



General Assembly

February Session, 2008

Committee Bill No. 5102

LCO No. 1768

* HB05102KIDHS_030608 *

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

AN ACT PROVIDING A SUBSIDY FROM THE DEPARTMENT OF SOCIAL SERVICES TO PERSONS PARTICIPATING IN THE DEPARTMENT OF CHILDREN AND FAMILIES' SUBSIDIZED GUARDIANSHIP PROGRAM .

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

1 Section 1. Section 17a-126 of the 2008 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2008*):

4 (a) As used in this section, "relative caregiver" means a person who
5 is caring for a child related to such person because the parent of the
6 child has died or become otherwise unable to care for the child for
7 reasons that make reunification with the parent not a viable option
8 within the foreseeable future and "commissioner" means the
9 Commissioner of Children and Families.

10 (b) The Commissioner of Children and Families shall establish a
11 program of subsidized guardianship for the benefit of children in the
12 care or custody of the commissioner who are living with relative
13 caregivers and who have been in foster care or certified relative care
14 for not less than eighteen months. The commissioner, within available

15 appropriations, shall establish a program of subsidized guardianship
16 for the benefit of children in the care or custody of the commissioner
17 who are living with relative caregivers and who have been in foster
18 care or certified relative care for not less than six but not more than
19 eighteen months. A relative caregiver may request a guardianship
20 subsidy from the commissioner. If adoption of the child by the relative
21 caregiver is an option, the commissioner shall counsel the caregiver
22 about the advantages and disadvantages of adoption and subsidized
23 guardianship so that the decision by the relative caregiver to request a
24 subsidized guardianship may be a fully informed one.

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

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

47 (e) The commissioner shall adopt regulations, in accordance with

48 chapter 54, implementing the subsidized guardianship program
49 established under this section. Such regulations shall require, as a
50 prerequisite to payment of a guardianship subsidy for the benefit of a
51 minor child, that a home study report be filed with the court having
52 jurisdiction of the case of the minor not later than fifteen days after the
53 date of the request for a subsidy, provided no such report shall be
54 required to be filed if a report has previously been provided to the
55 court or if the caregiver has been determined to be a certified relative
56 caregiver by the commissioner. The regulations shall also establish a
57 procedure comparable to that for the subsidized adoption program to
58 determine the types and amounts of subsidy to be granted by the
59 commissioner as provided in subsection (d) of this section, for annual
60 review of the subsidy as provided in subsection (f) of this section and
61 for appeal from decisions by the commissioner denying, modifying or
62 terminating such subsidies.

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

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

76 (h) Payments for guardianship subsidies shall be made from
77 moneys available from any source to the commissioner for child
78 welfare purposes. The commissioner shall develop and implement a
79 plan that: (1) Maximizes use of the subsidized guardianship program
80 to decrease the number of children in the legal custody of the

81 Commissioner of Children and Families and to reduce the number of
82 children who would otherwise be placed into foster care when there is
83 a family member willing to provide care; (2) maximizes federal
84 reimbursement for the costs of the subsidized guardianship program,
85 provided whatever federal maximization method is employed shall
86 not result in the relative caregiver of a child being subject to work
87 requirements as a condition of receipt of benefits for the child or the
88 benefits restricted in time or scope other than as specified in subsection
89 (c) of this section; and (3) ensures necessary transfers of funds between
90 agencies and interagency coordination in program implementation.
91 The Commissioner of Children and Families shall seek all federal
92 waivers as are necessary and appropriate to implement this plan.

93 (i) The Commissioner of Social Services shall provide a monthly
94 subsidy of three hundred thirty-three dollars per child to any relative
95 caregiver receiving a guardianship subsidy from the Commissioner of
96 Children and Families under this section, and who has a fixed income.
97 The Commissioner of Social Services may adopt regulations, in
98 accordance with chapter 54, necessary for purposes of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2008	17a-126

KID

Joint Favorable C/R

HS