



Senate

General Assembly

File No. 337

January Session, 2013

Substitute Senate Bill No. 763

Senate, April 4, 2013

The Committee on Human Services reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING NOTICE OF INVESTIGATIONS BY 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 Section 17a-103b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) Upon the opening of an investigation concerning the alleged
4 abuse or neglect of a child, the Department of Children and Families
5 shall give, when deemed to be in the best interests of the child, notice
6 to the noncustodial parent, custodial parent, guardian of the child and
7 parents if the Department of Children and Families has custody of a
8 child, unless there are reasonable grounds to believe such notice may
9 interfere with a criminal investigation or endanger a person. Such
10 notice shall include (1) the allegation in the complaint, (2) the
11 availability of services from the department, including, but not limited
12 to, child care subsidies and emergency shelter, and (3) the programs of
13 the Office of Victim Services and information on obtaining a
14 restraining order. The notice shall also inform the recipient that such

15 child may be removed from the custody of the custodial parent by the
16 department if such removal is authorized under the general statutes.
17 The department shall employ all reasonable efforts to provide such
18 notice in English or the principal language of the recipient, if known,
19 verbally not later than two business days after the opening of such
20 investigation or in writing not later than five business days after the
21 opening of such investigation.

22 [(a)] (b) Upon a substantiated complaint of abuse or neglect of a
23 child having a single custodial parent or a guardian, the Department of
24 Children and Families shall give, when deemed to be in the best
25 interests of the child, to the noncustodial parent, custodial parent,
26 guardian of the child, and parents if the Department of Children and
27 Families has custody of a child, notice of (1) the circumstances of the
28 complaint, including the name of the person who caused the abuse or
29 neglect, (2) the availability of services from the department, including,
30 but not limited to, child care subsidies and emergency shelter, and (3)
31 the programs of the Office of Victim Services and information on
32 obtaining a restraining order. The notice shall also inform the recipient
33 that such child may be removed from the custody of the custodial
34 parent by the department if such removal is authorized under the
35 general statutes. The department shall employ all reasonable efforts to
36 provide the notice [within] not later than ten days [of] after
37 substantiation of a complaint.

38 [(b)] (c) The written notice required under [subsection (a)]
39 subsections (a) and (b) of this section shall be in English or the
40 principal language of the recipient, if known, and be delivered (1) by
41 certified mail, return receipt requested, directed to the last-known
42 address of each recipient, or (2) by an agent of the department. In the
43 case of personal delivery of written or verbal notice by an agent,
44 written acknowledgment of such delivery shall be made by the
45 recipient.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2013	17a-103b
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Statement of Legislative Commissioners:

In Section 1**(b)**(1), "abuse" was changed to "abuse or neglect" for consistency with other provisions of the section.

HS *Joint Favorable Subst.*

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:** None**Municipal Impact:** None**Explanation**

The bill, which requires the Department of Children and Families (DCF) to notify (if it is in the child's best interests) the child's noncustodial parent, custodial parent, guardian and parents upon opening a child abuse or neglect investigation, does not result in a fiscal impact to the agency as it is DCF current practice.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sSB 763*****AN ACT CONCERNING NOTICE OF INVESTIGATIONS BY THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill requires the Department of Children and Families (DCF), when (1) opening a child abuse or neglect investigation and (2) it is in the child's best interests, to notify both the child's guardian and parents (including the noncustodial parent if they are living apart or DCF has taken custody of the child). DCF may not provide this notice if it has reasonable grounds to believe that doing so would interfere with a criminal investigation or endanger someone.

The notice must:

1. state the abuse or neglect allegation;
2. inform the recipient that DCF, if the law allows, may remove the child from the custodial parent's care;
3. be provided verbally within two business days, and in writing within five business days, after DCF opens the investigation;
4. within all reasonably employed DCF efforts, be in English or the recipient's principal language, if known;
5. indicate the availability of DCF services, such as child care subsidies and emergency shelter; and
6. include Office of Victim Services programs and information on obtaining a restraining order.

If mailed, the notice must be delivered by certified mail, with return receipt requested. If DCF delivers the notice in person, it must obtain

the recipient's written acknowledgment.

By law, DCF must provide a similar notice to these adults within 10 days of substantiating child abuse or neglect if it is in the child's best interest to do so.

The bill also makes technical changes.

EFFECTIVE DATE: July 1, 2013

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/21/2013)