



General Assembly

January Session, 2009

Raised Bill No. 789

LCO No. 2798

02798 _____ PH_

Referred to Committee on Public Health

Introduced by:
(PH)

**AN ACT CONCERNING THE SHARING OF INFORMATION BETWEEN
THE DEPARTMENT OF CHILDREN AND FAMILIES AND THE
DEPARTMENT OF DEVELOPMENTAL SERVICES.**

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

1 Section 1. Subsection (g) of section 17a-28 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (g) When the commissioner or his designee determines it to be in a
5 person's best interest, the commissioner or his designee may disclose
6 records, whether or not created by the department and not otherwise
7 privileged or confidential communications under state or federal law,
8 without the consent of a person to:

9 (1) Multidisciplinary teams which are formed to assist the
10 department in investigation, evaluation or treatment of child abuse
11 and neglect cases or a multidisciplinary provider of professional
12 treatment services under contract with the department for a child
13 referred to the provider;

14 (2) Any agency in another state which is responsible for

15 investigating or protecting against child abuse or neglect for the
16 purpose of investigating a child abuse case;

17 (3) An individual, including a physician, authorized pursuant to
18 section 17a-101f to place a child in protective custody if such
19 individual has before him a child whom he reasonably suspects may
20 be a victim of abuse or neglect and such individual requires the
21 information in a record in order to determine whether to place the
22 child in protective custody;

23 (4) An individual or public or private agency responsible for a
24 person's care or custody and authorized by the department to
25 diagnose, care for, treat or supervise a child who is the subject of a
26 record of child abuse or neglect or a public or private agency
27 responsible for a person's education for a purpose related to the
28 individual's or agency's responsibilities;

29 (5) The Attorney General or any assistant attorney general
30 providing legal counsel for the department;

31 (6) Individuals or public or private agencies engaged in medical,
32 psychological or psychiatric diagnosis or treatment of a person
33 perpetrating the abuse or who is unwilling or unable to protect the
34 child from abuse or neglect when the commissioner or his designee
35 determines that the disclosure is needed to accomplish the objectives
36 of diagnosis or treatment;

37 (7) A person who reports child abuse pursuant to sections 17a-101a
38 to 17a-101c, inclusive, and section 17a-103, who made a report of abuse
39 involving the subject child, provided the information disclosed is
40 limited to (A) the status of the investigation and (B) in general terms,
41 any action taken by the department;

42 (8) An individual conducting bona fide research, provided no
43 information identifying the subjects of records shall be disclosed
44 unless (A) such information is essential to the purpose of the research;

45 (B) each person identified in a record or his authorized representative
46 has authorized such disclosure in writing; and (C) the department has
47 given written approval;

48 (9) The Auditors of Public Accounts or their representative,
49 provided no information identifying the subjects of the records shall be
50 disclosed unless such information is essential to an audit conducted
51 pursuant to section 2-90;

52 (10) The Department of Social Services, provided the information
53 disclosed is necessary to promote the health, safety and welfare of the
54 child;

55 (11) A judge of the Superior Court for purposes of determining the
56 appropriate disposition of a child convicted as delinquent or a child
57 who is a member of a family with service needs; [and]

58 (12) The superintendents, or their designees, of state-operated
59 facilities within the department; and

60 (13) The Department of Developmental Services, to allow said
61 department to determine eligibility, facilitate enrollment and plan for
62 the provision of services to a child, who is a client of said department
63 but who is not yet participating in said department's voluntary
64 services program. Records provided pursuant to this subdivision shall
65 be limited to a written summary of any investigation conducted by the
66 Department of Children and Families pursuant to section 17a-101g. At
67 the time that a parent or guardian completes an application for
68 enrollment of a child in the Department of Developmental Services
69 voluntary services program, said department shall notify such parent
70 or guardian that records specified in this subdivision may be provided
71 by the Department of Children and Families to the Department of
72 Developmental Services without the consent of such parent or
73 guardian.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	17a-28(g)
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Statement of Purpose:

To allow the Department of Children and Families to share limited information with the Department of Developmental Services that will be used to facilitate enrollment and the planning of services for children in the Department of Developmental Services voluntary services program.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]