



General Assembly

February Session, 2012

Raised Bill No. 5346

LCO No. 1668

01668_____KID

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

**AN ACT CONCERNING MINOR AND TECHNICAL REVISIONS TO
STATUTES AFFECTING CHILDREN AND YOUTH.**

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 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (g) The department shall disclose records, subject to subsections (b)
5 and (c) of this section, without the consent of the person who is the
6 subject of the record, to:

7 (1) The person named in the record or such person's authorized
8 representative, provided such disclosure shall be limited to
9 information (A) contained in the record about such person or about
10 such person's biological or adoptive minor child, if such person's
11 parental rights to such child have not been terminated; and (B)
12 [information] identifying an individual who reported abuse or neglect
13 of the person, including any tape recording [or] of an oral report
14 pursuant to section 17a-103, if a court determines that there is
15 reasonable cause to believe the reporter knowingly made a false report

16 or that the interests of justice require disclosure;

17 (2) An employee of the department for any purpose reasonably
18 related to the [business of the department] performance of such
19 employee's duties;

20 (3) A guardian ad litem or attorney appointed to represent a child or
21 youth in litigation affecting the best interests of the child or youth;

22 (4) The Attorney General, any assistant attorney general or any
23 other legal counsel retained to represent the department during the
24 course of a legal proceeding involving the department or an employee
25 of the department;

26 (5) The Child Advocate or the Child Advocate's designee;

27 (6) The Chief Public Defender or the Chief Public Defender's
28 designee;

29 (7) The Chief State's Attorney or the Chief State's Attorney's
30 designee for purposes of investigating or prosecuting an allegation of
31 child abuse or neglect, provided such prosecuting authority shall have
32 access to records of a delinquency defendant, who is not being charged
33 with an offense related to child abuse, only while the case is being
34 prosecuted and after obtaining a release;

35 (8) A state or federal law enforcement officer for purposes of
36 investigating an allegation of child abuse or neglect;

37 (9) Any foster or prospective adoptive parent, if the records pertain
38 to a child or youth currently placed with the foster or prospective
39 adoptive parent, or a child or youth being considered for placement
40 with the foster or prospective adoptive parent, and the records are
41 necessary to address the social, medical, psychological or educational
42 needs of the child or youth, provided no information identifying a
43 biological parent is disclosed without the permission of such biological
44 parent;

45 (10) The Governor, when requested in writing in the course of the
46 Governor's official functions, the Legislative Program Review and
47 Investigations Committee, the joint standing committees of the General
48 Assembly having cognizance of matters relating to human services,
49 [and] the joint standing committee of the General Assembly having
50 cognizance of matters relating to the judiciary [and] or the select
51 committee of the General Assembly having cognizance of matters
52 relating to children, when requested in writing in the course of said
53 [committees]' committee's official functions, and upon a majority vote
54 of said [committees] committee, provided no [names] name or other
55 identifying information is disclosed unless [it] such information is
56 essential to the gubernatorial or legislative purpose;

57 (11) The Department of Public Health for the purpose of (A)
58 determining the suitability of a person to care for children in a facility
59 licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining
60 the suitability of such person for licensure; or (C) an investigation
61 conducted pursuant to section 19a-80f;

62 (12) The Department of Developmental Services, to allow said
63 department to determine eligibility, facilitate enrollment and plan for
64 the provision of services to a child who is a client of said department
65 and who is applying to enroll in or is enrolled in said department's
66 voluntary services program. At the time that a parent or guardian
67 completes an application for enrollment of a child in the Department of
68 Developmental Services' voluntary services program, or at the time
69 that said department updates a child's annual individualized plan of
70 care, said department shall notify such parent or guardian that the
71 Department of Children and Families may provide records to the
72 Department of Developmental Services for the purposes specified in
73 this subdivision without the consent of such parent or guardian;

74 (13) A state agency that licenses or certifies a person to educate or
75 care for children or youth;

76 (14) A judge or employee of a probate court who requires access to

77 such records in order to perform such judge's or employee's official
78 duties;

79 (15) A judge of the Superior Court for purposes of determining the
80 appropriate disposition of a child convicted as delinquent or a child
81 who is a member of a family with service needs; [, or a]

82 (16) A judge of the Superior Court in a criminal prosecution for
83 purposes of in-camera inspection whenever (A) the court has ordered
84 that the record be provided to the court; or (B) a party to the
85 proceeding has issued a subpoena for the record;

86 [(16)] (17) A judge of the Superior Court and all necessary parties in
87 a family violence proceeding when such records concern family
88 violence with respect to the child who is the subject of the proceeding
89 or the parent of such child who is the subject of the proceeding;

90 [(17)] (18) The Auditors of Public Accounts, or their representative,
91 provided no information identifying the subject of the record is
92 disclosed unless such information is essential to an audit conducted
93 pursuant to section 2-90;

94 [(18)] (19) A local or regional board of education, provided the
95 records are limited to educational records created or obtained by the
96 state or Connecticut Unified School District #2, established pursuant to
97 section 17a-37;

98 [(19)] (20) The Department of Motor Vehicles for the purpose of
99 criminal history records checks pursuant to subsection (e) of section
100 14-44, provided information disclosed pursuant to this subdivision
101 shall be limited to information obtained in an investigation conducted
102 pursuant to section 17a-101g and information contained in the abuse
103 and neglect registry pursuant to section 17a-101k; and

104 [(20)] (21) The Department of Mental Health and Addiction Services
105 for the purpose of treatment planning for young adults who have
106 transitioned from the care of the Department of Children and Families.

107 Sec. 2. Subdivision (15) of subsection (h) of section 17a-28 of the 2012
108 supplement to the general statutes is repealed and the following is
109 substituted in lieu thereof (*Effective October 1, 2012*):

110 (15) Any individual for the purpose of locating [a] such individual's
111 missing parent, child or youth, provided such disclosure is limited to
112 information that assists in locating such missing parent, child or youth;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	17a-28(g)
Sec. 2	<i>October 1, 2012</i>	17a-28(h)(15)

Statement of Purpose:

To make minor and technical revisions to statutes affecting children and youth.

[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.]