



General Assembly

February Session, 2014

Raised Bill No. 5040

LCO No. 597



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

**AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND
FAMILIES AND THE PROTECTION OF CHILDREN.**

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

1 Section 1. Section 17a-28 of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2014*):

4 (a) As used in this section:

5 (1) "Person" means (A) any individual named in a record,
6 maintained by the department, who (i) is presently or at any prior time
7 was a ward of or committed to the commissioner for any reason; (ii)
8 otherwise received services, voluntarily or involuntarily, from the
9 department; or (iii) is presently or was at any prior time the subject of
10 an investigation by the department; (B) a parent whose parental rights
11 have not been terminated or current guardian of an individual
12 described in subparagraph (A) of this subdivision, if such individual is
13 a minor; or (C) the authorized representative of an individual
14 described in subparagraph (A) of this subdivision, if such individual is

15 deceased;

16 (2) "Attorney" means the licensed attorney authorized to assert the
17 confidentiality of or right of access to records of a person;

18 (3) "Authorized representative" means a parent, guardian, guardian
19 ad litem, attorney, conservator or other individual authorized to assert
20 the confidentiality of or right of access to records of a person;

21 (4) "Consent" means permission given in writing by a person, such
22 person's attorney or authorized representative to disclose specified
23 information, within a limited time period, regarding the person to
24 specifically identified individuals or entities;

25 (5) "Records" means information created or obtained in connection
26 with the department's child protection activities or other activities
27 related to a child while in the care or custody of the department,
28 including information in the registry of reports to be maintained by the
29 commissioner pursuant to section 17a-101k;

30 (6) "Disclose" means (A) to provide an oral summary of records
31 maintained by the department to an individual, agency, corporation or
32 organization, or (B) to allow an individual, agency, corporation or
33 organization to review or obtain copies of such records in whole, part
34 or summary form;

35 (7) "Near fatality" means an act that places a child in serious or
36 critical condition.

37 (b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213,
38 records maintained by the department shall be confidential and shall
39 not be disclosed, unless the department receives written consent from
40 the person or as provided in this section, section 17a-101g or section
41 17a-101k. Any unauthorized disclosure shall be punishable by a fine of
42 not more than one thousand dollars or imprisonment for not more
43 than one year, or both. Any employee of the department who in the

44 ordinary course of such person's employment has reasonable cause to
45 suspect or believe that another employee has engaged in the
46 unauthorized disclosure of records shall report in writing such
47 unauthorized disclosure of records to the commissioner. The report
48 shall include the name of the person disclosing the information and the
49 nature of the information disclosed and to whom it was disclosed, if
50 known.

51 (c) Records that (1) contain privileged communications, or (2) are
52 confidential pursuant to any federal law or regulation shall not be
53 disclosed except as authorized by law.

54 (d) Any information disclosed from a person's record shall not be
55 further disclosed to another individual or entity without the written
56 consent of the person, except (1) pursuant to section 19a-80 or 19a-80f,
57 provided such disclosure is otherwise permitted pursuant to
58 subsections (b) and (c) of this section, (2) pursuant to the order of a
59 court of competent jurisdiction, or (3) as otherwise provided by law.

60 (e) The commissioner shall, upon written request, disclose the
61 following information concerning agencies licensed by the Department
62 of Children and Families, except foster care parents, relatives of the
63 child who are licensed to provide foster care or prospective adoptive
64 families: (1) The name of the licensee; (2) the date the original license
65 was issued; (3) the current status of the license; (4) whether an agency
66 investigation or review is pending or has been completed; and (5) any
67 licensing action taken by the department at any time during the period
68 such license was issued and the reason for such action, provided
69 disclosure of such information will not jeopardize a pending
70 investigation.

