



# House of Representatives

General Assembly

**File No. 261**

*January Session, 2003*

House Bill No. 6478

*House of Representatives, April 9, 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 bill ought to pass.

***AN ACT CONCERNING PARENT AND SIBLING VISITATION FOR CHILDREN IN THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES.***

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

1 Section 1. (NEW) (*Effective October 1, 2003*) The Commissioner of  
2 Children and Families shall ensure that a child placed in the care and  
3 custody of the commissioner pursuant to an order of temporary  
4 custody or an order of commitment is provided visitation with such  
5 child's parents and siblings, unless otherwise ordered by the court. (1)  
6 Such visits with parents shall occur as frequently as reasonably  
7 possible, based upon consideration of the best interests of the child,  
8 including the age and developmental level of the child, and shall be  
9 sufficient in number and duration to ensure continuation of the  
10 relationship. (2) In the case of siblings, the commissioner shall, based  
11 upon the best interests of the child, ensure that a child who has an  
12 existing relationship with a sibling and who is separated as a result of  
13 intervention by the commissioner, including, but not limited to,



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:

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Type</b>	<b>FY 04 \$</b>	<b>FY 05 \$</b>
Department of Children and Families	General Fund - Uncertain	See Below	See Below

**Municipal Impact:** None

**Explanation**

The fiscal impact associated with passage of this bill is uncertain. It requires the Department of Children and Families, after considering the best interests of a child in its care and custody to: ensure that parental visits with children occur as frequently as reasonably possible; ensure that siblings have access to and visitation with their sibling throughout the duration of their placement; and include in each child’s treatment plan information relating to the factors considered in making visitation determinations. The bill’s language does not provide the specificity required to determine whether the number of visits and corresponding state costs that would result from its passage would exceed those presently occurring.

The agency currently adheres to parental and sibling visitation requirements as specified by court order and/or as agreed to in a child’s treatment plan. Additionally, one of the measurable outcomes under the DCF Consent Decree Exit Plan is that by July 1, 2003, visitation by siblings will occur at least once a month in at least eighty percent of the cases in which siblings are separated. It is unclear whether these practices would be found inconsistent with the bill.

**OLR Bill Analysis**

HB 6478

**AN ACT CONCERNING PARENT AND SIBLING VISITATION FOR CHILDREN IN THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES****SUMMARY:**

This bill requires the Department of Children and Families (DCF) to ensure that it provides children in its custody the opportunity to visit with their parents and certain siblings, unless a court orders otherwise. It applies to children committed to DCF or placed in its custody under an order of temporary custody. Most committed children are abused or neglected; some are delinquent or members of a family with service needs.

The bill delineates factors that DCF must consider in determining each child's visitation schedule, and it requires DCF to include information about those factors in each child's treatment plan. If DCF determines that visits, or the number, frequency, or length of visits the child's attorney or guardian ad litem requests, are not in the child's best interest, it must include is reasons for this decision in the treatment plan.

EFFECTIVE DATE: October 1, 2003

**VISITATION FACTORS*****Parents***

The bill requires visits between an affected child and his parents to occur as frequently as reasonably possible, based on the child's best interests, including his age and developmental level. The visits must be sufficiently frequent and long to ensure continuation of the parent-child relationship.

***Siblings***

The bill applies to children separated by DCF action from siblings with

whom they have an existing relationship. It requires DCF to ensure that the siblings have access to and the right to visit each other while the affected child is in DCF custody, if DCF determines this is in the child's best interests. In determining the number, frequency, and duration of visits, the bill requires DCF to consider the child's age, developmental level, and continuation of the sibling relationship.

## **BACKGROUND**

### ***DCF Visitation Policy***

DCF policy states that visits between a child and his parents and other significant family members must be an integral part of treatment planning for the child. It requires social workers for foster children to support, as appropriate, the ongoing relationship between parent and child by encouraging planned contacts such as planned visits, telephone conversations, and correspondence. The social worker must ensure the child's visitation with parents and siblings follows the child's service plan (*DCF Policy Manual 36-55-1, -1.2, -1.4*).

When siblings are not placed in the same foster care setting, DCF policy requires the development and immediate implementation of written visitation plans, unless a professional (e.g., psychologist or psychiatrist) states that visiting is not in the best interests of a sibling needing special care (*DCF Policy Manual 36-55-7*).

## **COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Change of Reference

Yea 13    Nay 0

Human Services Committee

Joint Favorable Report

Yea 18    Nay 0