



General Assembly

Amendment

February Session, 2008

LCO No. 6121

HB0549506121HDO

Offered by:

REP. MCMAHON, 15th Dist.
SEN. MEYER, 12th Dist.
REP. MIOLI, 136th Dist.
REP. MUSHINSKY, 85th Dist.

REP. THOMPSON, 13th Dist.
REP. TRUGLIA, 145th Dist.
SEN. FREEDMAN, 26th Dist.

To: Subst. House Bill No. 5495

File No. 395

Cal. No. 226

"AN ACT CONCERNING THE TRANSITION OF YOUTH FROM THE CARE OF THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 17a-11 of the 2008 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2008*):

6 (a) The commissioner may, in the commissioner's discretion, admit
7 to the department on a voluntary basis any child or youth who, in the
8 commissioner's opinion, could benefit from any of the services offered
9 or administered by, or under contract with, or otherwise available to,
10 the department. Application for voluntary admission shall be made in
11 writing by the parent or guardian of a child under fourteen years of

12 age or by such person himself or herself if he or she is a child fourteen
13 years of age or older or a youth. The fact that a parent has applied for
14 services or received services for his or her child through voluntary
15 admission shall not be used against the parent (1) in any investigation
16 conducted by the department in accordance with section 17a-101g, (2)
17 when making placement decisions for the child, (3) when making
18 foster care licensing determinations in accordance with section 17a-
19 114, or (4) in any court proceeding related to the placement of a minor
20 relative of the parent.

21 Sec. 2. Section 46b-129 of the 2008 supplement to the general statutes
22 is repealed and the following is substituted in lieu thereof (*Effective July*
23 *1, 2008*):

24 (a) Any selectman, town manager, or town, city or borough welfare
25 department, any probation officer, or the Commissioner of Social
26 Services, the Commissioner of Children and Families or any child-
27 caring institution or agency approved by the Commissioner of
28 Children and Families, a child or such child's representative or
29 attorney or a foster parent of a child, having information that a child or
30 youth is neglected, uncared-for or dependent, may file with the
31 Superior Court that has venue over such matter a verified petition
32 plainly stating such facts as bring the child or youth within the
33 jurisdiction of the court as neglected, uncared-for or dependent, within
34 the meaning of section 46b-120 of the 2008 supplement to the general
35 statutes, the name, date of birth, sex and residence of the child or
36 youth, the name and residence of such child's parents or guardian, and
37 praying for appropriate action by the court in conformity with the
38 provisions of this chapter. Upon the filing of such a petition, except as
39 otherwise provided in subsection (k) of section 17a-112, the court shall
40 cause a summons to be issued requiring the parent or parents or the
41 guardian of the child or youth to appear in court at the time and place
42 named, which summons shall be served not less than fourteen days
43 before the date of the hearing in the manner prescribed by section 46b-
44 128, and the court shall further give notice to the petitioner and to the
45 Commissioner of Children and Families of the time and place when

46 the petition is to be heard not less than fourteen days prior to the
47 hearing in question.

48 (b) If it appears from the specific allegations of the petition and
49 other verified affirmations of fact accompanying the petition and
50 application, or subsequent thereto, that there is reasonable cause to
51 believe that (1) the child or youth is suffering from serious physical
52 illness or serious physical injury or is in immediate physical danger
53 from the child's or youth's surroundings, and (2) that as a result of said
54 conditions, the child's or youth's safety is endangered and immediate
55 removal from such surroundings is necessary to ensure the child's or
56 youth's safety, the court shall either (A) issue an order to the parents or
57 other person having responsibility for the care of the child or youth to
58 appear at such time as the court may designate to determine whether
59 the court should vest in some suitable agency or person, including, but
60 not limited to, a person related to the child by blood or marriage, the
61 child's or youth's temporary care and custody pending disposition of
62 the petition, or (B) issue an order ex parte vesting in some suitable
63 agency or person, including, but not limited to, a person related to the
64 child by blood or marriage, the child's or youth's temporary care and
65 custody. A preliminary hearing on any ex parte custody order or order
66 to appear issued by the court shall be held not later than ten days after
67 the issuance of such order. The service of such orders may be made by
68 any officer authorized by law to serve process, or by any probation
69 officer appointed in accordance with section 46b-123, investigator from
70 the Department of Administrative Services, state or local police officer
71 or indifferent person. Such orders shall include a conspicuous notice to
72 the respondent written in clear and simple language containing at least
73 the following information: (i) That the order contains allegations that
74 conditions in the home have endangered the safety and welfare of the
75 child or youth; (ii) that a hearing will be held on the date on the form;
76 (iii) that the hearing is the opportunity to present the parents' position
77 concerning the alleged facts; (iv) that an attorney will be appointed for
78 parents who cannot afford an attorney; (v) that such parents may
79 apply for a court-appointed attorney by going in person to the court

80 address on the form and are advised to go as soon as possible in order
81 for the attorney to prepare for the hearing; [and] (vi) that such parents
82 may request the Department of Children and Families to investigate
83 the possibility of temporarily placing the child or youth with any
84 person, including a person related to the child or youth by blood or
85 marriage, who might serve as a licensed foster parent, certified relative
86 caregiver or temporary custodian for such child or youth; and (vii) if
87 such parents have any questions concerning the case or appointment
88 of counsel, any such parent is advised to go to the court or call the
89 clerk's office at the court as soon as possible. Upon application for
90 appointed counsel, the court shall promptly determine eligibility and,
91 if the respondent is eligible, promptly appoint counsel. The expense
92 for any temporary care and custody shall be paid by the town in which
93 such child or youth is at the time residing, and such town shall be
94 reimbursed for such expense by the town found liable for the child's or
95 youth's support, except that where a state agency has filed a petition
96 pursuant to the provisions of subsection (a) of this section, the agency
97 shall pay such expense. The agency shall give primary consideration to
98 placing the child or youth in the town where such child or youth
99 resides. The agency shall make diligent efforts to place the child with a
100 relative by blood or marriage. The agency shall file in writing with the
101 clerk of the court the reasons for placing the child or youth in a
102 particular placement outside the town where the child or youth resides
103 or the reasons for placing the child or youth in the home of a person
104 who is not a relative by blood or marriage. Upon issuance of an ex
105 parte order, the court shall provide to the commissioner and the parent
106 or guardian specific steps necessary for each to take to address the ex
107 parte order for the parent or guardian to retain or regain custody of the
108 child or youth. Upon the issuance of such order, or not later than sixty
109 days after the issuance of such order, the court shall make a
110 determination whether the Department of Children and Families made
111 reasonable efforts to keep the child or youth with his or her parents or
112 guardian prior to the issuance of such order and, if such efforts were
113 not made, whether such reasonable efforts were not possible, taking
114 into consideration the child's or youth's best interests, including the

115 child's or youth's health and safety.

116 (c) In any proceeding under this section, any grandparent of the
117 child may make a motion to intervene and the court shall grant such
118 motion except for good cause shown. Upon the granting of such
119 motion, such grandparent may appear by counsel or in person.

120 (d) The preliminary hearing on the order of temporary custody or
121 order to appear or the first hearing on a petition filed pursuant to
122 subsection (a) of this section shall be held in order for the court to: (1)
123 Advise the parent or guardian of the allegations contained in all
124 petitions and applications that are the subject of the hearing and the
125 parent's or guardian's right to counsel pursuant to subsection (b) of
126 section 46b-135 of the 2008 supplement to the general statutes; (2)
127 assure that an attorney, and where appropriate, a separate guardian ad
128 litem has been appointed to represent the child or youth in accordance
129 with subsection (b) of section 46b-123e of the 2008 supplement to the
130 general statutes and sections 46b-129a and 46b-136 of the 2008
131 supplement to the general statutes; (3) upon request, appoint an
132 attorney to represent the respondent when the respondent is unable to
133 afford representation, in accordance with subsection (b) of section 46b-
134 123e of the 2008 supplement to the general statutes; (4) advise the
135 parent or guardian of the right to a hearing on the petitions and
136 applications, to be held not later than ten days after the date of the
137 preliminary hearing if the hearing is pursuant to an order of temporary
138 custody or an order to show cause; (5) advise the parents or guardian
139 of the rights of grandparents in accordance with subsection (c) of this
140 section; (6) accept a plea regarding the truth of such allegations; [(6)]
141 (7) make any interim orders, including visitation, that the court
142 determines are in the best interests of the child or youth. The court,
143 after a hearing pursuant to this subsection, shall order specific steps
144 the commissioner and the parent or guardian shall take for the parent
145 or guardian to regain or to retain custody of the child or youth; [(7)] (8)
146 take steps to determine the identity of the father of the child or youth,
147 including ordering genetic testing, if necessary, and order service of
148 the petition and notice of the hearing date, if any, to be made upon

149 him; ~~[(8)]~~ (9) if the person named as the father appears, and admits that
150 he is the father, provide him and the mother with the notices that
151 comply with section 17b-27 and provide them with the opportunity to
152 sign a paternity acknowledgment and affirmation on forms that
153 comply with section 17b-27. Such documents shall be executed and
154 filed in accordance with chapter 815y and a copy delivered to the clerk
155 of the superior court for juvenile matters; and ~~[(9)]~~ (10) in the event
156 that the person named as a father appears and denies that he is the
157 father of the child or youth, advise him that he may have no further
158 standing in any proceeding concerning the child, and either order
159 genetic testing to determine paternity or direct him to execute a
160 written denial of paternity on a form promulgated by the Office of the
161 Chief Court Administrator. Upon execution of such a form by the
162 putative father, the court may remove him from the case and afford
163 him no further standing in the case or in any subsequent proceeding
164 regarding the child or youth until such time as paternity is established
165 by formal acknowledgment or adjudication in a court of competent
166 jurisdiction.

