effect as any other order of the Superior  
1492 Court. In the enforcement of its orders, in connection with any juvenile  
1493 matter, the court may issue process for the arrest of any person,  
1494 compel attendance of witnesses and punish for contempt by a fine not  
1495 exceeding one hundred dollars or imprisonment not exceeding six  
1496 months. Following an adjudication by the court, a fee of two hundred  
1497 dollars shall be assessed by the court against the parents, guardian or  
1498 custodian of any child or youth whenever the services of the probation  
1499 staff for juvenile matters is required.

1500 Sec. 37. Section 46b-126 of the general statutes is repealed and the  
1501 following is substituted in lieu thereof:

1502 There shall be established or designated by the [Department of  
1503 Children and Families] Connecticut Juvenile Authority a secure facility  
1504 or facilities within the state devoted to the care and treatment of  
1505 children, which children are under the jurisdiction of the Superior  
1506 Court. A consideration for admission to such a facility shall be  
1507 adjudication for a serious juvenile offense.

1508 Sec. 38. Section 46b-132 of the general statutes is repealed and the  
1509 following is substituted in lieu thereof:

1510 Where accommodations for the temporary detention of children in  
1511 state-operated detention homes are unavailable, the [Chief Court  
1512 Administrator or his] Commissioner of the Connecticut Juvenile  
1513 Authority or a designee shall arrange with some agency or person for  
1514 the use of suitable accommodations to serve as a temporary detention  
1515 place as may be required. The court may allow such agency or person  
1516 reasonable compensation for the expenses and services incident to  
1517 such detention. The [Chief Court Administrator or his] Commissioner  
1518 of the Connecticut Juvenile Authority or a designee may employ any  
1519 other suitable method or arrangement for detention. Each child while  
1520 detained as herein provided shall be under the orders, direction and  
1521 supervision of the court.

1522       Sec. 39. Section 46b-132a of the general statutes is repealed and the  
1523 following is substituted in lieu thereof:

1524       When deemed in the best interests of a child placed in a juvenile  
1525 detention center, the administrator of such detention center may  
1526 authorize, under policies promulgated by the [Chief Court  
1527 Administrator] Commissioner of the Connecticut Juvenile Authority,  
1528 such medical assessment and treatment and dentistry as is necessary to  
1529 ensure the continued good health or life of the child. The administrator  
1530 of the detention center shall make reasonable efforts to inform the  
1531 child's parents or guardian prior to taking such action, and in all cases  
1532 shall send notice to the parents or guardian by letter to their last-  
1533 known address informing them of the actions taken and of the  
1534 outcome, provided failure to notify shall not affect the validity of the  
1535 authorization.

1536       Sec. 40. Section 46b-133 [of the general statutes is repealed and the  
1537 following is substituted in lieu thereof:

1538       (a) Nothing in this part shall be construed as preventing the arrest of  
1539 a child, with or without a warrant, as may be provided by law, or as  
1540 preventing the issuance of warrants by judges in the manner provided  
1541 by section 54-2a, except that no child shall be taken into custody on  
1542 such process except on apprehension in the act, or on speedy  
1543 information, or in other cases when the use of such process appears  
1544 imperative. Whenever a child is arrested and charged with a crime,  
1545 such child may be required to submit to the taking of his photograph,  
1546 physical description and fingerprints. Notwithstanding the provisions  
1547 of section 46b-124, the name, photograph and custody status of any  
1548 child arrested for the commission of a capital felony or class A felony  
1549 may be disclosed to the public.

1550       (b) Whenever a child is brought before a judge of the Superior  
1551 Court, such judge shall immediately have the case proceeded upon as  
1552 a juvenile matter. Such judge may admit such child to bail or release  
1553 him in the custody of his parent or parents, his guardian or some other

1554 suitable person to appear before the Superior Court when ordered. If  
1555 detention becomes necessary or desirable, the same shall be in the  
1556 manner prescribed by this chapter.

1557 (c) Upon the arrest of any child by an officer, such officer may  
1558 release him to the custody of his parent or parents, guardian or some  
1559 other suitable person or agency or may immediately turn him over to a  
1560 juvenile detention center. When a child is arrested for the commission  
1561 of a delinquent act and the child is not placed in detention or referred  
1562 to a diversionary program, an officer shall serve a written complaint  
1563 and summons on the child and his parent, guardian or other person  
1564 having control of the child. Such parent, guardian or other person shall  
1565 execute a written promise to appear in court at the time and place  
1566 specified in such summons. If any person so summoned wilfully fails  
1567 to appear in court at the time and place so specified, the court may  
1568 issue a warrant for the child's arrest or a *capias* to assure the  
1569 appearance in court of such parent, guardian or other person. The  
1570 court may punish for contempt, as provided in section 46b-121, any  
1571 parent, guardian or other person so summoned who wilfully fails to  
1572 appear in court at the time and place so specified.

1573 (d) The court or detention supervisor may turn such child over to a  
1574 youth service program created for such purpose, if such course is  
1575 practicable, or such child may be detained pending a hearing which  
1576 shall be held on the business day next following his arrest. No child  
1577 shall be detained after such hearing or held in detention pursuant to a  
1578 court order unless it appears from the available facts that there is  
1579 probable cause to believe that the child has committed the acts alleged  
1580 and that there is (1) a strong probability that the child will run away  
1581 prior to court hearing or disposition, (2) a strong probability that the  
1582 child will commit or attempt to commit other offenses injurious to him  
1583 or to the community before court disposition, (3) probable cause to  
1584 believe that the child's continued residence in his home pending  
1585 disposition will not safeguard the best interests of the child or the  
1586 community because of the serious and dangerous nature of the act or

1587 acts he is alleged to have committed, (4) a need to hold the child for  
1588 another jurisdiction or (5) a need to hold the child to assure his  
1589 appearance before the court, in view of his previous failure to respond  
1590 to the court process. Such probable cause may be shown by sworn  
1591 affidavit in lieu of testimony. No child shall be released from detention  
1592 who is alleged to have committed a serious juvenile offense except by  
1593 order of a judge of the Superior Court. In no case shall a child be  
1594 confined in a community correctional center or lockup, or in any place  
1595 where adults are or may be confined, except in the case of a nursing  
1596 infant; nor shall any child at any time be held in solitary confinement.  
1597 When a female child is held in custody, she shall, as far as possible, be  
1598 in the charge of a woman attendant.

1599 (e) The police officer who brings a child into detention shall have  
1600 first notified, or made a reasonable effort to notify, the parents or  
1601 guardian of the child in question of the intended action and shall file at  
1602 the detention center a signed statement setting forth the alleged  
1603 delinquent conduct of the child. Unless the arrest was for a serious  
1604 juvenile offense, the child may be released by a detention supervisor to  
1605 the custody of his parent or parents, guardian or some other suitable  
1606 person.

