



General Assembly

**Substitute Bill No. 5997**

*January Session, 2003*

**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 Section 17a-126 of the general statutes is repealed and the  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  
80 whatever federal maximization method is employed shall not result in  
81 the relative caregiver of a child being subject to work requirements as a  
82 condition of receipt of benefits for the child or the benefits restricted in  
83 time or scope other than as specified in subsection (c) of this section;  
84 and (3) ensures necessary transfers of funds between agencies and  
85 interagency coordination in program implementation. The  
86 Commissioner of Children and Families shall seek all federal waivers