71 (f) The name of any individual who reports suspected abuse or
72 neglect of a child or youth or cooperates with an investigation of child
73 abuse or neglect shall be kept confidential upon request or upon
74 determination by the department that disclosure of such information

75 may be detrimental to the safety or interests of the individual, except
76 the name of any such individual shall be disclosed pursuant to
77 subparagraph (B) of subdivision (1) of subsection (g) of this section to
78 (1) an employee of the department for reasons reasonably related to
79 the business of the department; (2) a law enforcement officer for
80 purposes of investigating (A) abuse or neglect of a child or youth, or
81 (B) an allegation that such individual falsely reported the suspected
82 abuse or neglect of a child or youth; (3) a state's attorney for purposes
83 of investigating or prosecuting (A) abuse or neglect of a child or youth,
84 or (B) an allegation that such individual falsely reported the suspected
85 abuse or neglect of a child or youth; (4) an assistant attorney general or
86 other legal counsel representing the department; (5) a judge of the
87 Superior Court and all necessary parties in a court proceeding
88 pursuant to section 17a-112 or 46b-129, or a criminal prosecution
89 involving child abuse or neglect; (6) a state child care licensing agency;
90 or (7) the executive director of any institution, school or facility or
91 superintendent of schools pursuant to section 17a-101i, as amended by
92 this act.

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

96 (1) The person named in the record or such person's authorized
97 representative, provided such disclosure shall be limited to
98 information (A) contained in the record about such person or about
99 such person's biological or adoptive minor child, if such person's
100 parental rights to such child have not been terminated; and (B)
101 identifying an individual who reported abuse or neglect of the person,
102 including any tape recording of an oral report pursuant to section 17a-
103 103, if a court determines that there is reasonable cause to believe the
104 reporter knowingly made a false report or that the interests of justice
105 require disclosure;

106 (2) An employee of the department for any purpose reasonably

107 related to the performance of such employee's duties;

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

110 (4) The Attorney General, any assistant attorney general or any
111 other legal counsel retained to represent the department during the
112 course of a legal proceeding involving the department or an employee
113 of the department;

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

115 (6) The Chief Public Defender or the Chief Public Defender's
116 designee for purposes of ensuring competent representation by the
117 attorneys with whom the Chief Public Defender contracts to provide
118 legal and guardian ad litem services to the subjects of such records and
119 for ensuring accurate payments for services rendered by such
120 attorneys;

121 (7) The Chief State's Attorney or the Chief State's Attorney's
122 designee for purposes of investigating or prosecuting (A) an allegation
123 related to child abuse or neglect, (B) an allegation that an individual
124 made a false report of suspected child abuse or neglect, or (C) an
125 allegation that a mandated reporter failed to report suspected child
126 abuse or neglect in accordance with section 17a-101a, provided such
127 prosecuting authority shall have access to records of a child charged
128 with the commission of a delinquent act, who is not being charged
129 with an offense related to child abuse, only while the case is being
130 prosecuted and after obtaining a release;

131 (8) A state or federal law enforcement officer for purposes of
132 investigating (A) an allegation related to child abuse or neglect, (B) an
133 allegation that an individual made a false report of suspected child
134 abuse or neglect, or (C) an allegation that a mandated reporter failed to
135 report suspected child abuse or neglect in accordance with section 17a-
136 101a;

137 (9) Any foster or prospective adoptive parent, if the records pertain
138 to a child or youth currently placed with the foster or prospective
139 adoptive parent, or a child or youth being considered for placement
140 with the foster or prospective adoptive parent, and the records are
141 necessary to address the social, medical, psychological or educational
142 needs of the child or youth, provided no information identifying a
143 biological parent is disclosed without the permission of such biological
144 parent;

145 (10) The Governor, when requested in writing in the course of the
146 Governor's official functions, the Legislative Program Review and
147 Investigations Committee, the joint standing committee of the General
148 Assembly having cognizance of matters relating to human services, the
149 joint standing committee of the General Assembly having cognizance
150 of matters relating to the judiciary or the select committee of the
151 General Assembly having cognizance of matters relating to children,
152 when requested in writing in the course of said committee's official
153 functions, and upon a majority vote of said committee, provided no
154 name or other identifying information is disclosed unless such
155 information is essential to the gubernatorial or legislative purpose;

