



House of Representatives

General Assembly

File No. 446

January Session, 2009

Substitute House Bill No. 6352

House of Representatives, April 2, 2009

The Committee on Human Services reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING OVERSIGHT OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

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

1 Section 1. Section 46b-129 of the general statutes is amended by
2 adding subsection (r) as follows (*Effective July 1, 2009*):

3 (NEW) (r) Notwithstanding any provision of this section, no
4 newborn child shall be removed from the custody of the child's parent
5 while such child is in the hospital prior to a hearing held in accordance
6 with subsection (g) of this section. The court may commit such
7 newborn child to the Commissioner of Children and Families only
8 upon finding and adjudging that the petitioner has established by clear
9 and convincing evidence at such hearing that the newborn child is
10 uncared-for, neglected or dependent within the meaning of section
11 46b-120.

12 Sec. 2. (*Effective July 1, 2009*) The Commissioner of Children and
13 Families shall seek certification for High Meadows and Connecticut

14 Children's Place for purposes of receiving federal reimbursement
15 under the Medicaid program. Not later than January 1, 2010, the
16 commissioner shall submit, in accordance with the provisions of
17 section 11-4a of the general statutes, a written report to the joint
18 standing committees of the General Assembly having cognizance of
19 matters relating to appropriations and human services on the status of
20 such certification.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	46b-129
Sec. 2	<i>July 1, 2009</i>	New section

HS *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Children & Families, Dept.	GF - Cost	See Below	See Below
Children & Families, Dept.	GF - Revenue Gain	None	Potential Significant

Note: GF=General Fund

Municipal Impact: None

Explanation

No fiscal impact is anticipated to result in response to enactment of Section 1, which would require a court hearing to be held prior to the removal of a newborn in the hospital by the Department of Children and Families (DCF).

Section 2 requires the Department to seek Medicaid certification for High Meadows and the Connecticut Children’s Place. Achieving certification of each as a Medicaid psychiatric residential treatment facility would require the agency to undergo an accreditation process, resulting in the need for additional annual resources costing at least \$250,000. No funding for this purpose has been included in the Governor’s Recommended FY 10-11 Biennial Budget.

Should Medicaid certification of both facilities be achieved, future revenues of approximately \$10 million annually would be expected (approximately \$5 million per facility). It is anticipated that the certification process could not be completed until mid 2011 at the earliest.

The Out Years

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

Source: Department of Children and Families budget option.

OLR Bill Analysis**sHB 6352*****AN ACT CONCERNING OVERSIGHT OF THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY:**

The bill prevents any newborn child still in the hospital from being removed from a parent's custody before a hearing is held. The court can commit a newborn to the Department of Children and Families (DCF) only after establishing through clear and convincing evidence that the child is uncared-for or neglected or has parents or guardians who are financially unable to provide care.

The bill requires DCF to seek certification for High Meadows and Connecticut Children's Place in order to receive federal reimbursement under Medicaid. By January 1, 2010, it requires the DCF commissioner to submit a written report to the Appropriations and Human Services committees about the status of certification.

High Meadows is a residential treatment facility for severely emotionally disturbed adolescents who require intensive and comprehensive services. The Connecticut Children's Place is a 54-bed residential diagnostic center for children and youth age,s 10 to 18, who need protection due to abuse, neglect, abandonment, unmanageable behavior, or sudden disruption in their current placement or residence.

EFFECTIVE DATE: July 1, 2009

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/19/2009)