



General Assembly

**Substitute Bill No. 6227**

January Session, 2011

\* \_\_\_\_\_HB06227LAB\_\_\_041911\_\_\_\_\_\*

**AN ACT CONCERNING A REGIONAL STRUCTURE FOR THE DEPARTMENT OF CHILDREN AND FAMILIES AND MISCELLANEOUS CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.**

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

1 Section 1. Section 17a-98a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 [(a)] The Department of Children and Families, in consultation with  
4 the Departments of Social Services, Mental Health and Addiction  
5 Services and Developmental Services, shall establish, within available  
6 appropriations, a kinship navigator program. Such program shall  
7 ensure that: (1) When the Department of Children and Families  
8 determines that it is in the best interest of the child to be placed with a  
9 relative for foster care, the department informs the relative regarding  
10 procedures to become licensed as a foster parent, and (2) grandparents  
11 and other relatives caring for a minor child are provided with  
12 information on the array of state services and benefits for which they  
13 may be eligible, including the subsidy program established pursuant  
14 to section 17a-126, as amended by this act. The Commissioner of  
15 Children and Families shall, within available appropriations, ensure  
16 that information on the array of services available under the kinship  
17 navigator program is accessible through the 2-1-1 Infoline program.

18 [(b) Not later than January 1, 2008, and annually thereafter, the  
19 Commissioner of Children and Families shall report, in accordance  
20 with section 11-4a, on the implementation of the kinship navigator  
21 program to the joint standing committee of the General Assembly  
22 having cognizance of matters relating to human services.]

23 Sec. 2. Section 17a-6b of the general statutes is repealed and the  
24 following is substituted in lieu thereof (*Effective July 1, 2011*):

25 (a) The advisory group for the Connecticut Juvenile Training School,  
26 established pursuant to subsection (b) of section 17a-6, [and the  
27 Connecticut Juvenile Training School public safety committee,  
28 established pursuant to section 17a-27f,] shall provide an on-going  
29 review of the Connecticut Juvenile Training School with  
30 recommendations for improvement or enhancement. The review shall  
31 include, but not be limited to:

32 (1) The number, age, ethnicity and race of the residents placed at the  
33 training school, including the court locations that sentenced them, the  
34 number sentenced from each court location and the offenses for which  
35 they were sentenced;

36 (2) The percentage of residents in need of substance abuse treatment  
37 and the programming interventions provided to assist residents;

38 (3) A review of the program and policies of the facility;

39 (4) The educational and literacy programs available to the residents,  
40 including the educational level of residents, the number of residents  
41 requiring special education and related services, including school  
42 attendance requirements, the number of residents who are educated in  
43 the alternative school and the reasons for such education;

44 (5) The vocational training programs available to the residents and  
45 the actual number of residents enrolled in each training program,  
46 including all vocational attendance requirements;

47 (6) The delinquency recidivism rates of such residents, which shall

48 include the number of children discharged to residential placement,  
49 the number of children discharged due to expiration of the period of  
50 commitment and the number of children returned to the Connecticut  
51 Juvenile Training School;

52 (7) The diagnosis of each resident after intake assessment;

53 (8) The costs associated with the operation of the training school,  
54 including staffing costs and average cost per resident; [and]

55 (9) Reintegration strategies and plans to transition the residents to  
56 their home communities; and

57 (10) A review of safety and security issues that affect the host  
58 municipality.

59 (b) The Department of Children and Families shall serve as  
60 administrative staff of the advisory group referred to in subsection (a)  
61 of this section.

62 (c) Not later than February 4, 2004, and annually thereafter, the  
63 Commissioner of Children and Families shall report, in accordance  
64 with the provisions of section 11-4a, to the joint standing committees of  
65 the General Assembly having cognizance of matters relating to the  
66 judiciary and human services and to the select committee of the  
67 General Assembly having cognizance of matters relating to children  
68 with respect to the Connecticut Juvenile Training School.

69 (d) Each report required pursuant to subsection (c) of this section  
70 shall summarize the information and recommendations specified in  
71 subsection (a) of this section and shall also include such other  
72 information that the Department of Children and Families has  
73 identified as requiring immediate legislative action.

74 Sec. 3. Section 17a-126 of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective July 1, 2011*):

76 (a) As used in this section, (1) "relative caregiver" means a person

77 who is caring for a child related to such person because the parent of  
78 the child has died or become otherwise unable to care for the child for  
79 reasons that make reunification with the parent and adoption not  
80 viable options within the foreseeable future, and (2) "commissioner"  
81 means the Commissioner of Children and Families.