156 (11) The Department of Public Health for the purpose of (A)
157 determining the suitability of a person to care for children in a facility
158 licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining
159 the suitability of such person for licensure; [or] (C) an investigation
160 conducted pursuant to section 19a-80f; (D) notifying said department
161 when the Department of Children and Families places an individual
162 licensed or certified by the Department of Public Health on the child
163 abuse and neglect registry pursuant to section 17a-101k; or (E)
164 notifying said department when the Department of Children and
165 Families possesses information regarding a Department of Public
166 Health regulatory violation committed by an individual licensed or
167 certified by said department;

168 (12) The Department of Developmental Services, to allow said

169 department to determine eligibility, facilitate enrollment and plan for
170 the provision of services to a child who is a client of said department
171 and who is applying to enroll in or is enrolled in said department's
172 voluntary services program. At the time that a parent or guardian
173 completes an application for enrollment of a child in the Department of
174 Developmental Services' voluntary services program, or at the time
175 that said department updates a child's annual individualized plan of
176 care, said department shall notify such parent or guardian that the
177 Department of Children and Families may provide records to the
178 Department of Developmental Services for the purposes specified in
179 this subdivision without the consent of such parent or guardian;

180 (13) A state agency that licenses or certifies an individual to educate
181 or care for children or youth;

182 (14) A judge or employee of a probate court who requires access to
183 such records in order to perform such judge's or employee's official
184 duties;

185 (15) A judge of the Superior Court for purposes of determining the
186 appropriate disposition of a child convicted as delinquent or a child
187 who is a member of a family with service needs;

188 (16) A judge of the Superior Court in a criminal prosecution for
189 purposes of in camera inspection whenever (A) the court has ordered
190 that the record be provided to the court; or (B) a party to the
191 proceeding has issued a subpoena for the record;

192 (17) A judge of the Superior Court and all necessary parties in a
193 family violence proceeding when such records concern family violence
194 with respect to the child who is the subject of the proceeding or the
195 parent of such child who is the subject of the proceeding;

196 (18) The Auditors of Public Accounts, or their representative,
197 provided no information identifying the subject of the record is
198 disclosed unless such information is essential to an audit conducted

199 pursuant to section 2-90;

200 (19) A local or regional board of education, provided the records are
201 limited to educational records created or obtained by the state or
202 Connecticut Unified School District #2, established pursuant to section
203 17a-37;

204 (20) The superintendent of schools for any school district for the
205 purpose of determining the suitability of a person to be employed by
206 the local or regional board of education for such school district
207 pursuant to subsection (a) of section 10-221d;

208 (21) The Department of Motor Vehicles for the purpose of criminal
209 history records checks pursuant to subsection (e) of section 14-44,
210 provided information disclosed pursuant to this subdivision shall be
211 limited to information included on the Department of Children and
212 Families child abuse and neglect registry established pursuant to
213 section 17a-101k, subject to the provisions of sections 17a-101g and
214 17a-101k concerning the nondisclosure of findings of responsibility for
215 abuse and neglect;

216 (22) The Department of Mental Health and Addiction Services for
217 the purpose of treatment planning for young adults who have
218 transitioned from the care of the Department of Children and Families;

219 (23) The superintendent of a public school district or the executive
220 director or other head of a public or private institution for children
221 providing care for children or a private school (A) pursuant to sections
222 17a-101b, 17a-101c and 17a-101i, as amended by this act, [; and] or (B)
223 when the Department of Children and Families places an individual
224 employed by such institution or school on the child abuse and neglect
225 registry pursuant to section 17a-101k;

226 (24) The Department of Social Services for the purpose of (A)
227 determining the suitability of a person for payment from the
228 Department of Social Services for providing child care; (B) promoting

229 the health, safety and welfare of [the] a child or youth receiving
230 services from either department; or (C) investigating allegations of
231 fraud provided no information identifying the subject of the record is
232 disclosed unless such information is essential to any such
233 investigation; [.]