1607 (f) In conjunction with any order of release from detention the court  
1608 may, when it has reason to believe a child is alcohol-dependent or  
1609 drug-dependent as defined in section 46b-120, and where necessary,  
1610 reasonable and appropriate, order the child to participate in a program  
1611 of periodic alcohol or drug testing and treatment as a condition of such  
1612 release. The results of any such alcohol or drug test shall be admissible  
1613 only for the purposes of enforcing the conditions of release from  
1614 detention.

1615 (g) Whenever the population of a juvenile detention center equals or  
1616 exceeds the maximum capacity for such center, as determined by the  
1617 [Judicial Department] Connecticut Juvenile Authority, the detention  
1618 supervisor in charge of intake shall only admit a child who: (1) Is

1619 charged with the commission of a serious juvenile offense, (2) is the  
1620 subject of an order to detain or an outstanding court order to take such  
1621 child into custody, (3) is ordered by a court to be held in detention, or  
1622 (4) is being transferred to such center to await a court appearance.

1623 Sec. 41. Section 46b-140 of the general statutes is repealed and the  
1624 following is substituted in lieu thereof:

1625 (a) In determining the appropriate disposition of a child convicted  
1626 as delinquent, the court shall consider: (1) The seriousness of the  
1627 offense, including the existence of any aggravating factors such as the  
1628 use of a firearm in the commission of the offense and the impact of the  
1629 offense on any victim; (2) the child's record of delinquency; (3) the  
1630 child's willingness to participate in available programs; (4) the  
1631 existence of other mitigating factors; and (5) the culpability of the child  
1632 in committing the offense including the level of the child's  
1633 participation in the planning and carrying out of the offense.

1634 (b) Upon conviction of a child as delinquent, the court may: (1) Place  
1635 the child in the care of any institution or agency which is permitted by  
1636 law to care for children; (2) order the child to participate in an  
1637 alternative incarceration program; (3) order the child to participate in a  
1638 wilderness school program operated by the [Department of Children  
1639 and Families] Connecticut Juvenile Authority; (4) order the child to  
1640 participate in a youth service bureau program; (5) place the child on  
1641 probation; (6) order the child or the parents or guardian of the child or  
1642 both to make restitution to the victim of the offense in accordance with  
1643 subsection (d) of this section; (7) order the child to participate in a  
1644 program of community service in accordance with subsection (e) of  
1645 this section; or (8) withhold or suspend execution of any judgment.

1646 (c) The court may order, as a condition of probation, that the child  
1647 (1) reside with a parent, relative or guardian or in a suitable foster  
1648 home or other residence approved by the court, (2) attend school and  
1649 class on a regular basis and comply with school policies on student  
1650 conduct and discipline, (3) refrain from violating any federal or state

1651 law or municipal or local ordinance, (4) undergo any medical or  
1652 psychiatric evaluation or treatment deemed necessary by the court, (5)  
1653 submit to random drug or alcohol testing, or both, (6) participate in a  
1654 program of alcohol or drug treatment, or both, (7) make restitution to  
1655 the victim of the offense in accordance with subsection (d) of this  
1656 section, (8) participate in an alternative incarceration program or other  
1657 program established through the Office of Alternative Sanctions, (9)  
1658 participate in a program of community service, and (10) satisfy any  
1659 other conditions deemed appropriate by the court. The court shall  
1660 cause a copy of any such order to be delivered to the child, the child's  
1661 parents or guardian and the child's probation officer.

1662 (d) If the child has engaged in conduct which results in property  
1663 damage or personal injury, the court may order the child or the parent  
1664 or parents or guardian of the child, if such parent or parents or  
1665 guardian had knowledge of and condoned the conduct of the child, or  
1666 both the child and the parent or parents or guardian, to make full or  
1667 partial restitution to the victim of such offense, provided the liability of  
1668 such parent or parents or guardian shall be limited to an amount not  
1669 exceeding the amount such parent or parents or guardian would be  
1670 liable for in an action under section 52-572. Restitution may consist of  
1671 monetary reimbursement for the damage or injury, based on the  
1672 child's or the parent's, parents' or guardian's ability to pay, as the case  
1673 may be, in the form of a lump sum or instalment payments, paid to the  
1674 court clerk or such other official designated by the court for  
1675 distribution to the victim.

1676 (e) The court may order the child to participate in a program of  
1677 community service under the supervision of the court or any  
1678 organization designated by the court. Such child shall not be deemed  
1679 to be an employee and the services of such child shall not be deemed  
1680 employment.

1681 (f) If the court further finds that its probation services or other  
1682 services available to the court are not adequate for such child, the court

1683 shall commit such child to the [Department of Children and Families]  
1684 Connecticut Juvenile Authority in accordance with the provisions of  
1685 section 46b-141. Prior to making such commitment, the court shall  
1686 consult with the [department] authority to determine the placement  
1687 which will be in the best interest of such child.

1688 (g) Any child or youth coming within the jurisdiction of the court,  
1689 who is found to be mentally ill, may be committed by said court to the  
1690 Commissioner of [Children and Families] Mental Health and  
1691 Addiction Services and, if the court convicts a child as delinquent and  
1692 finds him to be mentally deficient, it may commit him to an institution  
1693 for mentally deficient children or youth or delinquents. Whenever it is  
1694 found that a child convicted by the court as delinquent or adjudged by  
1695 the court to be a member of a family with service needs who is  
1696 fourteen years of age or older would not benefit from continued school  
1697 attendance, the court may order him to be placed on vocational  
1698 probation if such court finds that he may properly be employed for  
1699 part or full-time at some useful occupation and that such employment  
1700 would be favorable to his welfare, and the probation officer shall  
1701 supervise such employment. For the purposes of this section the  
1702 limitations of subsection (a) of section 31-23 on the employment of  
1703 minors under the age of sixteen years shall not apply for the duration  
1704 of such vocational probation.

1705 (h) Whenever the court commits a child to the [Department of  
1706 Children and Families] Connecticut Juvenile Authority, there shall be  
1707 delivered with the mittimus a copy of the results of the investigations  
1708 made as required by section 46b-134. The court may, at any time,  
1709 require from the department in whose care a child has been placed  
1710 such report as to such child and his treatment.

1711 (i) If the delinquent act for which the child is committed to the  
1712 [Department of Children and Families] Connecticut Juvenile Authority  
1713 is a serious juvenile offense, the court may set a period of time during  
1714 which the [Department of Children and Families] Connecticut Juvenile

1715 Authority shall place such child out of his town of residence at the  
1716 commencement of such child's commitment. The setting of any such  
1717 time period shall be in the form of an order of the court included in the  
1718 mittimus. For good cause shown in the form of an affidavit annexed  
1719 thereto, the [Department of Children and Families] Connecticut  
1720 Juvenile Authority, the parent or guardian of the child or the child may  
1721 petition the court for temporary modification of any such order not to  
1722 extend or reduce the term of such placement.

