



House of Representatives

General Assembly

File No. 383

January Session, 2003

Substitute House Bill No. 5997

House of Representatives, April 15, 2003

The Committee on Human Services reported through REP. VILLANO of the 91st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING HOUSING SUBSIDIES FOR RELATIVE CAREGIVERS.

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

1 Section 1. Section 17a-126 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) As used in this section, "relative caregiver" means a person who
4 is caring for a child related to such person because the parent of the
5 child has died or become otherwise unable to care for the child for
6 reasons that make reunification with the parent not a viable option
7 within the foreseeable future and "commissioner" means the
8 Commissioner of Children and Families.

9 (b) The Commissioner of Children and Families shall establish a
10 program of subsidized guardianship for the benefit of children in the
11 care or custody of the commissioner who are living with relative
12 caregivers and who have been in foster care or certified relative care

13 for not less than eighteen months. The commissioner, within available
14 appropriations, may establish a program of subsidized guardianship
15 for the benefit of children in the care or custody of the commissioner
16 who are living with relative caregivers and who have been in foster
17 care or certified relative care for not less than twelve but not more
18 than eighteen months. [A relative caregiver may request a
19 guardianship subsidy from the commissioner.] The commissioner
20 shall, within available appropriations, provide a housing subsidy to a
21 relative caregiver or legal guardian who is eligible to reside in state-
22 subsidized elderly housing but is unable to do so because minors are
23 prohibited from residing in such housing. If adoption of the child by
24 the relative caregiver is an option, the commissioner shall counsel the
25 caregiver about the advantages and disadvantages of adoption and
26 subsidized guardianship so that the decision by the relative caregiver
27 to request a subsidized guardianship may be a fully informed one.

28 (c) The subsidized guardianship program shall provide the
29 following subsidies for the benefit of any child in the care of a relative
30 caregiver who has been appointed the guardian or coguardian of the
31 child by any court of competent jurisdiction: (1) A special-need
32 subsidy, which shall be a lump sum payment for one-time expenses
33 resulting from the assumption of care of the child when no other
34 resource is available to pay for such expense; and (2) a medical subsidy
35 comparable to the medical subsidy to children in the subsidized
36 adoption program if the child lacks private health insurance. The
37 subsidized guardianship program shall also provide a monthly
38 subsidy on behalf of the child payable to the relative caregiver that
39 shall be equal to the prevailing foster care rate. The commissioner may
40 establish an asset test for eligibility under the program.

41 (d) The commissioner shall adopt regulations in accordance with
42 chapter 54 implementing the subsidized guardianship program
43 established under this section. Such regulations shall require, as a
44 prerequisite to payment of a guardianship subsidy for the benefit of a
45 minor child, that a home study report be filed with the court having
46 jurisdiction of the case of the minor within fifteen days of the request

47 for a subsidy, provided that no such report shall be required to be filed
48 if a report has previously been provided to the court or if the caregiver
49 has been determined to be a certified relative caregiver by the
50 commissioner. The regulations shall also establish a procedure
51 comparable to that for the subsidized adoption program to determine
52 the types and amounts of subsidy to be granted by the commissioner
53 as provided in subsection (c) of this section, for annual review of the
54 subsidy as provided in subsection (e) of this section and for appeal
55 from decisions by the commissioner denying, modifying or
56 terminating such subsidies.

57 (e) The guardianship subsidy provided under this section shall
58 continue until the child reaches the age of eighteen or the age of
59 twenty-one if such child is in full time attendance at a secondary
60 school, technical school or college or is in a state accredited job training
61 program. Annually, the subsidized guardian shall submit to the
62 commissioner a sworn statement that the child is still living with and
63 receiving support from the guardian. The parent of any child receiving
64 assistance through the subsidized guardianship program shall remain
65 liable for the support of the child as required by the general statutes.

66 (f) A guardianship subsidy shall not be included in the calculation
67 of household income in determining eligibility for benefits of the
68 relative caregiver of the subsidized child or other persons living within
69 the household of the relative caregiver.