167 (e) At the preliminary hearing held in accordance with subsection
168 (d) of this section, the parents or guardians shall be given an
169 opportunity to provide names and contact information for any person,
170 including a person related by blood or marriage, who may be available
171 as a placement resource. No later than twenty-four hours after the
172 preliminary hearing, the Department of Children and Families shall
173 provide written notice in clear and simple language to the persons
174 identified in accordance with this section. Such notice shall include (1)
175 notice of the rights of grandparents in accordance with subsection (c)
176 of this section; (2) an explanation of the process for having the child or
177 youth placed with the relative; and (3) an explanation of the
178 consequences for failing to contact the department to pursue
179 placement.

180 ~~[(e)]~~ (f) If any parent or guardian fails, after service of such order, to
181 appear at the preliminary hearing, the court may enter or sustain an
182 order of temporary custody.

183 [(f)] (g) Upon request, or upon its own motion, the court shall
184 schedule a hearing on the order for temporary custody or the order to
185 show cause to be held not later than ten days after the date of the
186 preliminary hearing. Such hearing shall be held on consecutive days
187 except for compelling circumstances or at the request of the parent or
188 guardian.

189 [(g)] (h) At a contested hearing on the order for temporary custody
190 or order to appear, credible hearsay evidence regarding statements of
191 the child or youth made to a mandated reporter or to a parent may be
192 offered by the parties and admitted by the court upon a finding that
193 the statement is reliable and trustworthy and that admission of such
194 statement is reasonably necessary. A signed statement executed by a
195 mandated reporter under oath may be admitted by the court without
196 the need for the mandated reporter to appear and testify unless called
197 by a respondent or the child, provided the statement: (1) Was provided
198 at the preliminary hearing and promptly upon request to any counsel
199 appearing after the preliminary hearing; (2) reasonably describes the
200 qualifications of the reporter and the nature of his contact with the
201 child; and (3) contains only the direct observations of the reporter, and
202 statements made to the reporter that would be admissible if the
203 reporter were to testify to them in court and any opinions reasonably
204 based thereupon. If a respondent or the child gives notice at the
205 preliminary hearing that he intends to cross-examine the reporter, the
206 person filing the petition shall make the reporter available for such
207 examination at the contested hearing.

208 (i) At the contested hearing held in accordance with subsection (h)
209 of this section, if the child or youth is not placed with a relative, the
210 Department of Children and Families shall file, in writing with the
211 clerk of the court, a description of the efforts made to place the child or
212 youth with a relative and an explanation of the reasons the child or
213 youth is not placed with a relative.

214 [(h)] (j) If any parent or guardian fails, after due notice of the
215 hearing scheduled pursuant to subsection [(g)] (h) of this section and

216 without good cause, to appear at the scheduled date for a contested
217 hearing on the order of temporary custody or order to appear, the
218 court may enter or sustain an order of temporary custody.

219 [(i)] (k) When a petition is filed in said court for the commitment of
220 a child or youth, the Commissioner of Children and Families shall
221 make a thorough investigation of the case and shall cause to be made a
222 thorough physical and mental examination of the child or youth if
223 requested by the court. The court after hearing may also order a
224 thorough physical or mental examination, or both, of a parent or
225 guardian whose competency or ability to care for a child or youth
226 before the court is at issue. The expenses incurred in making such
227 physical and mental examinations shall be paid as costs of
228 commitment are paid.

229 [(j)] (l) Upon finding and adjudging that any child or youth is
230 uncared-for, neglected or dependent, the court may commit such child
231 or youth to the Commissioner of Children and Families. Such
232 commitment shall remain in effect until further order of the court,
233 except that such commitment may be revoked or parental rights
234 terminated at any time by the court, or the court may vest such child's
235 or youth's care and personal custody in any private or public agency
236 that is permitted by law to care for neglected, uncared-for or
237 dependent children or youths or with any person or persons found to
238 be suitable and worthy of such responsibility by the court. The court
239 shall order specific steps that the parent must take to facilitate the
240 return of the child or youth to the custody of such parent. The
241 commissioner shall be the guardian of such child or youth for the
242 duration of the commitment, provided the child or youth has not
243 reached the age of eighteen years or, in the case of a child or youth in
244 full-time attendance in a secondary school, a technical school, a college
245 or a state-accredited job training program, provided such child or
246 youth has not reached the age of twenty-one years, by consent of such
247 youth, or until another guardian has been legally appointed, and in
248 like manner, upon such vesting of the care of such child or youth, such
249 other public or private agency or individual shall be the guardian of

250 such child or youth until such child or youth has reached the age of
251 eighteen years or, in the case of a child or youth in full-time attendance
252 in a secondary school, a technical school, a college or a state-accredited
253 job training program, until such child or youth has reached the age of
254 twenty-one years or until another guardian has been legally appointed.
255 The commissioner may place any child or youth so committed to the
256 commissioner in a suitable foster home or in the home of a person
257 related by blood to such child or youth or in a licensed child-caring
258 institution or in the care and custody of any accredited, licensed or
259 approved child-caring agency, within or without the state, provided a
260 child shall not be placed outside the state except for good cause and
261 unless the parents or guardian of such child are notified in advance of
262 such placement and given an opportunity to be heard, or in a receiving
263 home maintained and operated by the Commissioner of Children and
264 Families. In placing such child or youth, the commissioner shall, if
265 possible, select a home, agency, institution or person of like religious
266 faith to that of a parent of such child or youth, if such faith is known or
267 may be ascertained by reasonable inquiry, provided such home
268 conforms to the standards of said commissioner and the commissioner
269 shall, when placing siblings, if possible, place such children together. If
270 the child or youth has not previously been placed in the care of the
271 Department of Children and Families pursuant to an order of
272 temporary custody, and the court enters an order of commitment in
273 accordance with this subsection, the parents shall be given an
274 opportunity to provide the name and contact information for any
275 person, including a person related by blood or marriage, who may be
276 available as a placement resource and the Department of Children and
277 Families shall provide written notice in clear and simple language to
278 the persons identified in accordance with this section no later than
279 twenty-four hours after the issuance of an order of commitment. Such
280 notice shall include (1) notice of the rights of grandparents in
281 accordance with subsection (c) of this section; (2) an explanation of the
282 process for having the child or youth placed with the relative; and (3)
283 an explanation of the consequences for failing to contact the
284 department to pursue placement. If the child or youth is not placed

285 with a relative by the seventh day after the issuance of the order of
286 commitment, the Department of Children and Families shall file, in
287 writing with the clerk of the court, a description of the efforts made to
288 place the child or youth with a relative and an explanation of the
289 reasons the child or youth is not placed with a relative. As an
290 alternative to commitment, the court may place the child or youth in
291 the custody of the parent or guardian with protective supervision by
292 the Commissioner of Children and Families subject to conditions
293 established by the court. Upon the issuance of an order committing the
294 child or youth to the Commissioner of Children and Families, or not
295 later than sixty days after the issuance of such order, the court shall
296 determine whether the Department of Children and Families made
297 reasonable efforts to keep the child or youth with his or her parents or
298 guardian prior to the issuance of such order and, if such efforts were
299 not made, whether such reasonable efforts were not possible, taking
300 into consideration the child's or youth's best interests, including the
301 child's or youth's health and safety.