1723 (j) Notwithstanding any provisions of the general statutes  
1724 concerning the confidentiality of records and information, whenever a  
1725 child convicted as delinquent is committed to the [Department of  
1726 Children and Families] Connecticut Juvenile Authority, the  
1727 Commissioner of [[Children and Families] the Connecticut Juvenile  
1728 Authority shall have access to the following information: (1)  
1729 Educational records of such child; (2) records regarding such child's  
1730 past treatment for physical or mental illness, including substance  
1731 abuse; (3) records regarding such child's prior placement in a public or  
1732 private residential facility; (4) records created or obtained by the  
1733 Judicial Department regarding such child; and (5) records, as defined  
1734 in subsection (a) of section 17a-28. The Commissioner of [Children and  
1735 Families] the Connecticut Juvenile Authority shall review such  
1736 information to determine the appropriate services and placement  
1737 which will be in the best interest of the child.

1738 Sec. 42. Section 46b-140 of the general statutes, as amended by  
1739 section 20 of public act 99-26, is repealed and the following is  
1740 substituted in lieu thereof:

1741 (a) In determining the appropriate disposition of a child convicted  
1742 as delinquent, the court shall consider: (1) The seriousness of the  
1743 offense, including the existence of any aggravating factors such as the  
1744 use of a firearm in the commission of the offense and the impact of the  
1745 offense on any victim; (2) the child's record of delinquency; (3) the  
1746 child's willingness to participate in available programs; (4) the

1747 existence of other mitigating factors; and (5) the culpability of the child  
1748 in committing the offense including the level of the child's  
1749 participation in the planning and carrying out of the offense.

1750 (b) Upon conviction of a child as delinquent, the court may: (1) Place  
1751 the child in the care of any institution or agency which is permitted by  
1752 law to care for children; (2) order the child to participate in an  
1753 alternative incarceration program; (3) order the child to participate in a  
1754 wilderness school program operated by the [Department of Children  
1755 and Families] Connecticut Juvenile Authority; (4) order the child to  
1756 participate in a youth service bureau program; (5) place the child on  
1757 probation; (6) order the child or the parents or guardian of the child or  
1758 both to make restitution to the victim of the offense in accordance with  
1759 subsection (d) of this section; (7) order the child to participate in a  
1760 program of community service in accordance with subsection (e) of  
1761 this section; or (8) withhold or suspend execution of any judgment.

1762 (c) The court may order, as a condition of probation, that the child  
1763 (1) reside with a parent, relative or guardian or in a suitable foster  
1764 home or other residence approved by the court, (2) attend school and  
1765 class on a regular basis and comply with school policies on student  
1766 conduct and discipline, (3) refrain from violating any federal or state  
1767 law or municipal or local ordinance, (4) undergo any medical or  
1768 psychiatric evaluation or treatment deemed necessary by the court, (5)  
1769 submit to random drug or alcohol testing, or both, (6) participate in a  
1770 program of alcohol or drug treatment, or both, (7) make restitution to  
1771 the victim of the offense in accordance with subsection (d) of this  
1772 section, (8) participate in an alternative incarceration program or other  
1773 program established through the Office of Alternative Sanctions, (9)  
1774 participate in a program of community service, and (10) satisfy any  
1775 other conditions deemed appropriate by the court. The court shall  
1776 cause a copy of any such order to be delivered to the child, the child's  
1777 parents or guardian and the child's probation officer.

1778 (d) If the child has engaged in conduct which results in property

1779 damage or personal injury, the court may order the child or the parent  
1780 or parents or guardian of the child, if such parent or parents or  
1781 guardian had knowledge of and condoned the conduct of the child, or  
1782 both the child and the parent or parents or guardian, to make full or  
1783 partial restitution to the victim of such offense, provided the liability of  
1784 such parent or parents or guardian shall be limited to an amount not  
1785 exceeding the amount such parent or parents or guardian would be  
1786 liable for in an action under section 52-572. Restitution may consist of  
1787 monetary reimbursement for the damage or injury, based on the  
1788 child's or the parent's, parents' or guardian's ability to pay, as the case  
1789 may be, in the form of a lump sum or instalment payments, paid to the  
1790 court clerk or such other official designated by the court for  
1791 distribution to the victim.

1792 (e) The court may order the child to participate in a program of  
1793 community service under the supervision of the court or any  
1794 organization designated by the court. Such child shall not be deemed  
1795 to be an employee and the services of such child shall not be deemed  
1796 employment.

1797 (f) If the court further finds that its probation services or other  
1798 services available to the court are not adequate for such child, the court  
1799 shall commit such child to the [Department of Children and Families]  
1800 Connecticut Juvenile Authority in accordance with the provisions of  
1801 section 46b-141. Prior to making such commitment, the court shall  
1802 consult with the [department] authority to determine the placement  
1803 which will be in the best interest of such child.

1804 (g) Any child or youth coming within the jurisdiction of the court,  
1805 who is found to be mentally ill, may be committed by said court to the  
1806 Commissioner of [Children and Families] Mental Health and  
1807 Addiction Services and, if the court convicts a child as delinquent and  
1808 finds such child to be mentally deficient, it may commit such child to  
1809 an institution for mentally deficient children or youth or delinquents.  
1810 Whenever it is found that a child convicted by the court as delinquent

1811 or adjudged by the court to be a member of a family with service needs  
1812 who is fourteen years of age or older would not benefit from continued  
1813 school attendance, the court may order such child to be placed on  
1814 vocational probation if such court finds that such child may properly  
1815 be employed for part or full-time at some useful occupation and that  
1816 such employment would be favorable to such child's welfare, and the  
1817 probation officer shall supervise such employment. For the purposes  
1818 of this section, the limitations of subsection (a) of section 31-23 on the  
1819 employment of minors under the age of sixteen years shall not apply  
1820 for the duration of such vocational probation.

1821 (h) Whenever the court commits a child to the [Department of  
1822 Children and Families] Connecticut Juvenile Authority, there shall be  
1823 delivered with the mittimus a copy of the results of the investigations  
1824 made as required by section 46b-134. The court may, at any time,  
1825 require from the [department] authority in whose care a child has been  
1826 placed such report as to such child and such child's treatment.

1827 [(i) If the delinquent act for which the child is committed to the  
1828 Department of Children and Families is a serious juvenile offense, the  
1829 court may set a minimum period of twelve months during which the  
1830 child shall be placed in a residential facility operated by or under  
1831 contract with said department, as determined by the Commissioner of  
1832 Children and Families. The setting of such minimum period shall be in  
1833 the form of an order of the court included in the mittimus. For good  
1834 cause shown in the form of an affidavit annexed thereto, the  
1835 Department of Children and Families, the parent or guardian of the  
1836 child or the child may petition the court for modification of any such  
1837 order.

