



General Assembly

Substitute Bill No. 7037

January Session, 2007

* _____ HB07037HS_APP032007 _____ *

AN ACT EXPANDING THE SUBSIDIZED GUARDIANSHIP PROGRAM TO SIBLINGS OF CHILDREN LIVING WITH 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 Section 17a-126 of the general statutes is repealed and the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, 2007*):

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] shall establish a program of subsidized
15 guardianship for the benefit of children in the care or custody of the
16 commissioner who are living with relative caregivers and who have
17 been in foster care or certified relative care for not less than six but not
18 more than eighteen months. A relative caregiver may request a
19 guardianship subsidy from the commissioner. If adoption of the child

20 by the relative caregiver is an option, the commissioner shall counsel
21 the caregiver about the advantages and disadvantages of adoption and
22 subsidized guardianship so that the decision by the relative caregiver
23 to request a subsidized guardianship may be a fully informed one.

24 (c) If a relative caregiver who is receiving a guardianship subsidy
25 for a related child is also caring for the child's sibling who is not
26 related to the caregiver, (1) the commissioner shall provide a
27 guardianship subsidy to such relative caregiver if the sibling has been
28 in foster care for not less than eighteen months, and (2) the
29 commissioner shall, within available appropriations, provide a
30 guardianship subsidy to such relative caregiver if the sibling has been
31 in foster care for not less than six months but not more than eighteen
32 months. For purposes of this subsection, "child's sibling" includes a
33 stepbrother, stepsister, a half-brother or a half-sister.

34 [(c)] (d) The [subsidized guardianship program] commissioner shall
35 provide the following subsidies [for the benefit of any child in the care
36 of a relative caregiver who has been appointed the guardian or
37 coguardian of the child by any court of competent jurisdiction] under
38 the subsidized guardianship program in accordance with this section
39 and the regulations adopted pursuant to subsection (e) of this section:
40 (1) A special-need subsidy, which shall be a lump sum payment for
41 one-time expenses resulting from the assumption of care of the child
42 when no other resource is available to pay for such expense; and (2) a
43 medical subsidy comparable to the medical subsidy to children in the
44 subsidized adoption program if the child lacks private health
45 insurance. The subsidized guardianship program shall also provide a
46 monthly subsidy on behalf of the child payable to the relative caregiver
47 that shall be equal to the prevailing foster care rate. The commissioner
48 may establish an asset test for eligibility under the program.

49 [(d)] (e) The commissioner shall adopt regulations in accordance
50 with chapter 54 implementing the subsidized guardianship program
51 established under this section. Such regulations shall require, as a
52 prerequisite to payment of a guardianship subsidy for the benefit of a

53 minor child, that a home study report be filed with the court having
54 jurisdiction of the case of the minor [within] not later than fifteen days
55 after the date of the request for a subsidy, provided that no such report
56 shall be required to be filed if a report has previously been provided to
57 the court or if the caregiver has been determined to be a certified
58 relative caregiver by the commissioner. The regulations shall also
59 establish a procedure comparable to that for the subsidized adoption
60 program to determine the types and amounts of subsidy to be granted
61 by the commissioner as provided in subsection (c) of this section, for
62 annual review of the subsidy as provided in subsection (e) of this
63 section and for appeal from decisions by the commissioner denying,
64 modifying or terminating such subsidies.

65 [(e)] (f) The guardianship subsidy provided under this section shall
66 continue until the child reaches the age of eighteen or the age of
67 twenty-one if such child is in full time attendance at a secondary
68 school, technical school or college or is in a state accredited job training
69 program. Annually, the subsidized guardian shall submit to the
70 commissioner a sworn statement that the child is still living with and
71 receiving support from the guardian. The parent of any child receiving
72 assistance through the subsidized guardianship program shall remain
73 liable for the support of the child as required by the general statutes.

74 [(f)] (g) A guardianship subsidy shall not be included in the
75 calculation of household income in determining eligibility for benefits
76 of the relative caregiver of the subsidized child or other persons living
77 within the household of the relative caregiver.