302 [(k)] (m) (1) Nine months after placement of the child or youth in the
303 care and custody of the commissioner pursuant to a voluntary
304 placement agreement, or removal of a child or youth pursuant to
305 section 17a-101g or an order issued by a court of competent
306 jurisdiction, whichever is earlier, the commissioner shall file a motion
307 for review of a permanency plan. Nine months after a permanency
308 plan has been approved by the court pursuant to this subsection, the
309 commissioner shall file a motion for review of the permanency plan.
310 Any party seeking to oppose the commissioner's permanency plan
311 shall file a motion in opposition not later than thirty days after the
312 filing of the commissioner's motion for review of the permanency plan,
313 which motion shall include the reason therefor. A permanency hearing
314 on any motion for review of the permanency plan shall be held not
315 later than ninety days after the filing of such motion. The court shall
316 hold evidentiary hearings in connection with any contested motion for
317 review of the permanency plan. The commissioner shall have the
318 burden of proving that the proposed permanency plan is in the best

319 interests of the child or youth. After the initial permanency hearing,
320 subsequent permanency hearings shall be held not less frequently than
321 every twelve months while the child or youth remains in the custody
322 of the Commissioner of Children and Families. The court shall provide
323 notice to the child or youth, and the parent or guardian of such child or
324 youth of the time and place of the court hearing on any such motion
325 not less than fourteen days prior to such hearing.

326 (2) At a permanency hearing held in accordance with the provisions
327 of subdivision (1) of this subsection, the court shall approve a
328 permanency plan that is in the best interests of the child or youth and
329 takes into consideration the child's or youth's need for permanency.
330 The child's or youth's health and safety shall be of paramount concern
331 in formulating such plan. Such permanency plan may include the goal
332 of (A) revocation of commitment and reunification of the child or
333 youth with the parent or guardian, with or without protective
334 supervision; (B) transfer of guardianship; (C) long-term foster care
335 with a relative licensed as a foster parent or certified as a relative
336 caregiver; (D) adoption and filing of termination of parental rights; or
337 (E) such other planned permanent living arrangement ordered by the
338 court, provided the Commissioner of Children and Families has
339 documented a compelling reason why it would not be in the best
340 interest of the child or youth for the permanency plan to include the
341 goals in subparagraphs (A) to (D), inclusive, of this subdivision. Such
342 other planned permanent living arrangement may include, but not be
343 limited to, placement of a child or youth in an independent living
344 program or long term foster care with an identified foster parent.

345 (3) At a permanency hearing held in accordance with the provisions
346 of subdivision (1) of this subsection, the court shall review the status of
347 the child, the progress being made to implement the permanency plan,
348 determine a timetable for attaining the permanency plan, determine
349 the services to be provided to the parent if the court approves a
350 permanency plan of reunification and the timetable for such services,
351 and determine whether the commissioner has made reasonable efforts
352 to achieve the permanency plan. The court may revoke commitment if

353 a cause for commitment no longer exists and it is in the best interests of
354 the child or youth.

355 (4) If the court approves the permanency plan of adoption: (A) The
356 Commissioner of Children and Families shall file a petition for
357 termination of parental rights not later than sixty days after such
358 approval if such petition has not previously been filed; (B) the
359 commissioner may conduct a thorough adoption assessment and
360 child-specific recruitment; and (C) the court may order that the child
361 be photo-listed within thirty days if the court determines that such
362 photo-listing is in the best interest of the child. As used in this
363 subdivision, "thorough adoption assessment" means conducting and
364 documenting face-to-face interviews with the child, foster care
365 providers and other significant parties and "child specific recruitment"
366 means recruiting an adoptive placement targeted to meet the
367 individual needs of the specific child, including, but not limited to, use
368 of the media, use of photo-listing services and any other in-state or
369 out-of-state resources that may be used to meet the specific needs of
370 the child, unless there are extenuating circumstances that indicate that
371 such efforts are not in the best interest of the child.

372 [(1)] (n) The Commissioner of Children and Families shall pay
373 directly to the person or persons furnishing goods or services
374 determined by said commissioner to be necessary for the care and
375 maintenance of such child or youth the reasonable expense thereof,
376 payment to be made at intervals determined by said commissioner;
377 and the Comptroller shall draw his or her order on the Treasurer, from
378 time to time, for such part of the appropriation for care of committed
379 children or youths as may be needed in order to enable the
380 commissioner to make such payments. The commissioner shall include
381 in the department's annual budget a sum estimated to be sufficient to
382 carry out the provisions of this section. Notwithstanding that any such
383 child or youth has income or estate, the commissioner may pay the
384 cost of care and maintenance of such child or youth. The commissioner
385 may bill to and collect from the person in charge of the estate of any
386 child or youth aided under this chapter, or the payee of such child's or

387 youth's income, the total amount expended for care of such child or
388 youth or such portion thereof as any such estate or payee is able to
389 reimburse, provided the commissioner shall not collect from such
390 estate or payee any reimbursement for the cost of care or other
391 expenditures made on behalf of such child or youth from (1) the
392 proceeds of any cause of action received by such child or youth; (2) any
393 lottery proceeds due to such child or youth; (3) any inheritance due to
394 such child or youth; (4) any payment due to such child or youth from a
395 trust other than a trust created pursuant to 42 USC 1396p, as amended
396 from time to time; or (5) the decedent estate of such child or youth.

397 [(m)] (o) The commissioner, a parent or the child's attorney may file
398 a motion to revoke a commitment, and, upon finding that cause for
399 commitment no longer exists, and that such revocation is in the best
400 interests of such child or youth, the court may revoke the commitment
401 of such child or youth. No such motion shall be filed more often than
402 once every six months.

403 [(n)] (p) Upon service on the parent, guardian or other person
404 having control of the child or youth of any order issued by the court
405 pursuant to the provisions of subsections (b) and [(j)] (l) of this section,
406 the child or youth concerned shall be surrendered to the person
407 serving the order who shall forthwith deliver the child or youth to the
408 person, agency, department or institution awarded custody in the
409 order. Upon refusal of the parent, guardian or other person having
410 control of the child or youth to surrender the child or youth as
411 provided in the order, the court may cause a warrant to be issued
412 charging the parent, guardian or other person having control of the
413 child or youth with contempt of court. If the person arrested is found
414 in contempt of court, the court may order such person confined until
415 the person complies with the order, but for not more than six months,
416 or may fine such person not more than five hundred dollars, or both.

417 [(o)] (q) A foster parent, prospective adoptive parent or relative
418 caregiver shall receive notice and have the right to be heard for the
419 purposes of this section in Superior Court in any proceeding

420 concerning a foster child living with such foster parent, prospective
421 adoptive parent or relative caregiver. A foster parent, prospective
422 adoptive parent or relative caregiver who has cared for a child or
423 youth shall have the right to be heard and comment on the best
424 interests of such child or youth in any proceeding under this section
425 which is brought not more than one year after the last day the foster
426 parent, prospective adoptive parent or relative caregiver provided
427 such care.

428 [(p)] (r) Upon motion of any sibling of any child committed to the
429 Department of Children and Families pursuant to this section, such
430 sibling shall have the right to be heard concerning visitation with, and
431 placement of, any such child. In awarding any visitation or modifying
432 any placement, the court shall be guided by the best interests of all
433 siblings affected by such determination.

434 [(q)] (s) The provisions of section 17a-152, regarding placement of a
435 child from another state, and section 17a-175, regarding the Interstate
436 Compact on the Placement of Children, shall apply to placements
437 pursuant to this section.

438 Sec. 3. Section 17a-3 of the general statutes is repealed and the
439 following is substituted in lieu thereof (*Effective July 1, 2008*):

440 (a) The department shall plan, create, develop, operate or arrange
441 for, administer and evaluate a comprehensive and integrated
442 state-wide program of services, including preventive services, for
443 children and youths whose behavior does not conform to the law or to
444 acceptable community standards, or who are mentally ill, including
445 deaf and hearing impaired children and youths who are mentally ill,
446 emotionally disturbed, substance abusers, delinquent, abused,
447 neglected or uncared for, including all children and youths who are or
448 may be committed to it by any court, and all children and youths
449 voluntarily admitted to, or remaining voluntarily under the
450 supervision of, the commissioner for services of any kind. Services
451 shall not be denied to any such child or youth solely because of other