1838 (j) Except as otherwise provided in this section, the court may order  
1839 a child be (1) committed to the Department of Children and Families  
1840 and be placed directly in a residential facility within this state and  
1841 under contract with said department, or (2) committed to the  
1842 Commissioner of Children and Families for placement by the

1843 commissioner, in said commissioner's discretion, (A) with respect to  
1844 the juvenile offenders determined by the Department of Children and  
1845 Families to be the highest risk, in the Connecticut Juvenile Training  
1846 School or other state facility, presumptively for a minimum period of  
1847 twelve months, or (B) in a private residential or day treatment facility  
1848 within or outside this state, or (C) on parole. The commissioner shall  
1849 use a risk and needs assessment classification system to ensure that  
1850 children who are in the highest risk level will be placed in the  
1851 Connecticut Juvenile Training School.]

1852 [(k)] (i) Any female child committed to the Connecticut Juvenile  
1853 Training School shall be separated from any contact with male  
1854 children in said facility. Separation shall be accomplished through  
1855 architectural means, through time-phasing of common use  
1856 nonresidential areas and through policies and procedures. No program  
1857 activities may be shared by female and male children in said facility.  
1858 For the purposes of this subsection, "contact" includes any physical or  
1859 sustained sight or sound contact; "sight contact" means clear visual  
1860 contact between female and male children within close proximity to  
1861 each other; and "sound contact" means direct oral communication  
1862 between female and male children.

1863 [(l)] (j) Notwithstanding any provisions of the general statutes  
1864 concerning the confidentiality of records and information, whenever a  
1865 child convicted as delinquent is committed to the [Department of  
1866 Children and Families] Connecticut Juvenile Authority, the  
1867 Commissioner of [Children and Families] the Connecticut Juvenile  
1868 Authority shall have access to the following information: (1)  
1869 Educational records of such child; (2) records regarding such child's  
1870 past treatment for physical or mental illness, including substance  
1871 abuse; (3) records regarding such child's prior placement in a public or  
1872 private residential facility; (4) records created or obtained by the  
1873 Judicial Department regarding such child; and (5) records, as defined  
1874 in subsection (a) of section 17a-28. The Commissioner of [Children and  
1875 Families] the Connecticut Juvenile Authority shall review such

1876 information to determine the appropriate services and placement  
1877 which will be in the best interest of the child.

1878 Sec. 43. Section 46b-140a of the general statutes is repealed and the  
1879 following is substituted in lieu thereof:

1880 (a) At any time during the period of probation or suspended  
1881 commitment, after hearing and for good cause shown, the court may  
1882 modify or enlarge the conditions, whether originally imposed by the  
1883 court under this section or otherwise, and may extend the period as  
1884 deemed appropriate by the court. The court shall cause a copy of any  
1885 such order to be delivered to the child or youth and to such child or  
1886 youth's parent or guardian and probation officer.

1887 (b) The period of participation in an alternative incarceration  
1888 program, as a condition of probation or suspended commitment,  
1889 unless terminated sooner, shall not exceed the original period of  
1890 probation or suspended commitment.

1891 (c) At any time during the period of probation or suspended  
1892 commitment, the court may issue a warrant for the arrest of a child or  
1893 youth for violation of any of the conditions of probation or suspended  
1894 commitment, or may issue a notice to appear to answer to a charge of  
1895 such violation, which notice shall be personally served upon the child  
1896 or youth. Any such warrant shall authorize all officers named therein  
1897 to return the child or youth to the custody of the court or to any  
1898 suitable juvenile detention facility [designated by the court] operated  
1899 by the Connecticut Juvenile Authority.

1900 (d) If such violation is established, the court may continue or revoke  
1901 the order of probation or suspended commitment or modify or enlarge  
1902 the conditions and, if such order of probation or suspended  
1903 commitment is revoked, require the child or youth to serve the  
1904 commitment imposed or impose any lesser commitment. No such  
1905 revocation shall be ordered, except upon consideration of the whole  
1906 record and unless such violation is established by reliable and

1907 probative evidence.

1908 Sec. 44. Section 46b-141 of the general statutes is repealed and the  
1909 following is substituted in lieu thereof:

1910 (a) Except as otherwise limited by subsection (i) of section 46b-140,  
1911 commitment of children convicted as delinquent by the Superior Court  
1912 to the [Department of Children and Families] Connecticut Juvenile  
1913 Authority shall be for (1) an indeterminate time up to a maximum of  
1914 eighteen months, or (2) when so convicted for a serious juvenile  
1915 offense, up to a maximum of four years at the discretion of the court,  
1916 unless extended as hereinafter provided.

1917 (b) The Commissioner of [Children and Families] the Connecticut  
1918 Juvenile Authority may petition the court for an extension of the  
1919 commitment as provided in subdivision (1) of subsection (a) beyond  
1920 the eighteen-month period on the grounds that such extension is for  
1921 the best interest of the child or the community. The court shall give  
1922 notice to the parent or guardian and to the child at least fourteen days  
1923 prior to the hearing upon such petition. The court may, after hearing  
1924 and upon finding that such extension is in the best interest of the child  
1925 or the community, continue the commitment for an additional period  
1926 of not more than eighteen months.

1927 (c) The Commissioner of [Children and Families] the Connecticut  
1928 Juvenile Authority shall obtain judicial review of each child convicted  
1929 as delinquent for a serious juvenile offense as provided in subdivision  
1930 (2) of subsection (a) within eighteen months of commitment to the  
1931 [Department of Children and Families] Connecticut Juvenile Authority  
1932 and every eighteen months thereafter. Such judicial review may  
1933 include the submission of a petition to the court by the commissioner  
1934 to either (1) modify such commitment, or (2) extend the commitment  
1935 beyond such four-year period on the grounds that such extension is for  
1936 the best interest of the child or the community. The court shall give  
1937 notice to the parent or guardian and to the child at least fourteen days  
1938 prior to the hearing upon such petition. The court, after hearing, may

1939 modify such commitment or, upon finding that such extension is in the  
1940 best interest of the child or the community, continue the commitment  
1941 for an additional period of not more than eighteen months.

1942 (d) All other commitments of delinquent, mentally deficient or  
1943 mentally ill children by the court pursuant to the provisions of section  
1944 46b-140, may be for an indeterminate time. Commitments may be  
1945 reopened and terminated at any time by said court, provided the  
1946 Commissioner of [Children and Families] the Connecticut Juvenile  
1947 Authority shall be given notice of such proposed reopening and a  
1948 reasonable opportunity to present his views thereon. The parents or  
1949 guardian of such child may apply not more than twice in any calendar  
1950 year for such reopening and termination of commitment. Any order of  
1951 the court made under the provisions of this section shall be deemed a  
1952 final order for purposes of appeal, except that no bond shall be  
1953 required nor costs taxed on such appeal.