234 (25) The Court Support Services Division of the Judicial Branch for
235 the purpose of sharing common case records to track recidivism of
236 juvenile offenders; and

237 (26) The referral intake office of the birth-to-three program,
238 established pursuant to section 17a-248, for the purpose of determining
239 eligibility, facilitating enrollment and planning for the provision of
240 services under such program.

241 (h) The department may, subject to subsections (b) and (c) of this
242 section, disclose records without the consent of the person who is the
243 subject of the record, to:

244 (1) An employee or former employee of the department or such
245 employee or former employee's authorized representative for purposes
246 of participating in any court, administrative or disciplinary
247 proceeding, provided such disclosure shall be limited to records that
248 are necessary to the proceeding, as determined by the department;

249 (2) Multidisciplinary teams, as described in section 17a-106a, as
250 amended by this act;

251 (3) A provider of professional services for a child, youth or parent
252 referred to such provider, provided such disclosure is limited to
253 information necessary to provide services to the child, youth or parent;

254 (4) An individual or agency under contract with the department for
255 the purposes of identifying and assessing a potential foster or adoptive
256 home for a child or youth, provided no information identifying a
257 biological parent of a child or youth is disclosed without the

258 permission of such biological parent;

259 (5) A physician examining a child with respect to whom abuse or
260 neglect is suspected and who is authorized pursuant to section 17a-
261 101f to keep the child in the custody of a hospital when such physician
262 requires the information in a record of the department to determine
263 whether to keep the child in protective custody;

264 (6) An individual who reports child abuse or neglect pursuant to
265 sections 17a-101a to 17a-101c, inclusive, or section 17a-103, who made
266 a report of abuse or neglect, provided the information disclosed is
267 limited to (A) the status of the investigation conducted pursuant to
268 section 17a-101g resulting from the individual's report; and (B) in
269 general terms, the action taken by the department as a result of such
270 investigation;

271 (7) An individual or organization engaged in the business of
272 medical, psychological or psychiatric diagnosis and treatment and who
273 is treating an individual who has perpetrated abuse or neglect, as
274 determined in an investigation conducted pursuant to section 17a-
275 101g, or who is unwilling or unable to protect a child or youth from
276 abuse or neglect, as determined in an investigation conducted
277 pursuant to section 17a-101g, when the commissioner, or the
278 commissioner's designee, determines that the disclosure is necessary to
279 accomplish the objectives of diagnosis or treatment;

280 (8) A court or public agency in another state or a federally
281 recognized Indian tribe, that is responsible for investigating child
282 abuse or neglect, preventing child abuse and neglect or providing
283 services to families at risk for child abuse or neglect, for the purpose of
284 such investigation, prevention or providing services to such families;

285 (9) An individual conducting bona fide research, provided no
286 information identifying the subject of the record is disclosed unless (A)
287 such information is essential to the purpose of the research; and (B) the
288 department has given written approval for the use of such

289 information;

290 (10) An individual or agency involved in the collection of fees for
291 services, provided such information is limited to the name and address
292 of the person who received the services and the fees for services,
293 except as provided in section 17b-225. In cases where a dispute arises
294 over such fees or claims or where additional information is needed to
295 substantiate the fee or claim, the Department of Children and Families
296 may disclose the following: (A) That the person was, in fact, provided
297 services by the department; (B) the dates and duration of such services;
298 and (C) a general description of the types of services, including
299 evidence that a service or treatment plan exists and has been carried
300 out and evidence to substantiate the necessity for admission and
301 length of stay in an institution or facility;

