



# Senate

General Assembly

**File No. 682**

January Session, 2007

Substitute Senate Bill No. 761

*Senate, May 2, 2007*

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

***AN ACT CONCERNING REIMBURSEMENT FOR PAYMENTS MADE BY THE DEPARTMENT OF CHILDREN AND FAMILIES FOR THE CARE OF A CHILD.***

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

1 Section 1. Subsection (l) of section 46b-129 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2007*):

4 (l) The Commissioner of Children and Families shall pay directly to  
5 the person or persons furnishing goods or services determined by said  
6 commissioner to be necessary for the care and maintenance of such  
7 child or youth the reasonable expense thereof, payment to be made at  
8 intervals determined by said commissioner; and the Comptroller shall  
9 draw his or her order on the Treasurer, from time to time, for such part  
10 of the appropriation for care of committed children or youths as may  
11 be needed in order to enable the commissioner to make such  
12 payments. The commissioner shall include in the department's annual  
13 budget a sum estimated to be sufficient to carry out the provisions of

14 this section. Notwithstanding that any such child or youth has income  
 15 or estate, the commissioner may pay the cost of care and maintenance  
 16 of such child or youth. The commissioner may bill to and collect from  
 17 the person in charge of the estate of any child or youth aided under  
 18 this chapter, including such child's or youth's decedent estate, or the  
 19 payee of such child's or youth's income, the total amount expended for  
 20 care of such child or youth or such portion thereof as any such estate  
 21 or payee is able to reimburse. Any claim for amounts expended for  
 22 such care and maintenance shall be subject to the following conditions:  
 23 (1) Recovery shall be limited to the cost of the first year of such care  
 24 and maintenance; (2) no collection action shall be taken with respect to  
 25 any cost associated with placement of a person up to age twenty-three  
 26 in an independent living program administered by the Department of  
 27 Social Services or the Department of Children and Families; and (3)  
 28 prior to billing or collection, the Commissioner of Children and  
 29 Families shall consent, in writing, to such action with respect to each  
 30 such estate and shall provide a copy of such consent not later than  
 31 thirty days after its execution to the chairpersons and ranking  
 32 members of the select committee of the General Assembly having  
 33 cognizance of matters relating to children.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	46b-129(l)

**KID**      *Joint Favorable Subst. C/R*      HS  
**HS**        *Joint Favorable C/R*                    APP  
**APP**       *Joint Favorable*

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 chamber thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Administrative Services	GF - Revenue Loss	Significant	Significant

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill prohibits the state from collecting any costs associated with the state-administered independent living programs, and limits the state to seek reimbursement only for the costs associated with the first year a child received other Department of Children and Families (DCF) services.

This bill will significantly limit the state’s ability to collect reimbursements for the costs of certain DCF care. The Department of Administrative Services (DAS) recovers approximately \$52.3 million in reimbursements for all DCF care; about \$52 million of this is received from the federal government and private medical insurance. This bill, by only allowing recovery for the first year of DCF care provided to a child and eliminating recoveries for independent living services, restricts the state’s ability to recover the majority of the \$52.3 million.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis****sSB 761*****AN ACT CONCERNING REIMBURSEMENT FOR PAYMENTS MADE BY THE DEPARTMENT OF CHILDREN AND FAMILIES FOR THE CARE OF A CHILD.*****SUMMARY:**

This bill limits the amount the Department of Children and Families (DCF) can collect from the estates or income of a child who received state child welfare services. Current law allows the agency to bill and collect up to the full cost of the services.

The bill permits DCF to seek reimbursement only for costs associated with services the child received during the first year of care. But it prohibits the department from collecting any costs associated with state-administered independent living programs. (These are programs that assist older foster children develop the skills they need to transition to adulthood.)

The DCF commissioner must consent in writing before any billing or collection action can begin. The Children's Committee chairpersons and ranking members must get copies of the consent forms within 30 days.

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Substitute Change of Reference  
Yea 10 Nay 0 (03/06/2007)

Human Services Committee

Joint Favorable Change of Reference

Yea 18 Nay 0 (03/13/2007)

Appropriations Committee

Joint Favorable

Yea 47 Nay 0 (04/17/2007)