1954 Sec. 45. Section 46b-141a of the general statutes is repealed and the  
1955 following is substituted in lieu thereof:

1956 (a) Whenever a child is convicted as delinquent, the court, in lieu of  
1957 committing such child to the [Department of Children and Families]  
1958 Connecticut Juvenile Authority or to a juvenile detention center, may,  
1959 in its discretion, order an assessment for placement in an alternative  
1960 incarceration program to be conducted by the juvenile probation unit  
1961 of the Superior Court. If the juvenile probation unit of the Superior  
1962 Court recommends placement in an alternative incarceration program,  
1963 it shall also submit to the court a proposed alternative incarceration  
1964 plan. Upon completion of the assessment, the court shall determine  
1965 whether such child shall be ordered to participate in such program as  
1966 an alternative to commitment. If the court determines that the child  
1967 shall participate in such program, the court shall suspend any  
1968 commitment to the [Department of Children and Families] Connecticut  
1969 Juvenile Authority or to a juvenile detention center and shall make  
1970 participation in the alternative incarceration program a condition of

1971 probation.

1972 (b) An alternative incarceration program shall include, but not be  
1973 limited to, fines, restitution, community service, halfway houses,  
1974 alternative incarceration centers, day incarceration centers, drug,  
1975 alcohol and mental health programs, electronic monitoring, intensive  
1976 probation, vocational probation, boot camps, structured wilderness  
1977 programs, pretrial diversion options aimed at creating alternatives to  
1978 unnecessary detention, and school and job training programs.

1979 Sec. 46. Section 46b-142 of the general statutes is repealed and the  
1980 following is substituted in lieu thereof:

1981 (a) The Chief Court Administrator, in consultation with the judges  
1982 of the Superior Court, shall establish districts for the purpose of  
1983 establishing venue in juvenile matters. All petitions concerning  
1984 delinquent children shall be heard within the district where the  
1985 delinquency is alleged to have occurred or where the child resides, in  
1986 the discretion of the court. All other petitions shall be heard within the  
1987 district where the child or youth resided at the time of the filing of the  
1988 petition, but for the purposes of this section any child or youth born in  
1989 any hospital or institution where the mother is confined at the time of  
1990 birth shall be deemed to have residence in the district wherein his  
1991 mother was living at the time of her admission to such hospital or  
1992 institution.

1993 (b) The [Department of Children and Families] Connecticut Juvenile  
1994 Authority, or any party at interest aggrieved by any final judgment or  
1995 order of the court, may appeal to the Appellate Court in accordance  
1996 with the provisions of section 52-263. The clerk in charge of such  
1997 juvenile matters shall forthwith, after notice of any appeal, prepare and  
1998 file with the clerk of the Appellate Court the certified copy of the  
1999 record of the case from which such appeal has been taken. The name of  
2000 the child or youth involved in any such appeal shall not appear on the  
2001 record of the appeal, and the records and papers of any juvenile case  
2002 filed in the Appellate Court shall be open for inspection only to

2003 persons having a proper interest therein and upon order of the court.

2004 (c) Pending such appeal, the Superior Court may cause the child or  
2005 youth to be detained in some suitable place as the court may direct, or  
2006 may release the child or youth in the care of a parent, probation officer  
2007 or other suitable person, and may require the appellant to enter into a  
2008 bond or recognizance to the state, with surety or security conditioned  
2009 that the child or youth shall appear before the Appellate Court and  
2010 abide by the order and judgment.

2011 Sec. 47. Section 46b-148 of the general statutes is repealed and the  
2012 following is substituted in lieu thereof:

2013 When a child whose family has been adjudicated as a family with  
2014 service needs in accordance with section 46b-149 violates any valid  
2015 order which regulates future conduct of the child made by the court  
2016 following such an adjudication, a probation officer, on receipt of a  
2017 complaint setting forth facts alleging such a violation, or on his own  
2018 motion on the basis of his knowledge of such a violation, may file a  
2019 petition with the court alleging that the child has committed a  
2020 delinquent act by reason of having violated a valid court order and  
2021 setting forth the facts claimed to constitute such a violation. Such child  
2022 may be processed as any other delinquent child under this chapter,  
2023 except that (1) such child shall not be held in detention prior to a  
2024 hearing on such petition for more than seventy-two hours excluding  
2025 Saturdays, Sundays and holidays; and (2) in entering any order that  
2026 directs or authorizes placement in a facility under the auspices of the  
2027 Office of Alternative Sanctions or commitment to the [Department of  
2028 Children and Families] Connecticut Juvenile Authority, the judge shall  
2029 make a determination that there is no less restrictive alternative  
2030 appropriate to the needs of the child and the community.

2031 Sec. 48. Section 46b-149 of the general statutes is repealed and the  
2032 following is substituted in lieu thereof:

2033 (a) Any selectman, town manager, police officer or welfare

2034 department of any town, city or borough, probation officer,  
2035 superintendent of schools, the Commissioner of Children and Families,  
2036 any child-caring institution or agency approved or licensed by the  
2037 Commissioner of Children and Families, any youth service bureau, a  
2038 parent or foster parent of a child, or a child or his representative or  
2039 attorney, the Commissioner of Mental Health and Addiction Services,  
2040 community partnership for children, any agency participating in a  
2041 system of care, who believes that the acts or omissions of a child are  
2042 such that his family is a family with service needs, may file a written  
2043 complaint setting forth those facts with the superior court which has  
2044 venue over that matter.

2045 (b) The court shall refer a complaint filed under subsection (a) of  
2046 this section to a probation officer, who shall promptly determine  
2047 whether it appears that the alleged facts, if true, would be sufficient to  
2048 meet the definition of a family with service needs, provided a  
2049 complaint alleging that a child is a truant or habitual truant shall not  
2050 be determined to be insufficient to meet the definition of a family with  
2051 service needs solely because it was filed during the months of April,  
2052 May or June. If such probation officer so determines, he shall promptly  
2053 either (1) refer the matter, with the consent of the child and his parents  
2054 or guardian, to a suitable community-based or other service provider,  
2055 or (2) file a petition with the court in the manner prescribed in  
2056 subsection (c) of this section. In either case, the probation officer shall  
2057 inform the complainant in writing of his action. If it appears that the  
2058 allegations are not true, or that the child's family does not meet the  
2059 definition of a family with service needs, the probation officer shall  
2060 inform the complainant in writing of such finding. In any case in  
2061 which the probation officer does not file a petition, he shall also inform  
2062 the complainant of the right of such person to file a petition pursuant  
2063 to subsection (c) of this section. Any person who has filed a complaint  
2064 pursuant to subsection (a) of this section, and who has been notified by  
2065 a probation officer that such officer does not intend to file a petition for  
2066 a family with service needs may, within thirty days after mailing of  
2067 such notice, file a petition under subsection (c) of this section.

