



Senate

General Assembly

February Session, 2004

File No. 519

Senate Bill No. 300

Senate, April 8, 2004

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING SPECIAL STUDY FOSTER CARE.

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

1 Section 1. Section 17a-114 of the general statutes, as amended by
2 section 7 of public act 03-243, is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2004*):

4 (a) As used in this section, "licensed" means a person holds a license
5 issued by the Department of Children and Families to provide foster
6 care, including foster care of a specific child, and "special study foster
7 parent" means a person who is twenty-one years of age or older and
8 who does not hold a license issued by the Department of Children and
9 Families to provide foster care.

10 [(a)] (b) (1) No child in the custody of the Commissioner of Children
11 and Families shall be placed with any person, unless such person is
12 licensed by the department. [for that purpose.] Any person licensed by
13 the department [to accept placement of a child is deemed to be

14 licensed to accept placement as a foster family or prospective adoptive
15 family] may be a prospective adoptive parent. The commissioner shall
16 adopt regulations, in accordance with the provisions of chapter 54, to
17 establish the licensing procedures and standards.

18 (2) The commissioner shall require each applicant for licensure
19 pursuant to this section and any person sixteen years of age or older
20 living in the household of such applicant to submit to state and
21 national criminal history records checks prior to issuing a license to
22 such applicant to accept placement of a child. Such criminal history
23 records checks shall be conducted in accordance with section 29-17a.
24 The commissioner shall also check the state child abuse registry
25 established pursuant to section 17a-101k for the name of such
26 applicant and for the name of any person sixteen years of age or older
27 living in the household of such applicant for perpetrator information.

28 [(b)] (c) Notwithstanding the requirements of subsection [(a)] (b) of
29 this section, the commissioner may place a child with a relative who is
30 not licensed or, if the child is fourteen years of age or older, with a
31 special study foster parent for a period of up to ninety days when such
32 placement is in the best interests of the child, provided a satisfactory
33 home visit is conducted, a basic assessment of the family is completed
34 and such relative or special study foster parent attests that such
35 relative or special study foster parent and any adult living within the
36 household [have] has not been convicted of a crime or arrested for a
37 felony against a person, for injury or risk of injury to or impairing the
38 morals of a child, or for the possession, use or sale of a controlled
39 substance. Any such relative or special study foster parent who accepts
40 placement of a child in excess of such ninety-day period shall be
41 subject to licensure by the commissioner, except that any such relative
42 who, prior to July 1, 2001, had been certified by the commissioner to
43 provide care for a related child may continue to maintain such
44 certification if such relative continues to meet the regulatory
45 requirements and the child remains in such relative's care. The
46 commissioner may grant a waiver from such procedure or standard,
47 except any safety standard, for a child placed with a relative, [on a

48 case-by-case basis, from such procedure or standard, except any safety
49 standard,] based on the home of the relative and the needs and best
50 interests of such child. The reason for any waiver granted shall be
51 documented in writing. The commissioner shall adopt regulations, in
52 accordance with the provisions of chapter 54, to establish certification
53 procedures and standards for a caretaker who is a relative of such
54 child.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

<i>KID</i>	<i>Joint Favorable C/R</i>	HS
<i>HS</i>	<i>Joint Favorable C/R</i>	APP
<i>APP</i>	<i>Joint Favorable</i>	

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-Effect	FY 05 \$	FY 06 \$
Children & Families, Dept.	GF - Revenue	Potential	Potential
	Loss	Minimal	Minimal
Children & Families, Dept.	GF - Savings	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill allows the Department of Children and Families to place a child aged 14 years or older into a “special study” home – i.e., a placement with a person who is at least 21 years of age who has not been licensed to provide foster care. This authority would be granted in those cases in which DCF deems that the placement is in the best interest of the child, and has completed a satisfactory home visit and a basic assessment of the family. After 90 days the home must obtain foster care licensure.

A minimal revenue loss to the state will result to the extent that children placed in special study homes would otherwise have been placed in licensed foster care homes. This would happen because for the time period that the home remains unlicensed, federal reimbursement cannot be claimed on behalf of Title IV-E eligible children. (About 48 percent of children placed by DCF in out-of-home placements are Title IV-E eligible.) The daily foster care rate paid for children aged 12 and over is currently \$25.41. Based on federal financial participation of 50 percent, this would equate to a revenue loss of up to \$1,144 per Title IV-E eligible child. If the authorization to establish special study homes allows for the diversion of children and youth from more expensive residential placements, a corresponding savings would result.

Other changes in the bill are technical in nature and have no associated fiscal impact.

OLR BILL ANALYSIS

SB 300

AN ACT CONCERNING SPECIAL STUDY FOSTER CARE**SUMMARY:**

This bill allows the Department of Children and Families (DCF) to place an abused or neglected child age 14 or older in the home of anyone who is age 21 or older even though the person is not a licensed foster parent. DCF can do so for up to 90 days under the same conditions that it can currently place a child with an unlicensed relative for this period. The bill terms the people who accept children under these circumstances "special study foster parents."

Before placing a child with a special study foster parent, DCF must (1) determine it is in the child's best interest, (2) conduct a satisfactory home visit, and (3) complete a basic assessment of the family. In addition, the foster parent must attest that neither he nor any adult living in the household has been arrested or convicted of a felony against a person; risk of injury to, or impairing the morals of, a minor; or possessing, using, or selling any controlled substance. As with an unlicensed relative, if a special study foster parent accepts placement of a child for over 90 days, he must become licensed as a foster parent.

Current law allows the DCF commissioner to waive these standards or procedures, except for safety standards, on a case-by-case basis, when placing a child with an unlicensed relative. The bill removes the restriction that waivers be granted on a case-by-case basis. This appears to allow the commissioner to establish general criteria for granting waivers based on a relative's home and a child's needs and best interests.

EFFECTIVE DATE: October 1, 2004

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Change of Reference

Yea 13 Nay 0

Human Services Committee

Joint Favorable Change of Reference
Yea 17 Nay 0

Appropriations Committee

Joint Favorable Report
Yea 49 Nay 0