78 [(g)] (h) Payments for guardianship subsidies shall be made from
79 moneys available from any source to the commissioner for child
80 welfare purposes. The commissioner shall develop and implement a
81 plan that: (1) Maximizes use of the subsidized guardianship program
82 to decrease the number of children in the legal custody of the
83 Commissioner of Children and Families and to reduce the number of
84 children who would otherwise be placed into foster care when there is
85 a family member willing to provide care; (2) maximizes federal

86 reimbursement for the costs of the subsidized guardianship program,
87 provided whatever federal maximization method is employed shall
88 not result in the relative caregiver of a child being subject to work
89 requirements as a condition of receipt of benefits for the child or the
90 benefits restricted in time or scope other than as specified in subsection
91 (c) of this section; and (3) ensures necessary transfers of funds between
92 agencies and interagency coordination in program implementation.
93 The Commissioner of Children and Families shall seek all federal
94 waivers as are necessary and appropriate to implement this plan.

95 Sec. 2. Section 17a-98a of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective October 1, 2007*):

97 (a) The Department of Children and Families, in consultation with
98 the Departments of Social Services, Mental Health and Addiction
99 Services and Mental Retardation, shall establish, within available
100 appropriations, a kinship navigator program. Such program shall
101 ensure that: (1) When the Department of Children and Families
102 determines that it is in the best interest of the child to be placed with a
103 relative for foster care, the department informs the relative regarding
104 procedures to become licensed as a foster parent, and (2) grandparents
105 and other relatives caring for a minor child [related to such persons]
106 are provided with information on the array of state services and
107 benefits for which they may be eligible, including the subsidy program
108 established pursuant to section 17a-126, as amended by this act. The
109 Commissioner of Children and Families shall, within available
110 appropriations, ensure that information on the array of services
111 available under the kinship navigator program is accessible through
112 the 2-1-1 Infoline program.

113 (b) Not later than January 1, 2008, and annually thereafter, the
114 Commissioner of Children and Families shall report, in accordance
115 with section 11-4a, on the implementation of the kinship navigator
116 program to the joint standing committee of the General Assembly
117 having cognizance of matters relating to human services.

118 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) For the fiscal year ending
 119 June 30, 2008, the Department of Social Services shall increase the
 120 temporary family assistance payment standard, pursuant to section
 121 17b-112 of the general statutes, for payments made on behalf of a
 122 dependent child to a caretaker relative who cares for such dependent
 123 child for whom such relative is not legally responsible. The
 124 department shall increase the temporary family assistance payment
 125 standard for such payments to the caretaker relative by twenty per
 126 cent over the standard for such payments for the fiscal year ending
 127 June 30, 2007. Any caretaker relative receiving temporary family
 128 assistance benefits from the department for caring for more than one
 129 child shall receive a rate increase, in accordance with the provisions of
 130 this section, that is based on the aggregate temporary family assistance
 131 benefit paid to such relative on June 30, 2007. For the fiscal year ending
 132 June 30, 2009, and each fiscal year thereafter, the commissioner shall
 133 increase the temporary family assistance payment standard for
 134 payments made on behalf of a dependent child to such caretaker
 135 relative over that of the previous fiscal year by the percentage increase,
 136 if any, in the consumer price index for urban consumers.

137 (b) On and after July 1, 2007, a caretaker relative who cares for a
 138 dependent child or dependent children for whom such relative is not
 139 legally responsible who makes an application with the Department of
 140 Social Services for temporary family assistance benefits and is
 141 determined eligible to receive such benefits on behalf of such child or
 142 children shall receive benefits at a rate that is determined in
 143 accordance with subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	17a-126
Sec. 2	<i>October 1, 2007</i>	17a-98a
Sec. 3	<i>July 1, 2007</i>	New section

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Joint Favorable C/R

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Joint Favorable Subst. C/R

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