2068 (c) A petition alleging that a family constitutes a family with service  
2069 needs shall be verified and filed with the Superior Court which has  
2070 venue over the matter. The petition shall set forth plainly: (1) The facts  
2071 which bring the child within the jurisdiction of the court, (2) the name,  
2072 date of birth, sex and residence of the child, (3) the name and residence  
2073 of his parent or parents, guardian or other person having control of  
2074 him, and (4) a prayer for appropriate action by the court in conformity  
2075 with the provisions of this section.

2076 (d) When a petition is filed under subsection (c) of this section, the  
2077 court may issue a summons to the child and his parents, guardian or  
2078 other person having control of him to appear in court at a specified  
2079 time and place. The summons shall be signed by a judge or by the  
2080 clerk or assistant clerk of the court, and a copy of the petition shall be  
2081 attached to it. Whenever it appears to the judge that orders addressed  
2082 to an adult, as set forth in section 46b-121, are necessary for the welfare  
2083 of such child, a similar summons shall be issued and served upon such  
2084 adult if he is not already in court. Service of summons shall be made in  
2085 accordance with section 46b-128. The court may punish for contempt,  
2086 as provided in section 46b-121, any parent, guardian or other person so  
2087 summoned who fails to appear in court at the time and place so  
2088 specified. If a petition is filed under subsection (c) of this section  
2089 alleging that a family is a family with service needs because a child is a  
2090 truant or habitual truant, the court may not dismiss such petition  
2091 solely because it was filed during the months of April, May or June.

2092 (e) When a petition is filed under subsection (c) of this section  
2093 alleging that a family constitutes a family with service needs because it  
2094 includes a child who has been habitually truant, the court shall order  
2095 that the local or regional board of education for the town in which the  
2096 child resides, or the private school in the case of a child enrolled in a  
2097 private school, shall cause an educational evaluation of such child to  
2098 be performed if no such evaluation has been performed within the  
2099 preceding year. Any costs incurred for the performance of such  
2100 evaluation shall be borne by such local or regional board of education

2101 or such private school.

2102 (f) If it appears from the allegations of a petition or other sworn  
2103 affirmations that there is: (1) A strong probability that the child may do  
2104 something that is injurious to himself prior to court disposition; (2) a  
2105 strong probability that the child will run away prior to the hearing; or  
2106 (3) a need to hold the child for another jurisdiction, a judge may vest  
2107 temporary custody of such child in some suitable person or agency. No  
2108 nondelinquent juvenile runaway from another state may be held in a  
2109 state-operated detention home in accordance with the provisions of  
2110 sections 46b-151 to 46b-151g, inclusive, Interstate Compact on  
2111 Juveniles. A hearing on temporary custody shall be held not later than  
2112 ten days after the date on which a judge signs an order of temporary  
2113 custody. Following such hearing, the judge may order that the child's  
2114 temporary custody continue to be vested in some suitable person or  
2115 agency. Any expenses of temporary custody shall be paid in the same  
2116 manner as provided in subsection (b) of section 46b-129.

2117 (g) If it appears that the interests of the child or the family may be  
2118 best served, prior to adjudication, by a referral to community-based or  
2119 other services, the judge may permit the matter to be continued for a  
2120 period not to exceed three months. If it appears at the conclusion of the  
2121 continuance that the matter has been satisfactorily resolved, the judge  
2122 may dismiss the petition.

2123 (h) If the court finds, based on clear and convincing evidence, that  
2124 the family of a child is a family with service needs, the court may, in  
2125 addition to issuing any orders under section 46b-121, (1) refer the child  
2126 to the [Department of Children and Families] Connecticut Juvenile  
2127 Authority for any voluntary services provided by said [department]  
2128 authority or, if the family is a family with service needs solely as a  
2129 result of a finding that a child is a truant or habitual truant, to the  
2130 authorities of the local or regional school district or private school for  
2131 services provided by such school district or such school, which  
2132 services may include summer school, or to community agencies

2133 providing child and family services; (2) commit that child to the care  
2134 and custody of the Commissioner of [Children and Families] the  
2135 Connecticut Juvenile Authority for an indefinite period not to exceed  
2136 eighteen months; (3) order the child to remain in his own home or in  
2137 the custody of a relative or any other suitable person (A) subject to the  
2138 supervision of a probation officer or (B) in the case of a family which is  
2139 a family with service needs solely as a result of a finding that a child is  
2140 a truant or habitual truant, subject to the supervision of a probation  
2141 officer and the authorities of the local or regional school district or  
2142 private school; or (4) if the family is a family with service needs as a  
2143 result of the child engaging in sexual intercourse with another person  
2144 and such other person is thirteen years of age or older and not more  
2145 than two years older or younger than such child, (A) refer the child to  
2146 a youth service bureau or other appropriate service agency for  
2147 participation in a program such as a teen pregnancy program or a  
2148 sexually transmitted disease program and (B) require such child to  
2149 perform community service such as service in a hospital, an AIDS  
2150 prevention program or an obstetrical and gynecological program. If  
2151 the court issues any order which regulates future conduct of the child,  
2152 parent or guardian, the child, parent or guardian, shall receive  
2153 adequate and fair warning of the consequences of violation of the  
2154 order at the time it is issued, and such warning shall be provided to the  
2155 child, parent or guardian, to his attorney and to his legal guardian in  
2156 writing and shall be reflected in the court record and proceedings.

2157 (i) (1) The Commissioner of [Children and Families] the Connecticut  
2158 Juvenile Authority may petition the court for an extension of a  
2159 commitment under this section on the grounds that an extension  
2160 would be in the best interest of the child. The court shall give notice to  
2161 the child and his parent or guardian at least fourteen days prior to the  
2162 hearing upon that petition. The court may, after hearing and upon  
2163 finding that such extension is in the best interest of the child, continue  
2164 the commitment for an additional indefinite period of not more than  
2165 eighteen months. (2) The Commissioner of [Children and Families] the  
2166 Connecticut Juvenile Authority may at any time petition the court to

2167 discharge a child, committed under this section, and any child  
2168 committed to the commissioner under this section, or the parent or  
2169 guardian of such child, may at any time but not more often than once  
2170 every six months petition the court which committed the child to  
2171 revoke such commitment. The court shall notify the child, his parent or  
2172 guardian and the commissioner of any petition filed under this  
2173 subsection, and of the time when a hearing on such petition will be  
2174 held. Any order of the court made under this subsection shall be  
2175 deemed a final order for purposes of appeal, except that no bond shall  
2176 be required nor costs taxed on such appeal.

