



House of Representatives

General Assembly

File No. 671

January Session, 2013

House Bill No. 6642

House of Representatives, May 1, 2013

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT ESTABLISHING A CHILD NURSERY FACILITY AT THE CONNECTICUT CORRECTIONAL INSTITUTION, NIAN TIC.

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

1 Section 1. (NEW) (*Effective July 1, 2013*) The Commissioner of
2 Correction shall establish, within available appropriations, a nursery
3 facility at the Connecticut Correctional Institution, Niantic, for the
4 placement of infants born to women who are being detained at the
5 Connecticut Correctional Institution, Niantic, while awaiting
6 disposition of pending charges, or while committed to the
7 Commissioner of Correction for a term of eighteen months or less, in
8 order that such infant may be placed at the institution where such
9 infant was delivered. The commissioner may establish eligibility
10 criteria for placement of an infant in the nursery facility, which may
11 include, but need not be limited to, criteria that limit eligibility to
12 mothers who comply with any program, education, counseling or
13 other participation requirements established by the commissioner.

14 Sec. 2. Section 18-69 of the general statutes is repealed and the

15 following is substituted in lieu thereof (*Effective July 1, 2013*):

16 The warden of the Connecticut Correctional Institution, Niantic,
 17 subject to the approval of the commissioner, shall establish regulations
 18 in cooperation with the Department of Children and Families to
 19 provide for the [placing] placement of [children] infants born to
 20 inmates of the Connecticut Correctional Institution, Niantic, in order
 21 that an infant shall not be maintained at said institution beyond (1) the
 22 planning period for placement which is not to exceed sixty calendar
 23 days, or (2) a period not to exceed eighteen months as provided in
 24 section 1 of this act, if applicable. [In any instance where] If the mother
 25 of the infant objects in writing to the warden of [said] the institution as
 26 to such placement, the Department of Children and Families shall
 27 provide for an administrative review of the placement action.

28 Sec. 3. Section 18-69a of the general statutes is repealed and the
 29 following is substituted in lieu thereof (*Effective October 1, 2013*):

30 The warden of the Connecticut Correctional Institution, Niantic,
 31 subject to the same conditions as provided in section 18-69, as
 32 amended by this act, and the provisions of section 1 of this act, shall
 33 establish regulations in cooperation with the Department of Children
 34 and Families to provide for the [placing] placement of [children]
 35 infants born to women who are being detained at the Connecticut
 36 Correctional Institution, Niantic, while awaiting disposition of
 37 pending charges, or [have been] while committed to the Commissioner
 38 of Correction for a term of [one year] eighteen months or less, with
 39 respect to any period during which such infant is not placed in the
 40 nursery facility at the Connecticut Correctional Institution, Niantic,
 41 pursuant to section 1 of this act, in order that [an] such infant may be
 42 placed directly from the facility where such infant was delivered.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	New section
Sec. 2	July 1, 2013	18-69

Sec. 3	October 1, 2013	18-69a
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Correction, Dept.	GF - Cost	2.2 million - 10.6 million	1.6 million - 3.5 million
Children & Families, Dept.	GF - Savings	more than 89,424 - 134,136	more than 89,424 - 134,136

Municipal Impact: None

Explanation

The bill would result in a cost ranging from \$2.2 million to \$10.6 million in FY 14 and between \$1.6 million and \$3.5 million in FY 15 and annually thereafter by requiring the Department of Correction to establish a nursery at York Correctional Institute. The costs include the renovation or construction of buildings, start-up costs, and annual staffing and expenses. The total fiscal impact to the state would be determined by the final design, capacity and implementation of the project.

The bill results in a savings to the Department of Children and Families (DCF) of more than \$89,424 to \$134,136 annually, dependent upon the number of children born at the Connecticut Correctional Institution in Niantic each fiscal year. Savings reflect 10 to 15 babies born at the Connecticut Correctional Institution annually that would have been placed into DCF foster care but who will be cared for at the newly established nursery instead under the bill. The average monthly reimbursement to foster parents is \$745.20 for infants and children

through the age of five.¹ These figures do not include savings associated with support services for foster children and foster families. Support services provided by DCF include day care, respite care and in-home crisis interventions. It is unknown which DCF foster support services are provided solely for infants.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and number of children born at the Connecticut Correctional Institution in Niantic each fiscal year.

Sources: Department of Correction Prison Nursery Feasibility Report January 2013

¹Information accessed on DCF's website on 4/29/13. This webpage is available at: <http://www.ctfosteradopt.com/fosteradopt/cwp/view.asp?a=3795&Q=450082&pm=1&fosteradoptPNavCtr=#51292>

OLR Bill Analysis**HB 6642*****AN ACT ESTABLISHING A CHILD NURSERY FACILITY AT THE CONNECTICUT CORRECTIONAL INSTITUTION, NIAN TIC.*****SUMMARY:**

This bill requires the Department of Correction (DOC) commissioner, within available appropriations, to establish a nursery at the state's prison facility for women in Niantic (in practice called the York Correctional Institution). Under the bill, the nursery would allow infants born to women incarcerated while awaiting trial or sentenced to no more than 18 months in prison to be placed at the institution where he or she was delivered (but under DOC directives, births are scheduled to take place in hospitals, not DOC facilities).

The bill allows the DOC commissioner to set requirements for infant placement, including limiting eligibility to mothers who comply with program, education, counseling, and other requirements.

Current law requires the York facility's warden, with the DOC commissioner's approval, to adopt regulations in cooperation with the Department of Children and Families (DCF) for DCF placement of an infant within 60 days and, for an inmate awaiting trial or sentenced to up to one year in prison, direct placement from the delivery institution. The bill alternatively allows an infant to stay in the prison nursery for up to 18 months before DCF placement.

EFFECTIVE DATE: July 1, 2013

BACKGROUND***DOC Administrative Directive 8.12***

Under this directive, inmates are scheduled to give birth at Lawrence and Memorial Hospital or another designated hospital. The

newborn is placed according to a plan developed by Lawrence and Memorial Hospital's social network professionals and DCF.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 43 Nay 1 (04/12/2013)