452 complicating or multiple disabilities. The department shall work in
453 cooperation with other child-serving agencies and organizations to
454 provide or arrange for preventive programs, including, but not limited
455 to, teenage pregnancy and youth suicide prevention, for children and
456 youths and their families. The program shall provide services and
457 placements that are clinically indicated and appropriate to the needs of
458 the child or youth. In furtherance of this purpose, the department
459 shall: (1) Maintain the Connecticut Juvenile Training School and other
460 appropriate facilities exclusively for delinquents; (2) develop a
461 comprehensive program for prevention of problems of children and
462 youths and provide a flexible, innovative and effective program for the
463 placement, care and treatment of children and youths committed by
464 any court to the department, transferred to the department by other
465 departments, or voluntarily admitted to the department; (3) provide
466 appropriate services to families of children and youths as needed to
467 achieve the purposes of sections 17a-1 to 17a-26, inclusive, as amended
468 by this act, 17a-28 to 17a-49, inclusive, and 17a-51; (4) establish
469 incentive paid work programs for children and youths under the care
470 of the department and the rates to be paid such children and youths
471 for work done in such programs and may provide allowances to
472 children and youths in the custody of the department; (5) be
473 responsible to collect, interpret and publish statistics relating to
474 children and youths within the department; (6) conduct studies of any
475 program, service or facility developed, operated, contracted for or
476 supported by the department in order to evaluate its effectiveness; (7)
477 establish staff development and other training and educational
478 programs designed to improve the quality of departmental services
479 and programs, provided no social worker trainee shall be assigned a
480 case load prior to completing training, and may establish educational
481 or training programs for children, youths, parents or other interested
482 persons on any matter related to the promotion of the well-being of
483 children, or the prevention of mental illness, emotional disturbance,
484 delinquency and other disabilities in children and youths; (8) develop
485 and implement aftercare and follow-up services appropriate to the
486 needs of any child or youth under the care of the department; (9)

487 establish a case audit unit to monitor each area office's compliance
488 with regulations and procedures; (10) develop and maintain a database
489 listing available community service programs funded by the
490 department; (11) provide outreach and assistance to persons caring for
491 children whose parents are unable to do so by informing such persons
492 of programs and benefits for which they may be eligible; and (12)
493 collect data sufficient to identify the housing needs of children served
494 by the department and share such data with the Department of
495 Economic and Community Development.

496 [(b) The department shall prepare and submit biennially to the
497 General Assembly a five-year master plan. The master plan shall
498 include, but not be limited to: (1) The long-range goals and the current
499 level of attainment of such goals of the department; (2) a detailed
500 description of the types and amounts of services presently provided to
501 the department's clients; (3) a detailed forecast of the service needs of
502 current and projected target populations; (4) detailed cost projections
503 for alternate means of meeting projected needs; (5) funding priorities
504 for each of the five years included in the plan and specific plans
505 indicating how the funds are to be used; (6) a written plan for the
506 prevention of child abuse and neglect; (7) a comprehensive mental
507 health plan for children and adolescents, including children with
508 complicating or multiple disabilities; (8) a comprehensive plan for
509 children and youths who are substance abusers, developed in
510 conjunction with the Department of Mental Health and Addiction
511 Services pursuant to the provisions of sections 19a-2a and 19a-7; and
512 (9) an overall assessment of the adequacy of children's services in
513 Connecticut. The plan shall be prepared within existing funds
514 appropriated to the department.]

515 (b) (1) The department, with the assistance of the State Advisory
516 Council on Children and Families, and in consultation with
517 representatives of the children and families served by the department,
518 providers of services to children and families, advocates, and others
519 interested in the well-being of children and families in this state, shall
520 develop and regularly update a single, comprehensive strategic plan

521 for meeting the needs of children and families served by the
522 department. In developing and updating the strategic plan, the
523 department shall identify and define agency goals and indicators of
524 progress, including benchmarks, in achieving such goals. The strategic
525 plan shall include, but not be limited to: (A) The department's mission
526 statement; (B) the expected results for the department and each of its
527 mandated areas of responsibility; (C) a schedule of action steps and a
528 time frame for achieving such results and fulfilling the department's
529 mission that includes strategies for working with other state agencies
530 to leverage resources and coordinate service delivery; (D) priorities for
531 services and estimates of the funding and other resources necessary to
532 carry them out; (E) standards for programs and services that are based
533 on research-based best practices, when available; and (F) relevant
534 measures of performance.

535 (2) The department shall begin the strategic planning process on
536 July 1, 2008. The department shall hold regional meetings on the plan
537 to ensure public input and shall post the plan and the plan's updates
538 and progress reports on the department's web site. The department
539 shall submit the strategic plan to the State Advisory Council on
540 Children and Families for review and comment prior to its final
541 submission to the General Assembly and the Governor. On or before
542 July 1, 2009, the department shall submit the strategic plan, in
543 accordance with section 11-4a, to the General Assembly and the
544 Governor.

545 (3) The commissioner shall track and report on progress in
546 achieving the strategic plan's goals not later than October 1, 2009, and
547 quarterly thereafter, to said State Advisory Council. The commissioner
548 shall submit a status report on progress in achieving the results in the
549 strategic plan, in accordance with section 11-4a, not later than July 1,
550 2010, and annually thereafter to the General Assembly and the
551 Governor.

552 (c) The department shall prepare a plan to keep children who are
553 convicted as delinquent and will be committed to the Department of

554 Children and Families and placed in the Connecticut Juvenile Training
555 School in such facility for at least one year after their referral to the
556 department, which plan shall include provisions for development of a
557 comprehensive approach to juvenile rehabilitation.

558 Sec. 4. Subsection (b) of section 17a-6 of the general statutes is
559 repealed and the following is substituted in lieu thereof (*Effective July*
560 *1, 2008*):

561 (b) Administer in a coordinated and integrated manner all
562 institutions and facilities which are or may come under the jurisdiction
563 of the department and [may] shall appoint advisory groups for any
564 such institution or facility.

565 Sec. 5. (NEW) (*Effective July 1, 2008*) (a) The facilities that come
566 under the jurisdiction of the Department of Children and Families, as
567 enumerated in section 17a-32 of the general statutes, shall submit an
568 annual report to the State Advisory Council on Children and Families
569 and to their respective advisory groups, established pursuant to
570 subsection (b) of section 17a-6 of the general statutes, as amended by
571 this act. The report shall include, but not be limited to: (1) Aggregate
572 profiles of the residents; (2) a description of and update on major
573 initiatives; (3) key outcome indicators and results; (4) costs associated
574 with operating the facility; and (5) a description of educational,
575 vocational and literacy programs, and behavioral, treatment and other
576 services available to the residents and their outcomes. Each report
577 submitted pursuant to this subsection shall be posted on the
578 department's web site.

579 (b) Such advisory groups shall respond to their facility's annual
580 report, as required by subsection (a) of this section, and provide any
581 recommendations for improvement or enhancement that they deem
582 necessary.

583 (c) The Department of Children and Families shall serve as
584 administrative staff of such advisory groups.

585 Sec. 6. Section 17a-27f of the general statutes is repealed and the
586 following is substituted in lieu thereof (*Effective July 1, 2008*):

587 [(a) The Department of Children and Families shall establish a
588 public safety committee in the municipality in which the Connecticut
589 Juvenile Training School is located. The committee shall be composed
590 of the superintendent of said school and representatives appointed by
591 the chief elected official of the municipality. The committee shall meet
592 not less than quarterly to review safety and security issues which affect
593 the host municipality.]

594 [(b)] At the time the Connecticut Juvenile Training School becomes
595 operational, the Department of Children and Families shall ensure that
596 a community security and alert system [shall be] is functional.

597 Sec. 7. Section 46a-13l of the general statutes is repealed and the
598 following is substituted in lieu thereof (*Effective July 1, 2008*):

599 (a) The Child Advocate shall:

600 (1) Evaluate the delivery of services to children by state agencies
601 and those entities that provide services to children through funds
602 provided by the state;

603 (2) Review periodically the procedures established by any state
604 agency providing services to children to carry out the provisions of
605 sections 46a-13k to 46a-13q, inclusive, with a view toward the rights of
606 the children and recommend revisions to such procedures;

607 (3) Review complaints of persons concerning the actions of any state
608 or municipal agency providing services to children and of any entity
609 that provides services to children through funds provided by the state,
610 make appropriate referrals and investigate those where the Child
611 Advocate determines that a child or family may be in need of
612 assistance from the Child Advocate or that a systemic issue in the
613 state's provision of services to children is raised by the complaint;

614 (4) Pursuant to an investigation, provide assistance to a child or

615 family who the Child Advocate determines is in need of such
616 assistance including, but not limited to, advocating with an agency,
617 provider or others on behalf of the best interests of the child;

618 (5) Periodically review the facilities and procedures of any and all
619 institutions or residences, public or private, where a juvenile has been
620 placed by any agency or department;

621 (6) Recommend changes in state policies concerning children
622 including changes in the system of providing juvenile justice, child
623 care, foster care and treatment;

624 (7) Take all possible action including, but not limited to, conducting
625 programs of public education, undertaking legislative advocacy and
626 making proposals for systemic reform and formal legal action, in order
627 to secure and ensure the legal, civil and special rights of children who
628 reside in this state;

629 (8) Provide training and technical assistance to attorneys
630 representing children and guardians ad litem appointed by the
631 Superior Court;

632 (9) Periodically review the number of special needs children in any
633 foster care or permanent care facility and recommend changes in the
634 policies and procedures for the placement of such children;

635 (10) Serve or designate a person to serve as a member of the child
636 fatality review panel established in subsection (b) of this section; and

637 (11) Take appropriate steps to advise the public of the services of the
638 Office of the Child Advocate, the purpose of the office and procedures
639 to contact the office.

