



General Assembly

Substitute Bill No. 845

January Session, 2011

* SB00845HS 031111 *

AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND FAMILIES TO NOTIFY NONCUSTODIAL PARENTS OF CERTAIN ABUSE AND NEGLECT INVESTIGATIONS.

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

1 Section 1. Section 17a-103b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) Upon a [substantiated] complaint of abuse or neglect of a child
4 having a single custodial parent or a guardian, the Department of
5 Children and Families shall give, [when deemed to be in] unless
6 contrary to the best interests of the child, to the noncustodial parent,
7 custodial parent, guardian of the child, and parents if the Department
8 of Children and Families has custody of a child, notice of (1) the
9 circumstances of the complaint, including the name of the person who
10 is alleged to have caused the abuse or neglect, (2) the availability of
11 services from the department, including, but not limited to, child care
12 subsidies and emergency shelter, and (3) the programs of the Office of
13 Victim Services and information on obtaining a restraining order. The
14 notice shall also inform the recipient that such child may be removed
15 from the custody of the custodial parent by the department if such
16 removal is authorized under the general statutes. The department shall
17 employ all reasonable efforts to provide the notice [within] not later
18 than ten days [of substantiation of a] after the date the complaint was
19 filed. Notwithstanding the provisions of this subsection, if the

20 department determines that disclosure of detailed information may
21 result in a risk of physical harm to a person or that a court order
22 prohibits the recipient from receiving information from the child's
23 school or medical provider, the department shall provide notice of the
24 complaint only and advise the recipient, in writing, of the right to seek
25 judicial relief pursuant to subdivision (2) of subsection (n) of section
26 17a-28, as amended by this act.

27 (b) The notice required under subsection (a) of this section shall be
28 in English or the principal language of the recipient, if known, and be
29 delivered (1) by certified mail, return receipt requested, directed to the
30 last-known address of each recipient, or (2) by an agent of the
31 department. In the case of personal delivery by an agent, written
32 acknowledgment of such delivery shall be made by the recipient.

33 Sec. 2. Subsection (n) of section 17a-28 of the general statutes is
34 repealed and the following is substituted in lieu thereof (*Effective*
35 *October 1, 2011*):

36 (n) (1) Any person, attorney or authorized representative aggrieved
37 by a violation of subsection (b), (f), (g), (h), (i), (j) or (l) of this section or
38 of subsection (m) of this section, except subdivision (2) of said
39 subsection (m), may seek judicial relief in the same manner as
40 provided in section 52-146j; (2) any person, attorney or authorized
41 representative denied access to records by the commissioner under
42 subdivision (2) of subsection (m) of this section or subsection (a) of
43 section 17a-103b, as amended by this act, may petition the superior
44 court for the venue district provided in section 46b-142 in which the
45 person resides for an order requiring the commissioner to permit
46 access to those records, and the court after hearing, and an in camera
47 review of the records in question, shall issue such an order unless it
48 determines that to permit such access would be contrary to the best
49 interests of the person or authorized representative.