302 (11) A law enforcement officer or state's attorney if there is
303 reasonable cause to believe that (A) a child or youth is being abused or
304 neglected or at risk of being abused or neglected as a result of any
305 suspected criminal activity by any individual, or (B) an employee of
306 the department is being threatened or harassed or has been assaulted
307 by a client or coworker;

308 (12) Any individual interviewed as part of an investigation
309 conducted pursuant to section 17a-101g, who is not otherwise entitled
310 to such information, provided such disclosure is limited to: (A) The
311 general nature of the allegations contained in the reports; (B) the
312 identity of the child or youth alleged to have been abused or neglected;
313 and (C) information necessary to effectively conduct the investigation;

314 (13) Any individual, when information concerning an incident of
315 child abuse or neglect has been made public or the commissioner
316 reasonably believes publication of such information is likely, provided
317 such disclosure is limited to: (A) Whether the department has received
318 any report in accordance with sections 17a-101a to 17a-101c, inclusive,
319 or section 17a-103; (B) in general terms, any action taken by the

320 department, provided: (i) Names or other individually identifiable
321 information of the child or other family members is not disclosed,
322 regardless of whether such individually identifiable information is
323 otherwise available, and (ii) the name or other individually identifiable
324 information of the person suspected to be responsible for the abuse or
325 neglect is not disclosed unless such person has been arrested for a
326 crime due to such abuse or neglect; (C) confirmation or denial of the
327 accuracy of information that has been made public; and (D)
328 notwithstanding the provisions of section 46b-124, in general terms,
329 the legal status of the case;

330 (14) Any individual for the purpose of locating such individual's
331 missing parent, child or youth, provided such disclosure is limited to
332 information that assists in locating such missing parent, child or youth;

333 (15) Any individual, when the information concerns an incident of
334 abuse or neglect that resulted in a child or youth fatality or near
335 fatality of a child or youth, provided disclosure of such information is
336 in general terms and does not jeopardize a pending investigation;

337 (16) A judge of a court of competent jurisdiction whenever an
338 employee of the department is subpoenaed and ordered to testify
339 about such records for purposes of in camera inspection to determine
340 if such records may be disclosed pursuant to this section if (A) the
341 court has ordered that such records be provided to the court; or (B) a
342 party to the proceeding has issued a subpoena for such records;

343 (17) An individual who is not employed by the department who
344 arranges, performs or assists in performing functions or activities on
345 behalf of the department, including, but not limited to, data analysis,
346 processing or administration, utilization reviews, quality assurance,
347 practice management, consultation, data aggregation and accreditation
348 services.

349 (i) Notwithstanding the provisions of subsections (e) to (h),
350 inclusive, of this section, the department may refuse to disclose records

351 to any individual, provided the department gives such individual
352 notice (1) that records are being withheld; (2) of the general nature of
353 the records being withheld; (3) of the department's reason for refusing
354 to disclose the records; and (4) of the individual's right to judicial relief
355 pursuant to subsection (j) of this section.

356 (j) (1) Any person or individual aggrieved by a violation of
357 subsection (b) or (d), subsections (f) to (h), inclusive, or subsection (k)
358 of this section, or a person's authorized representative, may seek
359 judicial relief in the manner prescribed in section 52-146j.

360 (2) Any person, individual or authorized representative denied
361 access to records by the commissioner under subdivision (i) of this
362 section may petition the superior court for the venue district provided
363 in section 46b-142 in which the person resides for an order requiring
364 the commissioner to permit access to those records, and the court, after
365 a hearing and an in camera review of the records in question, shall
366 issue such an order unless it determines that permitting disclosure of
367 all or any portion of the record (A) would be contrary to the best
368 interests of the person or the person's authorized representative; (B)
369 could reasonably result in the risk of harm to any individual; or (C)
370 would contravene the public policy of the state.