640 (b) There is established a child fatality review panel composed of
641 thirteen permanent members as follows: The Child Advocate, or a
642 designee; the Commissioners of Children and Families, Public Health
643 and Public Safety, or their designees; the Chief Medical Examiner, or a
644 designee; the Chief State's Attorney, or a designee; a pediatrician,

645 appointed by the Governor; a representative of law enforcement,
646 appointed by the president pro tempore of the Senate; an attorney,
647 appointed by the majority leader of the Senate; a social work
648 professional, appointed by the minority leader of the Senate; a
649 representative of a community service group appointed by the speaker
650 of the House of Representatives; a psychologist, appointed by the
651 majority leader of the House of Representatives; and an injury
652 prevention representative, appointed by the minority leader of the
653 House of Representatives. A majority of the panel may select not more
654 than three additional temporary members with particular expertise or
655 interest to serve on the panel. Such temporary members shall have the
656 same duties and powers as the permanent members of the panel. The
657 chairperson shall be elected from among the panel's permanent
658 members. The panel shall, to the greatest extent possible, reflect the
659 ethnic, cultural and geographic diversity of the state.

660 (c) The panel shall review the circumstances of the death of a child
661 placed in out-of-home care or whose death was due to unexpected or
662 unexplained causes to facilitate development of prevention strategies
663 to address identified trends and patterns of risk and to improve
664 coordination of services for children and families in the state. Members
665 of the panel shall not be compensated for their services, but may be
666 reimbursed for necessary expenses incurred in the performance of
667 their duties.

668 (d) On or before January 1, 2000, and annually thereafter, the panel
669 shall issue an annual report which shall include its findings and
670 recommendations to the Governor and the General Assembly on its
671 review of child fatalities for the preceding year.

672 (e) Upon request of two-thirds of the members of the panel and
673 within available appropriations, the Governor, the General Assembly
674 or at the Child Advocate's discretion, the Child Advocate shall conduct
675 an in-depth investigation and review and issue a report with
676 recommendations on the death or critical incident of a child. The
677 report shall be submitted to the Governor, the General Assembly and

678 the commissioner of any state agency cited in the report and shall be
679 made available to the general public.

680 (f) Any state agency cited in a report issued by the Office of the
681 Child Advocate, pursuant to the Child Advocate's responsibilities
682 under this section, shall submit a written response to the report and
683 recommendations made in the report to the Office of the Child
684 Advocate and, in the case of a report pursuant to subsection (e) of this
685 section, to the child fatality review panel not later than sixty days after
686 the receipt of such report and recommendations. The agency shall also
687 submit a copy of such response to the Governor and the General
688 Assembly. The response shall include, but not be limited to: (1)
689 Proposed corrective actions to address identified problems; and (2) a
690 time frame for implementation of improvements.

691 ~~[(f)]~~ (g) The Chief Medical Examiner shall provide timely notice to
692 the Child Advocate and to the chairperson of the child fatality review
693 panel of the death of any child that is to be investigated pursuant to
694 section 19a-406.

695 ~~[(g)]~~ (h) Any agency having responsibility for the custody or care of
696 children shall provide timely notice to the Child Advocate and the
697 chairperson of the child fatality review panel of the death of a child or
698 a critical incident involving a child in its custody or care.

699 Sec. 8. Section 17a-4 of the general statutes is repealed and the
700 following is substituted in lieu thereof (*Effective July 1, 2008*):

701 (a) There shall be a State Advisory Council on Children and
702 Families which shall consist of seventeen members appointed by the
703 Governor, including at least five persons who are child care
704 professionals, two persons aged eighteen to twenty-five, inclusive,
705 served by the Department of Children and Families, one child
706 psychiatrist licensed to practice medicine in this state and at least one
707 attorney who has expertise in legal issues related to children and
708 youth. The balance of the advisory council shall be representative of
709 young persons, parents and others interested in the delivery of services

710 to children and youths, including child protection, behavioral health,
711 juvenile justice and prevention services. No less than fifty per cent of
712 the council's members shall be parents or family members of children
713 who have received, or are receiving, behavioral health services, child
714 welfare services or juvenile services and no more than half the
715 members of the council shall be persons who receive income from a
716 private practice or any public or private agency that delivers mental
717 health, substance abuse, child abuse prevention and treatment, child
718 welfare services or juvenile services. Members of the council shall
719 serve without compensation, except for necessary expenses incurred in
720 the performance of their duties. The department shall provide the
721 council with funding to facilitate the participation of those members
722 representing families and youth, as well as for other administrative
723 support services. Members shall serve on the council for terms of two
724 years each and no member shall serve for more than two consecutive
725 terms. The commissioner shall be an ex-officio member of the council
726 without vote and shall attend its meetings. Any member who fails to
727 attend three consecutive meetings or fifty per cent of all meetings
728 during any calendar year shall be deemed to have resigned. The
729 council shall elect a chairperson and vice-chairperson to act in the
730 chairperson's absence.

731 (b) The council shall meet quarterly, and more often upon the call of
732 the chair or a majority of the members. The council's meetings shall be
733 held at locations that facilitate participation by members of the public,
734 and its agenda and minutes shall be posted on the department's web
735 site. A majority of the members in office, but not less than six
736 members, shall constitute a quorum. The council shall have complete
737 access to all records of the institutions and facilities of the department
738 in furtherance of its duties, while at all times protecting the right of
739 privacy of all individuals involved, as provided in section 17a-28 of the
740 2008 supplement to the general statutes.

741 (c) The duties of the council shall be to: (1) Recommend to the
742 commissioner programs, legislation or other matters which will
743 improve services for children and youths, including behavioral health

744 services; (2) annually review and advise the commissioner regarding
745 the proposed budget; (3) interpret to the community at large the
746 policies, duties and programs of the department; [and] (4) issue any
747 reports it deems necessary to the Governor and the Commissioner of
748 Children and Families; (5) establish a committee, in accordance with
749 this subdivision, to fulfill the state's mental health planning and
750 advisory council responsibilities under Public Laws 99-660, 101-639
751 and 102-321. The committee shall be appointed by the chairperson of
752 the council and shall consist of individuals who are knowledgeable
753 about issues relative to children and youth in need of behavioral health
754 services and family supports, including, but not limited to, parents and
755 guardians of children and youth with behavioral health needs; (6)
756 assist in the development of and review and comment on the strategic
757 plan developed by the department, pursuant to subsection (b) of
758 section 17a-3, as amended by this act; (7) receive on a quarterly basis
759 from the commissioner a status report on the department's progress in
760 carrying out the strategic plan; (8) independently monitor the
761 department's progress in achieving its goals as expressed in the
762 strategic plan; and (9) offer assistance and provide an outside
763 perspective to the department so that it may be able to achieve the
764 goals expressed in the strategic plan.

765 Sec. 9. Section 17a-1 of the general statutes is repealed and the
766 following is substituted in lieu thereof (*Effective July 1, 2008*):

767 As used in sections 17a-1 to 17a-26, inclusive, as amended by this
768 act, 17a-28 to 17a-49, inclusive, 17a-127 and 46b-120 of the 2008
769 supplement to the general statutes, unless otherwise provided in said
770 sections:

771 (1) "Commissioner" means the Commissioner of Children and
772 Families;

773 (2) "Council" means the State Advisory Council on Children and
774 Families;

775 [(3) "Advisory committee" means the Children's Behavioral Health

776 Advisory Committee to the council;]

777 [(4)] (3) "Department" means the Department of Children and
778 Families;

779 [(5)] (4) "Child" means any person under sixteen years of age;

780 [(6)] (5) "Youth" means any person at least sixteen years of age and
781 under nineteen years of age;

782 [(7)] (6) "Delinquent child" shall have the meaning ascribed thereto
783 in section 46b-120 of the 2008 supplement to the general statutes;

784 [(8)] (7) "Child or youth with behavioral health needs" means a child
785 or youth who is suffering from one or more mental disorders as
786 defined in the most recent edition of the American Psychiatric
787 Association's "Diagnostic and Statistical Manual of Mental Disorders";