82 (b) The commissioner shall establish a program of subsidized  
83 guardianship for the benefit of children in foster care who have been  
84 living with relative caregivers, who are licensed foster care providers  
85 pursuant to section 17a-114, and who have been in foster care [or  
86 certified relative care] for not less than six consecutive months. A  
87 relative caregiver may request a guardianship subsidy from the  
88 commissioner.

89 (c) If a relative caregiver who is receiving a guardianship subsidy  
90 for a related child is also caring for the child's sibling who is not  
91 related to the caregiver, the commissioner shall provide a  
92 guardianship subsidy to such relative caregiver [if the sibling has been  
93 in foster care for not less than eighteen months, and the commissioner  
94 shall, within available appropriations, provide a guardianship subsidy  
95 to such relative caregiver] in accordance with regulations adopted by  
96 the commissioner pursuant to subsection (e) of this section. For  
97 purposes of this subsection, "child's sibling" includes a stepbrother,  
98 stepsister, a half-brother or a half-sister.

99 (d) The commissioner shall provide the following subsidies under  
100 the subsidized guardianship program in accordance with this section  
101 and the regulations adopted pursuant to subsection (e) of this section:  
102 (1) A special-need subsidy, which shall be a lump sum payment for  
103 one-time expenses resulting from the assumption of care of the child  
104 and shall not exceed two thousand dollars; and (2) a medical subsidy  
105 comparable to the medical subsidy to children in the subsidized  
106 adoption program. [if the child lacks private health insurance.] The  
107 subsidized guardianship program shall also provide a monthly  
108 subsidy on behalf of the child payable to the relative caregiver that is  
109 based on the circumstances of the relative caregiver and the needs of

110 the child and shall not exceed the foster care maintenance payment  
111 that would have been paid on behalf of the child if the child had  
112 remained in licensed foster care.

113 (e) The commissioner shall adopt regulations, in accordance with  
114 chapter 54, implementing the subsidized guardianship program  
115 established under this section. Such regulations shall include all  
116 federal requirements necessary to maximize federal reimbursement  
117 available to the state, including, but not limited to, (1) eligibility for the  
118 program, (2) the maximum age at which a child is no longer eligible for  
119 a guardianship subsidy, including the maximum age, for purposes of  
120 claiming federal reimbursement under Title IV-E of the Social Security  
121 Act, at which a child is no longer eligible for a guardianship subsidy,  
122 and (3) a procedure for determining the types and amounts of the  
123 subsidies.

124 (f) At a minimum, the guardianship subsidy provided under this  
125 section shall continue until the child reaches the age of eighteen or the  
126 age of twenty-one if such child is in full-time attendance at a secondary  
127 school, technical school or college or is in a state accredited job training  
128 program or otherwise meets the criteria set forth in federal law.  
129 Annually, the subsidized guardian shall submit to the commissioner a  
130 sworn statement that the child is still living with and receiving support  
131 from the guardian. The parent of any child receiving assistance  
132 through the subsidized guardianship program shall remain liable for  
133 the support of the child as required by the general statutes.

134 (g) A guardianship subsidy shall not be included in the calculation  
135 of household income in determining eligibility for benefits of the  
136 relative caregiver of the subsidized child or other persons living within  
137 the household of the relative caregiver.

138 (h) Payments for guardianship subsidies shall be made from  
139 moneys available from any source to the commissioner for child  
140 welfare purposes. The commissioner shall develop and implement a  
141 plan that: (1) Maximizes use of the subsidized guardianship program

142 to decrease the number of children in the legal custody of the  
143 commissioner and to reduce the number of children who would  
144 otherwise be placed into nonrelative foster care when there is a family  
145 member willing to provide care; (2) maximizes federal reimbursement  
146 for the costs of the subsidized guardianship program, provided  
147 whatever federal maximization method is employed shall not result in  
148 the relative caregiver of a child being subject to work requirements as a  
149 condition of receipt of benefits for the child or the benefits restricted in  
150 time or scope other than as specified in subsection (c) of this section;  
151 and (3) ensures necessary transfers of funds between agencies and  
152 interagency coordination in program implementation. The  
153 commissioner shall seek all federal waivers and reimbursement as are  
154 necessary and appropriate to implement this plan.

155 (i) In the case of the death, severe disability or serious illness of a  
156 relative caregiver who is receiving a guardianship subsidy, the  
157 commissioner may transfer the guardianship subsidy to a new relative  
158 caregiver who meets the Department of Children and Families foster  
159 care safety requirements and is appointed as legal guardian by a court  
160 of competent jurisdiction.

