



Greater Hartford Legal Aid

**Testimony of Lisa Levy before the before the Public Health Committee
In Support of SB 1177, AAC the Disclosure of Information by the
Department of Children and Families to the Department of Public Health**

March 23, 2011

Good morning. My name is Lisa Levy and I am a staff attorney at Greater Hartford Legal Aid, Inc. I am here this morning to speak in support of Raised Bill SB 1177, which amends Conn. Gen. Stat. 19a-80f. The statute and this bill mandate that the Department of Children and Families share information about allegations of abuse or neglect of children with the Department of Public Health in support of the latter's role as the licensing agency of day care centers, family day care homes and other such facilities in the state. As part of our mission to provide free legal services to the poor and seniors, we represent many low income individuals who work in such facilities and who have experienced loss of employment due to unsubstantiated allegations of abuse or neglect of children.

Prior to the amendment of the DCF statute in 2005 (Conn. Gen. Stat. 17a-101g and 17a-101k), many low income individuals were placed on the abuse or neglect registry by DCF without the due process protections of notice and an administrative hearing to challenge the allegations against them. Information placed on the registry at that point, was available to prospective employers and often resulted in the denial or loss of employment to the persons suspected of abuse or neglect. The 2005 amendments to the DCF statute provide for prior notice and a hearing to test the validity of abuse or neglect allegations. These due process protections must be followed before DCF can place the name of an individual on the registry except in egregious situations such as death, sexual abuse, serious physical injury or risk of same, or arrest of the person suspected of the misconduct.

While recognizing that DPH has an essential role in protecting the safety of children who are enrolled in licensed day care facilities, Legal Services has concerns with the disclosure language in the current section 19a-80f, as it mandates 1) disclosure by DCF to DPH of mere "suspected" allegations of abuse or neglect at day care facilities that have not yet been investigated or substantiated by DCF; 2) disclosure by DPH of a listing of alleged violations which is available to the public and can contain allegations of abuse or neglect against a child care worker that have not been appealed pursuant to the due process procedures in sections 17a-101k and thus should not be disclosed pursuant to section 17a-101g.

The bill before you is the product of meetings and discussions between staff from the Dept. of Public Health and CT's Legal Services organizations. We have agreed on language that will ensure that allegations of abuse or neglect will not be disclosed prior to the individual worker exercising his/her right to challenge the findings pursuant to the hearing procedure in section 17a-101k. This will happen while still fully protecting the right of DPH to fulfill its mandate to oversee child care facilities

Greater Hartford Legal Aid, Inc.

999 Asylum Avenue, 3Fl. Hartford, CT 06105-2465 • Tel: 860. 541. 5000 • Fax: 860. 541.5050 • TTY: 860. 541.5069 •

www.ghla.org



including the provision of crucial information to the public about violations of law occurring at such facilities.

Lisa Levy
Attorney
Greater Hartford Legal Aid, Inc.