788 [(9)] (8) "Individual service plan" means a written plan to access
789 specialized, coordinated and integrated care for a child or youth with
790 complex behavioral health service needs that is designed to meet the
791 needs of the child or youth and his or her family and may include,
792 when appropriate (A) an assessment of the individual needs of the
793 child or youth, (B) an identification of service needs, (C) an
794 identification of services that are currently being provided, (D) an
795 identification of opportunities for full participation by parents or
796 emancipated minors, (E) a reintegration plan when an out-of-home
797 placement is made or recommended, (F) an identification of criteria for
798 evaluating the effectiveness and appropriateness of such plan, and (G)
799 coordination of the individual service plan with any educational
800 services provided to the child or youth. The plan shall be subject to
801 review at least every six months or upon reasonable request by the
802 parent based on a changed circumstance, and be approved, in writing,
803 by the parents, guardian of a child or youth and emancipated minors;

804 [(10)] (9) "Family" means a child or youth with behavioral health
805 needs and (A) one or more biological or adoptive parents, except for a

806 parent whose parental rights have been terminated, (B) one or more
807 persons to whom legal custody or guardianship has been given, or (C)
808 one or more adults who have a primary responsibility for providing
809 continuous care to such child or youth;

810 [(11)] (10) "Parent" means a biological or adoptive parent, except a
811 parent whose parental rights have been terminated;

812 [(12)] (11) "Guardian" means a person who has a judicially created
813 relationship between a child or youth and such person that is intended
814 to be permanent and self-sustaining as evidenced by the transfer to
815 such person of the following parental rights with respect to the child or
816 youth: (A) The obligation of care and control; (B) the authority to make
817 major decisions affecting the child's or youth's welfare, including, but
818 not limited to, consent determinations regarding marriage, enlistment
819 in the armed forces and major medical, psychiatric or surgical
820 treatment; (C) the obligation of protection of the child or youth; (D) the
821 obligation to provide access to education; and (E) custody of the child
822 or youth;

823 [(13)] (12) "Serious emotional disturbance" and "seriously
824 emotionally disturbed" means, with regard to a child or youth, that the
825 child or youth (A) has a range of diagnosable mental, behavioral or
826 emotional disorders of sufficient duration to meet diagnostic criteria
827 specified in the most recent edition of the American Psychiatric
828 Association's "Diagnostic and Statistical Manual of Mental Disorders",
829 and (B) exhibits behaviors that substantially interfere with or limit the
830 child's or youth's ability to function in the family, school or community
831 and are not a temporary response to a stressful situation;

832 [(14)] (13) "Child or youth with complex behavioral health service
833 needs" means a child or youth with behavioral health needs who needs
834 specialized, coordinated behavioral health services;

835 [(15)] (14) "Transition services" means services in the areas of
836 education, employment, housing and community living designed to
837 assist a youth with a serious emotional disturbance who is

838 transitioning into adulthood; and

839 [(16)] (15) "Community collaborative" means a local consortium of
840 public and private health care providers, parents and guardians of
841 children with behavioral health needs and service and education
842 agencies that have organized to develop coordinated comprehensive
843 community resources for children or youths with complex behavioral
844 health service needs and their families in accordance with principles
845 and goals of Connecticut Community KidCare.

846 Sec. 10. Subsection (a) of section 17a-22b of the general statutes is
847 repealed and the following is substituted in lieu thereof (*Effective July*
848 *1, 2008*):

849 (a) Each community collaborative shall, within available
850 appropriations, (1) complete a local needs assessment which shall
851 include objectives and performance measures, (2) specify the number
852 of children and youths requiring behavioral health services, and (3)
853 specify the number of children and youths actually receiving
854 community-based and residential services and the type and frequency
855 of such services. [, and (4) complete an annual self-evaluation process
856 and a review of discharge summaries.] Each community collaborative
857 shall submit its local needs assessment to the Commissioner of
858 Children and Families and the Commissioner of Social Services.

859 Sec. 11. Section 17a-145 of the 2008 supplement to the general
860 statutes is repealed and the following is substituted in lieu thereof
861 (*Effective July 1, 2008*):

862 No person or entity shall care for or board a child without a license
863 obtained from the Commissioner of Children and Families, except: (1)
864 When a child has been placed by a person or entity holding a license
865 from the commissioner; (2) any residential educational institution
866 exempted by the state Board of Education under the provisions of
867 section 17a-152; (3) residential facilities licensed by the Department of
868 Developmental Services pursuant to section 17a-227 of the 2008
869 supplement to the general statutes; (4) facilities providing child day

870 care services, as defined in section 19a-77 of the 2008 supplement to the
871 general statutes; or (5) any home that houses students participating in
872 a program described in subparagraph (B) of subdivision (8) of section
873 10a-29. The person or entity seeking a child-care facility license shall
874 file with the commissioner an application for a license, in such form as
875 the commissioner furnishes, stating the location where it is proposed
876 to care for such child, the number of children to be cared for, in the
877 case of a corporation, the purpose of the corporation and the names of
878 its chief officers and of the actual person responsible for the child. The
879 Commissioner of Children and Families is authorized to fix the
880 maximum number of children to be boarded and cared for in any such
881 home or institution or by any person or entity licensed by the
882 commissioner. [Each person or entity holding a license under the
883 provisions of this section shall file annually, with the commissioner, a
884 report stating the number of children received and removed during
885 the year, the number of deaths and the causes of death, the average
886 cost of support per capita and such other data as the commissioner
887 may prescribe.] If the population served at any facility, institution or
888 home operated by any person or entity licensed under this section
889 changes after such license is issued, such person or entity shall file a
890 new license application with the commissioner, and the commissioner
891 shall notify the chief executive officer of the municipality in which the
892 facility is located of such new license application, except that no
893 confidential client information may be disclosed.

894 Sec. 12. Section 17a-37 of the general statutes is repealed and the
895 following is substituted in lieu thereof (*Effective July 1, 2008*):

896 (a) The Commissioner of Children and Families shall establish a
897 school district within the Department of Children and Families, for the
898 education or assistance of any child or youth who resides in or receives
899 day treatment at any state-operated institution or facility within that
900 department and whose needs require that his education be provided
901 within the institution in which he resides or at which he receives day
902 treatment. The school district shall be known as State of Connecticut-
903 Unified School District #2. The Commissioner of Children and

904 Families shall administer, coordinate and control the operations of the
905 school district and shall be responsible for the overall supervision and
906 direction of all courses and activities of the school district and shall
907 establish such vocational and academic education, research and
908 statistics, training and development services and programs as he
909 considers necessary or advisable in the best interests of the persons
910 benefiting therefrom. The commissioner or his designee shall be the
911 superintendent of said district and shall act in accordance with the
912 applicable provisions of section 10-157 of the 2008 supplement to the
913 general statutes.

914 (b) The superintendent of the school district shall have the power to
915 (1) establish and maintain within the Department of Children and
916 Families such schools of different grades as he may from time to time
917 require and deem necessary; (2) establish and maintain within the
918 department such school libraries as may from time to time be required
919 in connection with the educational courses, services and programs
920 authorized by this section; (3) purchase, receive, hold and convey
921 personal property for school purposes and equip and supply such
922 schools with necessary furniture and other appendages; (4) make
923 agreements and regulations for the establishing and conducting of the
924 district's schools and employ and dismiss, in accordance with the
925 applicable provisions of section 10-151, such teachers as are necessary
926 to carry out the intent of this section and to pay their salaries; (5)
927 receive any federal funds or aid made available to the state for such
928 programs and shall be eligible for and may receive any other funds or
929 aid whether private, state or otherwise, to be used for the purposes of
930 this section.

931 (c) The superintendent of the school district may cooperate with the
932 federal government in carrying out the purposes of any federal law
933 pertaining to the education of students within his school district, and
934 may adopt such methods of administration as are found by the federal
935 government to be necessary, and may comply with such conditions as
936 may be necessary to secure the full benefit of all such federal funds
937 available.

938 [(d) The Commissioner of Children and Families shall annually
939 evaluate the progress and accomplishments of the school district
940 established in accordance with subsection (a) of this section. Said
941 commissioner shall submit annual evaluation reports to the
942 Commissioner of Education in order to apprise the State Board of
943 Education of the true condition, progress and needs of said school
944 district. Said commissioner shall follow procedures adopted by the
945 Commissioner of Education in preparation of annual evaluation
946 reports.]

947 Sec. 13. Section 17a-22c of the general statutes is repealed and the
948 following is substituted in lieu thereof (*Effective July 1, 2008*):

949 (a) The Commissioner of Children and Families and the
950 Commissioner of Social Services shall establish performance measures
951 in the areas of finance, administration, utilization, client satisfaction,
952 quality and access for Connecticut Community KidCare.

953 (b) The Commissioner of Children and Families shall develop and
954 implement, within available appropriations, culturally appropriate
955 and competency-based curricula including best practices for the care of
956 children and youths with, or at risk of, behavioral health needs and
957 offer training to all willing persons involved in Connecticut
958 Community KidCare, including, but not limited to, employees in
959 education and child care and appropriate employees within the
960 judicial system.