70 (g) Payments for guardianship subsidies and for housing subsidies
71 pursuant to subsection (b) of this section shall be made from moneys
72 available from any source to the commissioner for child welfare
73 purposes. The commissioner shall develop and implement a plan that:
74 (1) Maximizes use of the subsidized guardianship program to decrease
75 the number of children in the legal custody of the Commissioner of
76 Children and Families and to reduce the number of children who
77 would otherwise be placed into foster care when there is a family
78 member willing to provide care; (2) maximizes federal reimbursement
79 for the costs of the subsidized guardianship program, provided

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Department of Children and Families	General Fund - Cost	Potential Significant	Potential Significant

Municipal Impact: None

Explanation

Enactment of this bill will result in a significant cost to the Department of Children and Families (DCF), which will be required to pay a housing subsidy to a relative caregiver or legal guardian who would otherwise be eligible to reside in state-subsidized elderly housing but for the fact that a minor is residing in their household. It does not, however, provide guidance regarding the amount of the proposed subsidy. Nor is it clear what age, income or other guidelines would be applied to determine eligibility for the housing subsidy. It should be noted that the Departments of Social Services (DSS) and Economic and Community Development (DECD) each administer various housing assistance programs for which an elderly person might be deemed eligible.

The bill requires the new housing subsidy to be developed within available appropriations. Unless future appropriations are specifically made for this purpose, this will likely result in one of four outcomes: (1) DCF will proceed with the development of the program, and will require a deficiency appropriation during FY 04; (2) DCF will delay the implementation of the program pending the approval of additional appropriations to meet this mandate in future fiscal years; (3) DCF will shift moneys from other departmental priorities, thereby impacting

existing services; or (4) DCF will not implement the program.

There are an estimated 10,000 - 11,000 caregiver/guardians in Connecticut. Actual program costs would depend upon the amount of the subsidy paid and the number of eligible persons who apply. This cannot be determined in advance. However possible cost implications are shown in the following table, which presents scenarios based upon differing eligibility percentages and benefit payments.

Projected Total Housing Subsidy Payments				
Eligibility Percentage	Monthly Subsidy Payment			
	\$200	\$300	\$400	\$500
3 %	\$0.7 - \$0.8 million	\$1.1 - \$1.2 million	\$1.4 - \$1.6 million	\$1.8 - \$2.0 million
5 %	\$1.2 - \$1.3 million	\$1.8 - \$2.0 million	\$2.4 - \$2.6 million	\$3.0 - \$3.3 million
7 %	\$1.7 - \$1.9 million	\$2.5 - \$2.8 million	\$3.4 - \$3.7 million	\$4.2 - \$4.6 million

Additional significant costs would be incurred by DCF to support enhanced staffing and other administrative expenses needed to administer the new benefit program.

OLR Bill Analysis

sHB 5997

AN ACT CONCERNING HOUSING SUBSIDIES FOR RELATIVE CAREGIVERS**SUMMARY:**

This bill requires the Department of Children and Families (DCF) commissioner to provide a housing subsidy to a child's "relative caregiver" or legal guardian if that person would be eligible to live in state-subsidized elderly housing but cannot because children are prohibited from living there. The commissioner must provide this subsidy within available appropriations, and the bill allows her to use any money available to her for child welfare to pay it. The law defines "relative caregiver" as a person caring for a relative under age 16 (1) who is orphaned or (2) whose parents cannot care for him and reunification with them is not a viable option in the foreseeable future.

This same definition governs DCF's subsidized guardianship program, which is available to relative caretakers who become the legal guardian of a child who has been in DCF custody for at least 18 months. But, while the housing subsidy is incorporated into that program's authorization, housing subsidy recipients do not have to be subsidized guardians.

Finally, the bill repeals statutory authorization for relative caregivers to ask DCF for a guardianship subsidy. DCF regulations continue to allow them to make such requests through the child's caseworker.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 13 Nay 0

Human Services Committee

Joint Favorable Report
Yea 18 Nay 0