161 (j) Nothing in this section shall prohibit the commissioner from  
162 continuing to pay guardianship subsidies to those relative caregivers  
163 who entered into written subsidy agreements with the Department of  
164 Children and Families prior to October 5, 2009.

165 Sec. 4. Section 45a-709 of the general statutes is repealed and the  
166 following is substituted in lieu thereof (*Effective July 1, 2011*):

167 (a) Notwithstanding any provision of sections [17a-91,] 17a-112, 17a-  
168 113, 17a-148, 45a-187, 45a-606, 45a-607, 45a-706 to 45a-708, inclusive,  
169 45a-715 to 45a-718, inclusive, 45a-724, 45a-727, 45a-732 to 45a-734,  
170 inclusive, and 52-231a, to the contrary, any adoption completed after  
171 October 1, 1973, in which the application and agreement of adoption  
172 were received by the Court of Probate before October 1, 1973, shall be  
173 valid, provided the adoption would have been valid under the general

174 statutes in effect on September 30, 1973.

175 (b) Applications for termination of parental rights, appointment of  
176 statutory parents or for adoptions or any actions taken in accordance  
177 with the applications which were received by the Court of Probate  
178 prior to May 10, 1974, shall be valid if they conform to the provisions  
179 of sections [17a-91,] 17a-112, 17a-148, 45a-606, 45a-706 to 45a-708,  
180 inclusive, 45a-715 to 45a-718, inclusive, 45a-724, 45a-727, 45a-731 to  
181 45a-734, inclusive, and 52-231a in effect on May 9, 1974.

182 Sec. 5. Subsection (a) of section 17a-3 of the general statutes is  
183 repealed and the following is substituted in lieu thereof (*Effective*  
184 *July 1, 2011*):

185 (a) The department shall plan, create, develop, operate or arrange  
186 for, administer and evaluate a comprehensive and integrated  
187 state-wide program of services, including preventive services, for  
188 children and youths whose behavior does not conform to the law or to  
189 acceptable community standards, or who are mentally ill, including  
190 deaf and hearing impaired children and youths who are mentally ill,  
191 emotionally disturbed, substance abusers, delinquent, abused,  
192 neglected or uncared for, including all children and youths who are or  
193 may be committed to it by any court, and all children and youths  
194 voluntarily admitted to, or remaining voluntarily under the  
195 supervision of, the commissioner for services of any kind. Services  
196 shall not be denied to any such child or youth solely because of other  
197 complicating or multiple disabilities. The department shall work in  
198 cooperation with other child-serving agencies and organizations to  
199 provide or arrange for preventive programs, including, but not limited  
200 to, teenage pregnancy and youth suicide prevention, for children and  
201 youths and their families. The program shall provide services and  
202 placements that are clinically indicated and appropriate to the needs of  
203 the child or youth. In furtherance of this purpose, the department  
204 shall: (1) Maintain the Connecticut Juvenile Training School and other  
205 appropriate facilities exclusively for delinquents; (2) develop a  
206 comprehensive program for prevention of problems of children and

207 youths and provide a flexible, innovative and effective program for the  
208 placement, care and treatment of children and youths committed by  
209 any court to the department, transferred to the department by other  
210 departments, or voluntarily admitted to the department; (3) provide  
211 appropriate services to families of children and youths as needed to  
212 achieve the purposes of sections 17a-1 to 17a-26, inclusive, as amended  
213 by this act, 17a-28 to 17a-49, inclusive, as amended by this act, and  
214 17a-51; (4) establish incentive paid work programs for children and  
215 youths under the care of the department and the rates to be paid such  
216 children and youths for work done in such programs and may provide  
217 allowances to children and youths in the custody of the department;  
218 (5) be responsible to collect, interpret and publish statistics relating to  
219 children and youths within the department; (6) conduct studies of any  
220 program, service or facility developed, operated, contracted for or  
221 supported by the department in order to evaluate its effectiveness; (7)  
222 establish staff development and other training and educational  
223 programs designed to improve the quality of departmental services  
224 and programs, provided no social worker trainee shall be assigned a  
225 case load prior to completing training, and may establish educational  
226 or training programs for children, youths, parents or other interested  
227 persons on any matter related to the promotion of the well-being of  
228 children, or the prevention of mental illness, emotional disturbance,  
229 delinquency and other disabilities in children and youths; (8) develop  
230 and implement aftercare and follow-up services appropriate to the  
231 needs of any child or youth under the care of the department; (9)  
232 establish a case audit unit to monitor each [area] regional office's  
233 compliance with regulations and procedures; (10) develop and  
234 maintain a database listing available community service programs  
235 funded by the department; (11) provide outreach and assistance to  
236 persons caring for children whose parents are unable to do so by  
237 informing such persons of programs and benefits for which they may  
238 be eligible; and (12) collect data sufficient to identify the housing needs  
239 of children served by the department and share such data with the  
240 Department of Economic and Community Development.