961 [(c) The Commissioners of Children and Families and Social
962 Services shall, within available appropriations, design and conduct a
963 five-year independent longitudinal evaluation with evaluation goals
964 and methods utilizing an independent evaluator. The evaluation shall
965 assess changes in outcomes for individual children, youths and
966 families, evaluate the effectiveness of the overall initiative in the early
967 phases to guide future expansion of Connecticut Community KidCare
968 and examine benefits, costs and cost avoidance achieved by it. Such
969 evaluation may include, but is not limited to, the following: (1)

970 Utilization of out-of-home placements; (2) adherence to system of care
971 principles; (3) school attendance; (4) delinquency recidivism rates; (5)
972 satisfaction of families and children and youths with Connecticut
973 Community KidCare as assessed through client satisfaction surveys;
974 (6) coordination of Connecticut Community KidCare with the juvenile
975 justice, child protection, adult behavioral health and education
976 systems; and (7) the quality of transition services.]

977 Sec. 14. (NEW) (*Effective October 1, 2008*) (a) The Commissioner of
978 Children and Families and the Chief Court Administrator shall
979 establish, within available appropriations, a pilot program to integrate
980 the initial written plan for care, treatment and permanent placement of
981 children and youth required under section 17a-15 of the general
982 statutes, with the specific steps for family reunification ordered by the
983 court pursuant to subsection (j) of section 46b-129 of the 2008
984 supplement to the general statutes. The Commissioner of Children and
985 Families, in consultation with said Chief Court Administrator, shall
986 designate one Department of Children and Families area office to
987 participate in the pilot program. The pilot program shall terminate not
988 later than October 1, 2010.

989 (b) A court services officer of the court participating in the pilot
990 program shall be responsible for convening a meeting to promptly
991 develop the initial treatment plan and proposed specific steps for the
992 child and family, and shall invite the parents or guardians, the child or
993 youth, when appropriate, and their respective attorneys, department
994 staff responsible for developing and implementing treatment plans,
995 and individuals involved in assessing needs and providing services for
996 the child and family. Whenever possible, such meetings shall be
997 convened at times and held in places that maximize the likelihood that
998 children, youth and their parents or guardians will be able to attend.

999 (c) Following the meeting, the court shall order specific steps that
1000 the parent must take to facilitate the return of the child or youth to the
1001 custody of such parent. In addition to satisfying the requirements set
1002 forth in subsection (a) of section 17a-15 of the general statutes for the

1003 Department of Children and Families' written plan for the care,
1004 treatment and permanent placement of every child under the
1005 commissioner's supervision, the plan shall also include, but not be
1006 limited to: (1) Assessment of the health and welfare of the child or
1007 youth; (2) an evaluation of the problems and strengths of each child or
1008 youth; (3) the proposed plan of treatment services and temporary
1009 placement, and a goal for permanent placement of the child or youth;
1010 and (4) specific planning goals and clear, comprehensive, time-
1011 sensitive action steps for educational and behavioral health needs.

1012 (d) The Commissioner of Children and Families and the Chief Court
1013 Administrator shall report, in accordance with section 11-4a of the
1014 general statutes, to the joint standing committees of the General
1015 Assembly having cognizance of matters relating to human services and
1016 judiciary and the select committee of the General Assembly having
1017 cognizance of matters relating to children not later than February 1,
1018 2011, concerning the results of such pilot program. The report shall
1019 also include a recommendation on whether the program should be
1020 expanded state-wide.

1021 Sec. 15. Subsection (b) of section 17a-450a of the 2008 supplement to
1022 the general statutes is repealed and the following is substituted in lieu
1023 thereof (*Effective July 1, 2008*):

1024 (b) The Department of Mental Health and Addiction Services shall
1025 constitute a successor department to the addiction services component
1026 of the Department of Public Health and Addiction Services. Whenever
1027 the words "Commissioner of Public Health and Addiction Services" are
1028 used or referred to in the following general statutes, the words
1029 "Commissioner of Mental Health and Addiction Services" shall be
1030 substituted in lieu thereof and whenever the words "Department of
1031 Public Health and Addiction Services" are used or referred to in the
1032 following general statutes, the words "Department of Mental Health
1033 and Addiction Services" shall be substituted in lieu thereof: 4a-12 of
1034 the 2008 supplement to the general statutes, [17a-3,] 17a-465a, 17a-670
1035 to 17a-676, inclusive, 17a-678 to 17a-682, inclusive, 17a-684 to 17a-687,

1036 inclusive, 17a-691, 17a-694, 17a-710, 17a-712, 17a-713 19a-89c, 20-74o,
1037 20-74p, 20-74q, 21a-274a, 54-36i and 54-56g of the 2008 supplement to
1038 the general statutes.

1039 Sec. 16. Subsection (b) of section 17a-210c of the 2008 supplement to
1040 the general statutes is repealed and the following is substituted in lieu
1041 thereof (*Effective July 1, 2008*):

1042 (b) Whenever the term "Commissioner of Mental Retardation" is
1043 used or referred to in the following sections of the general statutes, the
1044 term "Commissioner of Developmental Services" shall be substituted
1045 in lieu thereof: 4-5 of the 2008 supplement to the general statutes, 4b-3
1046 of the 2008 supplement to the general statutes, 4b-23 of the 2008
1047 supplement to the general statutes, 8-3e of the 2008 supplement to the
1048 general statutes, 10-76i of the 2008 supplement to the general statutes,
1049 [17a-4a,] 17a-22a of the 2008 supplement to the general statutes, 17a-
1050 210 of the 2008 supplement to the general statutes, 17a-212, 17a-212a of
1051 the 2008 supplement to the general statutes, 17a-214 of the 2008
1052 supplement to the general statutes, 17a-215a of the 2008 supplement to
1053 the general statutes, 17a-215b of the 2008 supplement to the general
1054 statutes, 17a-217a of the 2008 supplement to the general statutes, 17a-
1055 218 of the 2008 supplement to the general statutes, 17a-218a of the 2008
1056 supplement to the general statutes, 17a-225 of the 2008 supplement to
1057 the general statutes, 17a-226 of the 2008 supplement to the general
1058 statutes, 17a-227a of the 2008 supplement to the general statutes, 17a-
1059 228 of the 2008 supplement to the general statutes, 17a-229 of the 2008
1060 supplement to the general statutes, 17a-230 of the 2008 supplement to
1061 the general statutes, 17a-232 of the 2008 supplement to the general
1062 statutes, 17a-238 of the 2008 supplement to the general statutes, 17a-
1063 240 of the 2008 supplement to the general statutes, 17a-241 of the 2008
1064 supplement to the general statutes, 17a-242 of the 2008 supplement to
1065 the general statutes, 17a-244 of the 2008 supplement to the general
1066 statutes, 17a-246 of the 2008 supplement to the general statutes, 17a-
1067 247a of the 2008 supplement to the general statutes, 17a-248 of the 2008
1068 supplement to the general statutes, 17a-270 of the 2008 supplement to
1069 the general statutes, 17a-272 of the 2008 supplement to the general

1070 statutes, 17a-273 of the 2008 supplement to the general statutes, 17a-
1071 274 of the 2008 supplement to the general statutes, 17a-276 of the 2008
1072 supplement to the general statutes, 17a-277 of the 2008 supplement to
1073 the general statutes, 17a-281 of the 2008 supplement to the general
1074 statutes, 17a-282 of the 2008 supplement to the general statutes, 17a-
1075 582 of the 2008 supplement to the general statutes, 17a-584 of the 2008
1076 supplement to the general statutes, 17a-586 of the 2008 supplement to
1077 the general statutes, 17a-587 of the 2008 supplement to the general
1078 statutes, 17a-588 of the 2008 supplement to the general statutes, 17a-
1079 592 of the 2008 supplement to the general statutes, 17a-593 of the 2008
1080 supplement to the general statutes, 17a-594 of the 2008 supplement to
1081 the general statutes, 17a-596 of the 2008 supplement to the general
1082 statutes, 17a-599 of the 2008 supplement to the general statutes, 17b-
1083 28a of the 2008 supplement to the general statutes, 17b-244 of the 2008
1084 supplement to the general statutes, 17b-244a of the 2008 supplement to
1085 the general statutes, 17b-337 of the 2008 supplement to the general
1086 statutes, 17b-340 of the 2008 supplement to the general statutes, 17b-
1087 492b of the 2008 supplement to the general statutes, 19a-24 of the 2008
1088 supplement to the general statutes, 19a-411 of the 2008 supplement to
1089 the general statutes, 19a-580d of the 2008 supplement to the general
1090 statutes, 20-14j of the 2008 supplement to the general statutes, 20-571 of
1091 the 2008 supplement to the general statutes, 45a-670 of the 2008
1092 supplement to the general statutes, 45a-674 of the 2008 supplement to
1093 the general statutes, 45a-676 of the 2008 supplement to the general
1094 statutes, 45a-677 of the 2008 supplement to the general statutes, 45a-
1095 681 of the 2008 supplement to the general statutes, 45a-682 of the 2008
1096 supplement to the general statutes, 45a-692 of the 2008 supplement to
1097 the general statutes, 46a-11a of the 2008 supplement to the general
1098 statutes, 46a-11c of the 2008 supplement to the general statutes, 46a-11f
1099 of the 2008 supplement to the general statutes, 54-56d of the 2008
1100 supplement to the general statutes, 54-102g of the 2008 supplement to
1101 the general statutes and 54-102h of the 2008 supplement to the general
1102 statutes.