371 (k) All written records disclosed to an individual who is not the
372 subject of the record, an agency, an entity or an organization shall bear
373 a stamp requiring confidentiality in accordance with the provisions of
374 this section. Such records shall not be disclosed to another individual,
375 agency, entity or an organization without the written consent of the
376 person who is the subject of the record or as provided by this section.
377 A copy of the consent form, specifying to whom and for what specific
378 use the record is disclosed or a statement setting forth any other
379 statutory authorization for disclosure and the limitations imposed on
380 such disclosure, shall accompany the record. In cases where the
381 disclosure is made orally, the individual disclosing the information
382 shall inform the recipient that such information is governed by the

383 provisions of this section.

384 (l) Whenever any person, attorney or authorized representative,
385 having obtained access to any record, believes there are factually
386 inaccurate entries or materials contained in such record, such person,
387 attorney or authorized representative may add a statement to the
388 record setting forth what such person, attorney or authorized
389 representative believes to be an accurate statement of those facts and
390 such statement shall become a permanent part of the record.

391 Sec. 2. Subsection (b) of section 17b-90 of the 2014 supplement to the
392 general statutes is repealed and the following is substituted in lieu
393 thereof (*Effective October 1, 2014*):

394 (b) No person shall, except for purposes directly connected with the
395 administration of programs of the Department of Social Services and in
396 accordance with the regulations of the commissioner, solicit, disclose,
397 receive or make use of, or authorize, knowingly permit, participate in
398 or acquiesce in the use of, any list of the names of, or any information
399 concerning, persons applying for or receiving assistance from the
400 Department of Social Services or persons participating in a program
401 administered by said department, directly or indirectly derived from
402 the records, papers, files or communications of the state or its
403 subdivisions or agencies, or acquired in the course of the performance
404 of official duties. The Commissioner of Social Services shall disclose (1)
405 to any authorized representative of the Labor Commissioner such
406 information directly related to unemployment compensation,
407 administered pursuant to chapter 567 or information necessary for
408 implementation of sections 17b-688b, 17b-688c and 17b-688h and
409 section 122 of public act 97-2 of the June 18 special session, (2) to any
410 authorized representative of the Commissioner of Mental Health and
411 Addiction Services any information necessary for the implementation
412 and operation of the basic needs supplement program, (3) to any
413 authorized representative of the Commissioner of Administrative
414 Services or the Commissioner of Emergency Services and Public

415 Protection such information as the Commissioner of Social Services
416 determines is directly related to and necessary for the Department of
417 Administrative Services or the Department of Emergency Services and
418 Public Protection for purposes of performing their functions of
419 collecting social services recoveries and overpayments or amounts due
420 as support in social services cases, investigating social services fraud or
421 locating absent parents of public assistance recipients, (4) to any
422 authorized representative of the Commissioner of Children and
423 Families necessary information concerning a child or the immediate
424 family of a child receiving services from the Department of Social
425 Services, including safety net services, if (A) the Commissioner of
426 Children and Families or the Commissioner of Social Services has
427 determined that imminent danger to such child's health, safety or
428 welfare exists to target the services of the family services programs
429 administered by the Department of Children and Families, or (B) the
430 Commissioner of Children and Families requires access to the federal
431 Parent Locator Service established pursuant to 88 Stat. 2353 (1975), 42
432 USC 653 in order to identify a parent or putative parent of a child, (5)
433 to a town official or other contractor or authorized representative of
434 the Labor Commissioner such information concerning an applicant for
435 or a recipient of assistance under state-administered general assistance
436 deemed necessary by the Commissioner of Social Services and the
437 Labor Commissioner to carry out their respective responsibilities to
438 serve such persons under the programs administered by the Labor
439 Department that are designed to serve applicants for or recipients of
440 state-administered general assistance, (6) to any authorized
441 representative of the Commissioner of Mental Health and Addiction
442 Services for the purposes of the behavioral health managed care
443 program established by section 17a-453, (7) to any authorized
444 representative of the Commissioner of Public Health to carry out his or
445 her respective responsibilities under programs that regulate child day
446 care services or youth camps, (8) to a health insurance provider, in IV-
447 D support cases, as defined in subdivision (13) of subsection (b) of
448 section 46b-231, information concerning a child and the custodial