241 Sec. 6. Section 17a-9 of the general statutes is repealed and the  
242 following is substituted in lieu thereof (*Effective July 1, 2011*):

243 (a) The commissioner shall appoint, after consultation with the state  
244 advisory council, and may remove in a like manner, two deputy  
245 commissioners who shall be in the unclassified service. The deputy  
246 commissioner for program services shall be a clinically competent  
247 professional person experienced in one or more fields of children's  
248 services and in the administration of such services, and shall be  
249 responsible for the supervision of all clinical treatment and program  
250 services of the department. The deputy commissioner of  
251 administrative services shall have experience in business or  
252 institutional administration and shall be responsible for the  
253 organizational and general administrative services of the department.

254 (b) The commissioner shall appoint, [in accordance with chapter 67,]  
255 after consultation with the state advisory council, and may remove in  
256 like manner, [such] not more than two program directors [as the  
257 commissioner deems necessary] who shall be in the unclassified  
258 service, provided [any director's] the title or duties of any director  
259 appointed pursuant to this subsection may be changed as the  
260 commissioner deems necessary after consultation with the state  
261 advisory council. Such directors may oversee community programs  
262 and services and the operation of institutions and facilities.

263 (c) The commissioner shall, in accordance with chapter 67 and after  
264 consultation with the state advisory council, appoint the  
265 administrative heads of all of the institutions and facilities transferred  
266 to the department and such other institutions and facilities as now are  
267 or hereafter may be established by or transferred to the department.  
268 Such administrative heads shall have skill and experience in the  
269 administration of children's services and shall manage their  
270 institutions and facilities in accordance with the regulations and orders  
271 of the commissioner.

272 (d) The commissioner shall, after consultation with the state

273 advisory council, appoint and may remove in a like manner, up to six  
274 regional directors who shall be in the unclassified service. Each  
275 regional director shall have skill and experience in the field of  
276 children's services and in the administration of such services. Each  
277 regional director shall be subject to the direction of the commissioner  
278 and shall be responsible for the operation and administration of  
279 services provided or funded by the department in the regions created  
280 by the commissioner pursuant to subsection (a) of section 17a-30, as  
281 amended by this act.

282       Sec. 7. Section 17a-22b of the general statutes is repealed and the  
283 following is substituted in lieu thereof (*Effective July 1, 2011*):

284       (a) Each community collaborative shall, within available  
285 appropriations, (1) complete a local needs assessment which shall  
286 include objectives and performance measures, (2) specify the number  
287 of children and youths requiring behavioral health services, and (3)  
288 specify the number of children and youths actually receiving  
289 community-based and residential services and the type and frequency  
290 of such services. Each community collaborative shall submit its local  
291 needs assessment to the Commissioner of Children and Families and  
292 the Commissioner of Social Services.

293       (b) The [area] regional offices of the Department of Children and  
294 Families shall contract with lead service agencies, within available  
295 appropriations, to coordinate the care of all children and youths  
296 enrolled in Connecticut Community KidCare residing within their  
297 designated catchment areas, including children and youths with  
298 complex behavioral health service needs. The lead service agencies  
299 shall employ or subcontract for the employment of care coordinators to  
300 assist families in establishing and implementing individual service  
301 plans for children and youths with complex behavioral health service  
302 needs and to improve clinical outcomes and cost effectiveness. Parents  
303 shall be afforded a choice of contracted providers for authorized  
304 services.

305 (c) Each community collaborative may establish the number of  
306 members and the type of representatives to ensure that the  
307 membership of such collaborative is appropriately balanced. The chief  
308 elected officers of municipalities served by a community collaborative  
309 may designate a member to serve as a representative of the chief  
310 elected officials. A community collaborative, at a minimum, shall  
311 consist of representatives from the local or regional board of education,  
312 special education program, youth services bureau, local departments  
313 of social services and public health, representatives from private  
314 organizations serving children and youths and a substantial number of  
315 parents of children and youths with behavioral health needs. A  
316 community collaborative shall participate in the [area] regional  
317 advisory councils established under section 17a-30, as amended by this  
318 act, provide outreach to community resources, coordinate behavioral  
319 health services by forming, with the consent of the family, child  
320 specific teams for children and youths with complex behavioral health  
321 service needs, conduct community need assessments to identify  
322 service gaps and service barriers, identify priority investment areas for  
323 the state and lead service agencies and provide public education and  
324 support. A community collaborative shall establish a governance  
325 structure, determine membership and identify or establish a fiscal  
326 agent.