1103 Sec. 17. Subsection (b) of section 17a-42 of the general statutes is

1104 repealed and the following is substituted in lieu thereof (*Effective July*
1105 *1, 2008*):

1106 (b) Under sections 17a-112 and 45a-717, the court may order that a
1107 child be photo-listed not later than thirty days after the termination of
1108 parental rights as a condition of granting an order of termination of
1109 parental rights if the court determines that it is in the best interests of
1110 the child. Under subdivision (4) of subsection [(k)] (m) of section 46b-
1111 129 of the 2008 supplement to the general statutes, as amended by this
1112 act, the court may order that a child be photo-listed not later than
1113 thirty days after the approval of a permanency plan for adoption if the
1114 court determines that it is in the best interest of the child. The court
1115 shall not order that a child twelve years of age or older be photo-listed
1116 unless the child consents to such photo-listing.

1117 Sec. 18. Section 17a-75 of the general statutes is repealed and the
1118 following is substituted in lieu thereof (*Effective July 1, 2008*):

1119 For the purposes of sections 17a-75 to 17a-83, inclusive, the
1120 following terms shall have the following meanings: "Business day"
1121 means Monday through Friday except when a legal holiday falls
1122 thereon; "child" means any person less than sixteen years of age;
1123 "court" means the Superior Court-Juvenile Matters or the Court of
1124 Probate, unless either court is specifically stated; "hospital for mental
1125 illness of children" means any hospital, which provides, in whole or in
1126 part, diagnostic or treatment services for mental disorders of children,
1127 but shall not include any correctional institution of this state; "mental
1128 disorder" means a mental or emotional condition which has substantial
1129 adverse effects on a child's ability to function so as to jeopardize his or
1130 her health, safety or welfare or that of others, and specifically excludes
1131 mental retardation; "parent" means parent or legal guardian, including
1132 any guardian appointed under the provisions of subsection [(i)] (k) of
1133 section 46b-129 of the 2008 supplement to the general statutes, as
1134 amended by this act, or sections 45a-132, 45a-593 to 45a-597, inclusive,
1135 45a-603 to 45a-622, inclusive, 45a-629 to 45a-638, inclusive, 45a-707 to
1136 45a-709, inclusive, 45a-715 to 45a-718, inclusive, 45a-724 to 45a-737,

1137 inclusive, or 45a-743 to 45a-756, inclusive.

1138 Sec. 19. Subsection (b) of section 17a-90 of the general statutes is
1139 repealed and the following is substituted in lieu thereof (*Effective July*
1140 *1, 2008*):

1141 (b) The Commissioner of Children and Families shall furnish
1142 protective services or provide and pay, wholly or in part, for the care
1143 and protection of children other than those committed by the Superior
1144 Court whom the commissioner finds in need of such care and
1145 protection from the state, and such payments shall be made in
1146 accordance with the provisions of subsection [(l)] (n) of section 46b-129
1147 of the 2008 supplement to the general statutes, as amended by this act,
1148 provided the Commissioner of Administrative Services shall be
1149 responsible for billing and collecting such sums as are determined to
1150 be owing and due from the parent of the noncommitted child in
1151 accordance with section 4a-12 of the 2008 supplement to the general
1152 statutes and subsection (b) of section 17b-223.

1153 Sec. 20. Subsection (a) of section 17a-111b of the general statutes is
1154 repealed and the following is substituted in lieu thereof (*Effective July*
1155 *1, 2008*):

1156 (a) The Commissioner of Children and Families shall make
1157 reasonable efforts to reunify a parent with a child unless the court (1)
1158 determines that such efforts are not required pursuant to subsection
1159 (b) of this section or subsection (j) of section 17a-112, or (2) has
1160 approved a permanency plan other than reunification pursuant to
1161 subsection [(k)] (m) of section 46b-129 of the 2008 supplement to the
1162 general statutes, as amended by this act.

1163 Sec. 21. Subsection (j) of section 45a-717 of the general statutes is
1164 repealed and the following is substituted in lieu thereof (*Effective July*
1165 *1, 2008*):

1166 (j) In the case where termination of parental rights is granted, the
1167 guardian of the person or statutory parent shall report to the court

1168 within thirty days of the date judgment is entered on a case plan, as
1169 defined by the federal Adoption Assistance and Child Welfare Act of
1170 1980, as amended from time to time, for the child. At least every three
1171 months thereafter, such guardian or statutory parent shall make a
1172 report to the court on the implementation of the plan. The court may
1173 convene a hearing upon the filing of a report and shall convene a
1174 hearing for the purpose of reviewing the plan no more than twelve
1175 months from the date judgment is entered or from the date of the last
1176 permanency hearing held pursuant to subsection [(k)] (m) of section
1177 46b-129 of the 2008 supplement to the general statutes as amended by
1178 this act, if the child or youth is in the care and custody of the
1179 Commissioner of Children and Families, whichever is earlier, and at
1180 least once a year thereafter until such time as any proposed adoption
1181 plan has become finalized. If the Commissioner of Children and
1182 Families is the statutory parent for the child, at such a hearing the
1183 court shall determine whether the department has made reasonable
1184 efforts to achieve the permanency plan.

1185 Sec. 22. Section 46b-130 of the general statutes is repealed and the
1186 following is substituted in lieu thereof (*Effective July 1, 2008*):

1187 The parents of a minor child for whom care or support of any kind
1188 has been provided under the provisions of this chapter shall be liable
1189 to reimburse the state for such care or support to the same extent, and
1190 under the same terms and conditions, as are the parents of recipients of
1191 public assistance. Upon receipt of foster care maintenance payments
1192 under Title IV-E of the Social Security Act by a minor child, the right of
1193 support, present, past, and future, from a parent of such child shall, by
1194 this section, be assigned to the Commissioner of Children and
1195 Families. Referral by the commissioner shall promptly be made to the
1196 Child Support Enforcement Unit of the Department of Social Services
1197 for pursuit of support for such minor child in accordance with the
1198 provisions of section 17b-179 of the 2008 supplement to the general
1199 statutes. Any child who reimburses the state under the provisions of
1200 subsection [(l)] (n) of section 46b-129 of the 2008 supplement to the
1201 general statutes, as amended by this act, for any care or support such

1202 child received shall have a right of action to recover such payments
 1203 from such child's parents.

1204 Sec. 23. (*Effective July 1, 2008*) Sections 17a-4a, 17a-6b, 17a-6c, 17a-21,
 1205 17a-91a, 17a-116b and 46b-121m of the general statutes are repealed."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	17a-11(a)
Sec. 2	<i>July 1, 2008</i>	46b-129
Sec. 3	<i>July 1, 2008</i>	17a-3
Sec. 4	<i>July 1, 2008</i>	17a-6(b)
Sec. 5	<i>July 1, 2008</i>	New section
Sec. 6	<i>July 1, 2008</i>	17a-27f
Sec. 7	<i>July 1, 2008</i>	46a-13l
Sec. 8	<i>July 1, 2008</i>	17a-4
Sec. 9	<i>July 1, 2008</i>	17a-1
Sec. 10	<i>July 1, 2008</i>	17a-22b(a)
Sec. 11	<i>July 1, 2008</i>	17a-145
Sec. 12	<i>July 1, 2008</i>	17a-37
Sec. 13	<i>July 1, 2008</i>	17a-22c
Sec. 14	<i>October 1, 2008</i>	New section
Sec. 15	<i>July 1, 2008</i>	17a-450a(b)
Sec. 16	<i>July 1, 2008</i>	17a-210c(b)
Sec. 17	<i>July 1, 2008</i>	17a-42(b)
Sec. 18	<i>July 1, 2008</i>	17a-75
Sec. 19	<i>July 1, 2008</i>	17a-90(b)
Sec. 20	<i>July 1, 2008</i>	17a-111b(a)
Sec. 21	<i>July 1, 2008</i>	45a-717(j)
Sec. 22	<i>July 1, 2008</i>	46b-130
Sec. 23	<i>July 1, 2008</i>	Repealer section