449 parent of such child that is necessary to enroll such child in a health
450 insurance plan available through such provider when the noncustodial
451 parent of such child is under court order to provide health insurance
452 coverage but is unable to provide such information, provided the
453 Commissioner of Social Services determines, after providing prior
454 notice of the disclosure to such custodial parent and an opportunity for
455 such parent to object, that such disclosure is in the best interests of the
456 child, (9) to any authorized representative of the Department of
457 Correction, in IV-D support cases, as defined in subdivision (13) of
458 subsection (b) of section 46b-231, information concerning noncustodial
459 parents that is necessary to identify inmates or parolees with IV-D
460 support cases who may benefit from Department of Correction
461 educational, training, skill building, work or rehabilitation
462 programming that will significantly increase an inmate's or parolee's
463 ability to fulfill such inmate's support obligation, (10) to any
464 authorized representative of the Judicial Branch, in IV-D support cases,
465 as defined in subdivision (13) of subsection (b) of section 46b-231,
466 information concerning noncustodial parents that is necessary to: (A)
467 Identify noncustodial parents with IV-D support cases who may
468 benefit from educational, training, skill building, work or
469 rehabilitation programming that will significantly increase such
470 parent's ability to fulfill such parent's support obligation, (B) assist in
471 the administration of the Title IV-D child support program, or (C)
472 assist in the identification of cases involving family violence, (11) to
473 any authorized representative of the State Treasurer, in IV-D support
474 cases, as defined in subdivision (13) of subsection (b) of section 46b-
475 231, information that is necessary to identify child support obligors
476 who owe overdue child support prior to the Treasurer's payment of
477 such obligors' claim for any property unclaimed or presumed
478 abandoned under part III of chapter 32, or (12) to any authorized
479 representative of the Commissioner of Housing for the purpose of
480 verifying whether an applicant for the renters rebate program
481 established by section 12-170d is a recipient of cash assistance from the
482 Department of Social Services and the amount of such assistance. No

483 such representative shall disclose any information obtained pursuant
484 to this section, except as specified in this section. Any applicant for
485 assistance provided through said department shall be notified that, if
486 and when such applicant receives benefits, the department will be
487 providing law enforcement officials with the address of such applicant
488 upon the request of any such official pursuant to section 17b-16a.

489 Sec. 3. (NEW) (*Effective October 1, 2014*) (a) The Commissioner of
490 Children and Families may: (1) Provide child welfare services for any
491 minor child residing in the state who is identified by the Department
492 of Children and Families as a victim of trafficking, as defined in section
493 46a-170 of the general statutes; and (2) provide appropriate services to
494 a minor child residing in the state who the Department of Children
495 and Families reasonably believes may be a victim of trafficking in
496 order to safeguard the welfare of such minor child. For purposes of
497 this section and section 17a-160a of the general statutes, "minor child"
498 means any person under eighteen years of age.

499 (b) The Commissioner of Children and Families may, within
500 available appropriations, provide training to law enforcement officials
501 regarding the trafficking of minor children. The training shall include,
502 but not be limited to, (1) awareness and compliance with the laws and
503 protocols concerning trafficking of minor children, (2) identification of,
504 access to and provision of services for minor children that are victims
505 of trafficking, and (3) any other services the department deems
506 necessary to carry out the provisions of this section and section 17a-
507 106a of the general statutes, as amended by this act.

