



General Assembly

**Amendment**

February Session, 2002

LCO No. 3585

\*SB0014203585HR0\*

Offered by:  
REP. FARR, 19<sup>th</sup> Dist.

To: Subst. Senate Bill No. 142                      File No. 249                      Cal. No. 311

**"AN ACT CONCERNING AUDITS OF THE DEPARTMENT OF CHILDREN AND FAMILIES."**

- 
- 1            After line 9, add the following:
- 2            "Sec. 2. Section 17a-114 of the general statutes, as amended by
- 3            section 1 of public act 01-70, section 11 of public act 01-142 and section
- 4            4 of public act 01-159, is repealed and the following is substituted in
- 5            lieu thereof (*Effective October 1, 2002*):
- 6            (a) No child in the custody of the Commissioner of Children and
- 7            Families shall be placed with any person, unless such person is
- 8            licensed by the department for that purpose. Any person licensed by
- 9            the department to accept placement of a child is deemed to be licensed
- 10           to accept placement as a foster family or prospective adoptive family.
- 11           The commissioner shall adopt regulations, in accordance with the
- 12           provisions of chapter 54, to establish the licensing procedures and
- 13           standards.
- 14           (b) The commissioner shall require an applicant for a license or a

15 renewal of a license under this section and any person sixteen years of  
16 age or older residing in the household of such applicant to submit to  
17 state and national criminal history records checks before issuing a  
18 license to accept placement of a child. The criminal history records  
19 check shall be conducted in accordance with section 31 of public act 01-  
20 175. The commissioner shall also check the state child abuse registry  
21 established pursuant to section 17a-101k, as amended, for the name of  
22 such applicant and any such person.

23 [(b)] (c) Notwithstanding the requirements of subsection (a) of this  
24 section, the commissioner may place a child with a relative who is not  
25 licensed for a period of up to ninety days when such placement is in  
26 the best interests of the child, provided a satisfactory home visit is  
27 conducted, a basic assessment of the family is completed and such  
28 relative attests that such relative and any adult living within the  
29 household have not been convicted of a crime or arrested for a felony  
30 against a person, for injury or risk of injury to or impairing the morals  
31 of a child, or for the possession, use or sale of a controlled substance.  
32 Any such relative who accepts placement of a child in excess of such  
33 ninety-day period shall be subject to licensure by the commissioner,  
34 except that any such relative who, prior to July 1, 2001, had been  
35 certified by the commissioner to provide care for a related child may  
36 continue to maintain such certification if such relative continues to  
37 meet the regulatory requirements and the child remains in such  
38 relative's care. The commissioner may grant a waiver, for a child  
39 placed with a relative, on a case-by-case basis, from such procedure or  
40 standard, except any safety standard, based on the home of the relative  
41 and the needs and best interests of such child. The reason for any  
42 waiver granted shall be documented. The commissioner shall adopt  
43 regulations, in accordance with the provisions of chapter 54, to  
44 establish certification procedures and standards for a caretaker who is  
45 a relative of such child.

46 [(c)] (c) The Commissioner of Children and Families, when conducting  
47 any criminal history records check, shall arrange for the fingerprinting  
48 or for the conducting of any other method of positive identification

49 required by the State Police Bureau of Identification or the Federal  
50 Bureau of Identification. The fingerprints and other positive  
51 identifying information shall be forwarded to the State Police Bureau  
52 of Identification, which shall conduct a state criminal history records  
53 check and submit the fingerprints or other identifying information to  
54 the Federal Bureau of Investigation for a national criminal history  
55 records check. The commissioner shall also check the state child abuse  
56 registry established pursuant to section 17a-101k for the name of such  
57 applicant or licensee.]

58 Sec. 3. (NEW) (*Effective from passage*) The Commissioner of Children  
59 and Families shall (1) require each applicant for a position with the  
60 department to state whether such person has ever been convicted of a  
61 crime or whether criminal charges are pending against such person at  
62 the time of such person's application, and (2) require each applicant to  
63 submit to state and national criminal history records checks. The  
64 criminal history records checks required pursuant to this section shall  
65 be conducted in accordance with section 31 of public act 01-175. The  
66 commissioner shall also check the state child abuse registry established  
67 pursuant to section 17a-101k of the general statutes, as amended, for  
68 the name of such applicant."