2177       Sec. 49. (NEW) The Commissioner of the Juvenile Authority shall  
2178 have sole responsibility for the planning, construction, administration  
2179 and operation of the Connecticut Juvenile Detention Center and  
2180 references to the Department of Children and Families contained in  
2181 public act 99-26 concerning said detention center shall be deemed to  
2182 refer to the Connecticut Juvenile Authority.

2183       Sec. 50. (NEW) The Commissioner of Children and Families shall  
2184 develop a process to determine which reports received as provided in  
2185 sections 17a-101a to 17a-101c, inclusive, of the general statutes or  
2186 section 17a-103 of the general statutes require a complete investigation  
2187 by the Department of Children and Families and which reports can be  
2188 referred for assessment and services to a state-contracted community  
2189 partnership for children . Such process shall be implemented on or  
2190 before October 1, 2004.

2191       Sec. 51. (a) There is established a task force to develop and oversee  
2192 implementation of the provisions of this act.

2193       (b) The task force shall consist of five members of the public,  
2194 appointed by the governor.

2195       (c) All appointments to the task force shall be made no later than  
2196 thirty days after the effective date of this section. Any vacancy shall be  
2197 filled by the appointing authority within thirty days.

2198 (d) The task force shall develop a transition plan to implement the  
2199 provisions of this act. In preparing such plan, the team shall consult  
2200 with the commissioners of children and families and mental health and  
2201 addiction services, the deputy commissioner of the division of  
2202 children's behavioral health in the Department of Mental Health and  
2203 Addiction Services, the Chief Court Administrator, the Secretary of the  
2204 Office of Policy and Management, the head of the Connecticut Juvenile  
2205 Authority and the Secretary of the Office of Childrens' Policy and  
2206 Services.

2207 (e) Not later than one year after the effective date of this act, the task  
2208 force shall submit a the plan to the General Assembly for its approval.  
2209 If the general Assembly disapproves the plan in whole or in part it  
2210 shall be deemed rejected and shall be returned to the task force for  
2211 appropriate action.

2212 Sec. 52. (NEW) The Department of Children and Families is  
2213 terminated effective July 1, 2006, unless reestablished by the General  
2214 Assembly. During the year preceding July 1, 2006, the Legislative  
2215 Program Review and Investigation Committee shall conduct a sunset  
2216 review and report its findings and recommendations regarding the  
2217 continuation, modification or termination of the department for  
2218 consideration by the General Assembly during the regular legislative  
2219 session in 2006.

2220 Sec. 53. (NEW) The Division of Children's Behavioral Health with in  
2221 the Department of Mental Health and Addiction Services is terminated  
2222 effective July 1, 2006, unless reestablished by the General Assembly.  
2223 During the year preceding July 1, 2006, the Legislative Program  
2224 Review and Investigation Committee shall conduct a sunset review  
2225 and report its findings and recommendations regarding the  
2226 continuation, modification or termination of the division for  
2227 consideration by the General Assembly during the regular legislative  
2228 session in 2006.

2229 Sec. 54. (NEW) The Connecticut Juvenile Authority is terminated

2230 effective July 1, 2006, unless reestablished by the General Assembly.  
2231 During the year preceding July 1, 2006, the Legislative Program  
2232 Review and Investigation Committee shall conduct a sunset review  
2233 and report its findings and recommendations regarding the  
2234 continuation, modification or termination of the department for  
2235 consideration by the General Assembly during the regular legislative  
2236 session in 2006.

2237 Sec. 55. Section 17a-1 of the general statutes is repealed and the  
2238 following is substituted in lieu thereof:

2239 As used in sections 17a-1 to 17a-26, inclusive, 17a-28 to 17a-49,  
2240 inclusive, 17a-127 and 46b-120:

2241 (1) "Commissioner" means the Commissioner of Children and  
2242 Families;

2243 (2) "Council" means the State Advisory Council on Children and  
2244 Families;

2245 (3) "Department" means the Department of Children and Families;

2246 (4) "Child" means any person under sixteen years of age;

2247 (5) "Youth" means any person sixteen to eighteen years of age;

2248 (6) "Delinquent child" shall have the meaning ascribed thereto in  
2249 section 46b-120;

2250 [(7) "Child or youth with mental illness" means a child or youth who  
2251 is suffering from one or more mental disorders as defined in the most  
2252 recent edition of the American Psychiatric Association's "Diagnostic  
2253 and Statistical Manual of Mental Disorders";

2254 (8) "Child or youth with emotional disturbance" means a child or  
2255 youth who has a clinically significant emotional or behavioral  
2256 disorder, as determined by a trained mental health professional, that  
2257 disrupts the academic or developmental progress, family or

2258 interpersonal relationships of such child or youth or is associated with  
2259 present distress or disability or a risk of suffering death, pain or  
2260 disability;

2261 (9) "Individual system of care plan" means a written plan developed  
2262 by the Commissioner of Children and Families for a child or youth  
2263 who is mentally ill or emotionally disturbed or at placement risk which  
2264 shall be developed when such child or youth needs services from at  
2265 least two public agencies and which shall be designed to meet the  
2266 needs of the child or youth and his family;

2267 (10) "Family" means a child or youth who is mentally ill or  
2268 emotionally disturbed or at placement risk together with (A) one or  
2269 more biological or adoptive parents, except for a biological parent  
2270 whose parental rights have been terminated, (B) one or more persons  
2271 to whom legal custody or guardianship has been given, or (C) one or  
2272 more adult family members who have a primary responsibility for  
2273 providing continuous care to such child or youth;

2274 (11) "Child or youth at placement risk" means a mentally ill or  
2275 emotionally disturbed child or youth who is at risk of placement out of  
2276 his home or is in placement out of his home for the primary purpose of  
2277 receiving mental health treatment;]

2278 [(12)] (7) "Parent" means a biological or adoptive parent, except a  
2279 biological parent whose parental rights have been terminated; and

2280 [(13)] (8) "Guardian" means a person who has a judicially created  
2281 relationship between a child and such person which is intended to be  
2282 permanent and self-sustaining as evidenced by the transfer to such  
2283 person of the following parental rights with respect to the child: (A)  
2284 The obligation of care and control; (B) the authority to make major  
2285 decisions affecting the child's welfare, including, but not limited to,  
2286 consent determinations regarding marriage, enlistment in the armed  
2287 forces and major medical, psychiatric or surgical treatment; (C) the  
2288 obligation of protection of the child; (D) the obligation to provide

2289 access to education; and (E) custody of the child.

