



Senate

General Assembly

File No. 56

January Session, 2009

Senate Bill No. 818

Senate, March 11, 2009

The Committee on Human Services reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE ROLE AND RESPONSIBILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES IN SAFE HAVENS CASES.

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

1 Section 1. Section 17a-59 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) Not more than twenty-four hours after taking physical custody
4 of the infant the designated employee shall notify, in accordance with
5 the provisions of sections 17a-101a to 17a-101d, inclusive, the
6 Department of Children and Families of such custody.

7 (b) The Commissioner of Children and Families shall assume the
8 care and control of the infant immediately upon receipt of notice under
9 subsection (a) of this section. [and] Any infant in the care and control
10 of the commissioner under the provisions of this section shall be
11 considered to be in the custody of the department and the department
12 shall take any action authorized under state law to achieve safety and

13 permanency for the infant, including institution of legal proceedings
14 for guardianship or termination of parental rights and notification of
15 such legal proceedings to any parent of the child whose identity is
16 known to the department.

17 [(c) Any infant in the care and control of the commissioner under
18 the provisions of this section shall be considered to be in the custody of
19 the department.]

20 Sec. 2. Section 17a-60 of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective July 1, 2009*):

22 (a) If a person claiming to be a parent or agent of an infant left with
23 a designated employee under section 17a-58 submits a request to the
24 Commissioner of Children and Families for reunification with the
25 infant, the commissioner may identify, contact and investigate such
26 person or agent to determine if such reunification is appropriate or if
27 the parental rights of the parent should be terminated.

28 (b) Information concerning a parent or agent or infant left with a
29 designated employee shall [be confidential] not be disclosed by the
30 designated employee, if so requested by the parent or agent, except
31 that notwithstanding any provision of the general statutes, such
32 employee shall provide to the Commissioner of Children and Families
33 all medical history information provided by the parent.

34 (c) Possession of a bracelet linking the parent or agent to an infant
35 left with a designated employee if parental rights have not been
36 terminated creates a presumption the parent or person has standing to
37 participate in a custody hearing for the infant under chapter 319a and
38 does not create a presumption of maternity, paternity or custody.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	17a-59
Sec. 2	July 1, 2009	17a-60

HS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

Enactment of provisions within this bill will result in no fiscal impact.

The Out Years:

None

OLR Bill Analysis**SB 818*****AN ACT CONCERNING THE ROLE AND RESPONSIBILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES IN SAFE HAVENS CASES.*****SUMMARY:**

This bill makes two changes in the law governing the Department of Children and Families' (DCF) Safe Havens program, which allows parents to lawfully surrender their newborn infants. By law, DCF must take any action the law authorizes to achieve safety and permanency for the infant. The bill specifies that this includes (1) instituting legal proceedings for guardianship or terminating parental rights and (2) notifying the infant's parents of these proceedings when DCF knows their identity.

The bill also changes the degree to which any information about the parent, an agent, or the infant can be disclosed. Currently, this information is confidential, except that the employee with whom the child is left must provide the DCF commissioner any medical information that the parent has provided. The bill prohibits the employee from disclosing the information only if the parent or agent requests that it be kept confidential.

BACKGROUND

The law requires any hospital operating an emergency room (ER) to designate all of the ER nursing staff as authorized to take physical custody of infants 30 days old or younger whose parent or lawful agent voluntarily surrenders physical custody, unless the parent or agent clearly expresses an intent to return. These nurses can request the parent's or agent's name along with any medical history of the infant or his or her parents. The nurses have 24 hours to notify DCF,

which, by law, assumes immediate care and control of the infant. Parents or agents can ask to be reunified with the child and DCF must contact and investigate the parent or agent when this occurs to determine whether to allow reunification or move to terminate parental rights.

EFFECTIVE DATE: July 1, 2009

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 18 Nay 0 (02/26/2009)