327 (d) The Commissioner of Children and Families and the  
328 Commissioner of Social Services shall, within available appropriations,  
329 provide or arrange for the administrative services necessary to operate  
330 Connecticut Community KidCare.

331 Sec. 8. Section 17a-22d of the general statutes is repealed and the  
332 following is substituted in lieu thereof (*Effective July 1, 2011*):

333 The Commissioner of Children and Families may, within available  
334 appropriations, provide financial assistance for the establishment of an  
335 organization, with local chapters in each [area] region served by the  
336 Department of Children and Families, that shall provide family-to-  
337 family support and family advocates for children, youths and their

338 families, and when requested by the family, assist the family with the  
339 individual service plan process and otherwise encourage active family  
340 participation in treatment and Connecticut Community KidCare  
341 planning. Such organization shall assure that families have input into  
342 the development and implementation of their individual service plans,  
343 including those established pursuant to section 17a-127, and into  
344 policy and planning for, and the implementation and evaluation of,  
345 Connecticut Community KidCare.

346 Sec. 9. Section 17a-30 of the general statutes is repealed and the  
347 following is substituted in lieu thereof (*Effective July 1, 2011*):

348 (a) The commissioner shall create distinct service [areas] regions and  
349 shall create in each such [area, an area] region, a regional advisory  
350 council to advise the commissioner and the [area] regional director on  
351 the development and delivery of services of the department in that  
352 [area] region and to facilitate the coordination of services for children,  
353 youths and their families in the [area] region.

354 (b) Each [area] regional advisory council shall consist of no more  
355 than twenty-one persons, a majority of whom shall be persons who  
356 earn less than fifty per cent of their salaries from the provision of  
357 services to children, youths and their families, and the balance  
358 representative of private providers of human services throughout the  
359 [area] region. The commissioner, or the commissioner's designee, shall  
360 appoint one-third of the representatives of each group for a term of  
361 three years, one-third for a term of two years, and one-third for a term  
362 of one year. No person may serve more than two consecutive three-  
363 year terms. All subsequent appointments to replace those whose terms  
364 have expired shall be for a term of three years. No person may serve  
365 on more than one [area] regional advisory council at a time. The [area]  
366 regional director shall make a good faith effort to ensure that, to the  
367 extent possible, the membership is qualified and closely reflects the  
368 gender and racial diversity of the [area] region. All members shall  
369 serve without compensation. Each [area] regional advisory council  
370 shall elect two cochairpersons. Each [area] regional advisory council

371 shall meet at least quarterly, or more often at the call of the  
 372 cochairpersons or a majority of the council members. The [area]  
 373 regional director, or a designee of the [area] regional director, shall be  
 374 an ex-officio member of the council without the right to vote. Any  
 375 member who fails to attend three consecutive meetings or fifty per cent  
 376 of all meetings during any calendar year shall be deemed to have  
 377 resigned. A majority of the members in office, but not less than six  
 378 members, shall constitute a quorum.

379       Sec. 10. Section 17a-55 of the general statutes is repealed and the  
 380 following is substituted in lieu thereof (*Effective July 1, 2011*):

381       The Commissioner of Children and Families shall implement a  
 382 system of awarding grants to community service programs whereby  
 383 such programs are funded proportionate to their effectiveness in  
 384 treating clients of the department. The evaluation of a program shall be  
 385 based on (1) an analysis of program outcomes; (2) an assessment of  
 386 regional needs for treatment services; [in each service delivery area;]  
 387 and (3) the availability of the program to clients of the department. The  
 388 Department of Children and Families shall collect, maintain and  
 389 analyze the data to be used in the evaluation process on an ongoing  
 390 basis. The commissioner shall impose a probationary period on a  
 391 program found to be ineffective and shall propose requirements for the  
 392 improvement of such a program. The commissioner shall determine  
 393 the length of the probationary period and shall cease to fund a  
 394 program which has not met the proposed requirements for  
 395 improvement within such period.

396       Sec. 11. Sections 17a-27f and 17a-91 of the general statutes are  
 397 repealed. (*Effective July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	17a-98a
Sec. 2	<i>July 1, 2011</i>	17a-6b
Sec. 3	<i>July 1, 2011</i>	17a-126