2290 Sec. 56 (NEW)As used in section 57 of this act:

2291 (1) "Commissioner" means the Commissioner of Mental Health ad  
2292 Addiction Services;

2293 (2) "Department" means the Department of Mental Health and  
2294 Addiction Services;

2295 (3) "Child" means any person under sixteen years of age;

2296 (4) "Youth" means any person sixteen to eighteen years of age;

2297 (5) "Child or youth with mental illness" means a child or youth who  
2298 is suffering from one or more mental disorders as defined in the most  
2299 recent edition of the American Psychiatric Association's "Diagnostic  
2300 and Statistical Manual of Mental Disorders";

2301 (6) "Child or youth with emotional disturbance" means a child or  
2302 youth who has a clinically significant emotional or behavioral  
2303 disorder, as determined by a trained mental health professional, that  
2304 disrupts the academic or developmental progress, family or  
2305 interpersonal relationships of such child or youth or is associated with  
2306 present distress or disability or a risk of suffering death, pain or  
2307 disability;

2308 (7) "Individual system of care plan" means a written plan developed  
2309 by the Commissioner of Mental Health and Addiction Services for a  
2310 child or youth who is mentally ill or emotionally disturbed or at  
2311 placement risk which shall be developed when such child or youth  
2312 needs services from at least two public agencies and which shall be  
2313 designed to meet the needs of the child or youth and his family;

2314 (8) "Family" means a child or youth who is mentally ill or  
2315 emotionally disturbed or at placement risk together with (A) one or  
2316 more biological or adoptive parents, except for a biological parent

2317 whose parental rights have been terminated, (B) one or more persons  
2318 to whom legal custody or guardianship has been given, or (C) one or  
2319 more adult family members who have a primary responsibility for  
2320 providing continuous care to such child or youth;

2321 (9) "Child or youth at placement risk" means a mentally ill or  
2322 emotionally disturbed child or youth who is at risk of placement out of  
2323 his home or is in placement out of his home for the primary purpose of  
2324 receiving mental health treatment;

2325 (10) "Parent" means a biological or adoptive parent, except a  
2326 biological parent whose parental rights have been terminated;

2327 Sec. 57 . (NEW) (a) The following shall be established for the  
2328 purposes of developing and implementing an individual system of  
2329 care plan:

2330 (1) Within available appropriations, a child specific team may be  
2331 developed by the family of a child or adolescent at placement risk and  
2332 include, but not be limited to, family members, the child or adolescent  
2333 if appropriate, clergy, school personnel, representatives of local or  
2334 regional agencies providing programs and services for children and  
2335 youth, a family advocate, and other community or family  
2336 representatives. The team shall designate one member to be the team  
2337 coordinator. The team coordinator shall make decisions affecting the  
2338 implementation of an individual system of care plan with the consent  
2339 of the team, except as otherwise provided by law. If a case manager,  
2340 other than the case manager from the Department of Mental Health  
2341 and Addiction Services, has been assigned to the child and is not  
2342 designated as the team coordinator, such case manager shall not make  
2343 decisions affecting the implementation of the individual system of care  
2344 plan without the consent of the team, except as otherwise provided by  
2345 law;

2346 (2) Within available appropriations, case review committees may be  
2347 developed by each regional office of the Department of Mental Health

2348 and Addiction Services and shall be comprised of at least three parents  
2349 of children or adolescents with serious emotional disturbance and  
2350 representatives of local or regional agencies and service providers  
2351 including, but not limited to, the regional administrator of the office of  
2352 the Department of Mental Health and Addiction Services or a  
2353 designee, a superintendent of schools or his designee, a director of a  
2354 local children's mental health agency or his designee, the district  
2355 director of the district office of the Department of Social Services or his  
2356 designee, representatives from the Department of Mental Retardation  
2357 who are knowledgeable of the needs of a child or adolescent at  
2358 placement risk, a representative from a local housing authority and a  
2359 representative from the court system. The functions of the case review  
2360 committees shall include, but not be limited to: (A) The determination  
2361 of whether or not a child or adolescent meets the definition of a child  
2362 or adolescent at placement risk; (B) assisting children or families  
2363 without a child specific team in the formation of such a team; and (C)  
2364 resolution of the development or implementation of an individual  
2365 system of care plan not developed, implemented or agreed upon by a  
2366 child specific team. Such functions shall be completed in one hundred  
2367 twenty days or less from the date of referral to the case review  
2368 committee. In the event of the need for an individual system of care  
2369 plan for a child or adolescent with no identifiable community, a  
2370 representative of the child or adolescent shall make a referral to the  
2371 state coordinated care committee, established pursuant to subdivision  
2372 (3) of this subsection, which shall designate responsibility for the  
2373 development of an individual system of care plan to a case review  
2374 committee. The case review committee shall also monitor the  
2375 implementation of an individual system of care plan when  
2376 appropriate. The Department of Mental Health and Addiction Services  
2377 may assign a system coordinator to each case review committee. The  
2378 duties of the system coordinator shall include, but not be limited to,  
2379 assistance and consultation to child specific teams and assistance with  
2380 the development of case review committees and child specific teams.

2381 (3) A coordinated care committee shall be developed by the

2382 Commissioner of Mental Health and Addiction Services and shall be  
2383 comprised of a parent of a child or adolescent with serious emotional  
2384 disturbance who is currently serving or has served on a case review  
2385 committee, a person who is now or has been a recipient of services for  
2386 a child or adolescent at placement risk, representatives of the  
2387 Departments of Education, Mental Health and Addiction Services,  
2388 Social Services and Mental Retardation who are knowledgeable of the  
2389 needs of a child or adolescent at placement risk, and a representative  
2390 of the Office of Protection and Advocacy for Persons with Disabilities  
2391 who is knowledgeable of the needs of a child or adolescent at  
2392 placement risk.

2393 (b) The commissioner, in consultation with the coordinated care  
2394 committee, shall submit a report on the findings and recommendations  
2395 of programs for children and youth at placement risk, including  
2396 recommendations for budget options or programmatic changes  
2397 necessary to enhance the system of care for such child or youth and his  
2398 family, to the joint standing committee and the select committee of the  
2399 General Assembly having cognizance of matters relating to children,  
2400 on or before January 1, 2001, and annually thereafter.

2401 (c) The provisions of this section shall not be construed to grant an  
2402 entitlement to any child or youth at placement risk to receive  
2403 particular services under this section in an individual system of care  
2404 plan if such child or youth is not otherwise eligible to receive such  
2405 services from any state agency or to receive such services pursuant to  
2406 any other provision of law.

2407 (d) The Commissioner of Mental Health and Addiction Services  
2408 may adopt regulations in accordance with chapter 54 of the general  
2409 statutes for the purpose of implementing the provisions of this section.

2410 Sec. 58. Sections 17a-20, 17a-21 ,17a-22, 17a-29, 17a-127 of the  
2411 general statutes are repealed.

2412 Sec. 59. This act shall take effect July 1, 2000.

***Statement of Purpose:***

To implement the recommendations of the Program Review and Investigations Committee regarding the Department of Children and Families by (1) transferring functions concerning children's mental health to a new division of Children's Behavioral Health within the Department of Mental Health and Addiction Services and (2) transferring juvenile justice responsibilities to a new Connecticut Juvenile Authority.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*