508 Sec. 4. Subsection (a) of section 17a-106a of the general statutes is
509 repealed and the following is substituted in lieu thereof (*Effective*
510 *October 1, 2014*):

511 (a) The Commissioner of Children and Families, as department head
512 of the lead agency, and the appropriate state's attorney may establish
513 multidisciplinary teams for the purpose of reviewing particular cases

514 or particular types of cases or to coordinate the prevention,
515 intervention and treatment in each judicial district to review selected
516 cases of child abuse or neglect or cases involving the trafficking, as
517 defined in section 46a-170, of a minor child, as defined in subsection (a)
518 of section 3 of this act. The purpose of such multidisciplinary teams is
519 to advance and coordinate the prompt investigation of suspected cases
520 of child abuse or neglect, to reduce the trauma of any child victim and
521 to ensure the protection and treatment of the child. The head of the
522 local law enforcement agency or his designee may request the
523 assistance of the Division of State Police within the Department of
524 Emergency Services and Public Protection for such purposes.

525 Sec. 5. Subdivision (8) of section 46b-120 of the general statutes is
526 repealed and the following is substituted in lieu thereof (*Effective*
527 *October 1, 2014*):

528 (8) A child or youth may be found "uncared for" (A) who is
529 homeless, [or] (B) whose home cannot provide the specialized care that
530 the physical, emotional or mental condition of the child or youth
531 requires, or (C) who has been identified as a victim of trafficking, as
532 defined in section 46a-170. For the purposes of this section, the
533 treatment of any child or youth by an accredited Christian Science
534 practitioner, in lieu of treatment by a licensed practitioner of the
535 healing arts, shall not of itself constitute neglect or maltreatment;

536 Sec. 6. Subsection (b) of section 17a-101 of the 2014 supplement to
537 the general statutes is repealed and the following is substituted in lieu
538 thereof (*Effective October 1, 2014*):

539 (b) The following persons shall be mandated reporters: (1) Any
540 physician or surgeon licensed under the provisions of chapter 370, (2)
541 any resident physician or intern in any hospital in this state, whether
542 or not so licensed, (3) any registered nurse, (4) any licensed practical
543 nurse, (5) any medical examiner, (6) any dentist, (7) any dental
544 hygienist, [or] (8) any psychologist, [a] (9) any school employee, as

545 defined in section 53a-65, (10) any person who holds or is issued a
546 coaching permit by the State Board of Education and is a coach of
547 intramural or interscholastic athletics who is eighteen years of age or
548 older, (11) any paid coach or director of youth athletics who is eighteen
549 years of age or older, (12) any paid coach or director of a private youth
550 sports organization, league or team who is eighteen years of age or
551 older, (13) any paid administrator, faculty, staff, athletic director,
552 athletic coach or athletic trainer employed by a public or private
553 institution of higher education who is eighteen years of age or older,
554 excluding student employees, (14) any social worker, (15) any police
555 officer, (16) any juvenile or adult probation officer, (17) any juvenile or
556 adult parole officer, (18) any member of the clergy, (19) any
557 pharmacist, (20) any physical therapist, (21) any optometrist, (22) any
558 chiropractor, (23) any podiatrist, (24) any mental health professional,
559 [or] (25) any physician assistant, (26) any person who is a licensed or
560 certified emergency medical services provider, (27) any person who is
561 a licensed or certified alcohol and drug counselor, (28) any person who
562 is a licensed marital and family therapist, (29) any person who is a
563 sexual assault counselor or a domestic violence counselor, as defined
564 in section 52-146k, (30) any person who is a licensed professional
565 counselor, (31) any person who is a licensed foster parent, (32) any
566 person paid to care for a child in any public or private facility, child
567 day care center, group day care home or family day care home licensed
568 by the state, (33) any employee of the Department of Children and
569 Families, (34) any employee of the Department of Public Health who is
570 responsible for the licensing of child day care centers, group day care
571 homes, family day care homes or youth camps, (35) any paid youth
572 camp director or assistant director, (36) the Child Advocate and any
573 employee of the Office of the Child Advocate, and (37) any family
574 relations counselor, family relations counselor trainee or family
575 services supervisor employed by the Judicial Department.

576 Sec. 7. Section 17a-101i of the general statutes is repealed and the
577 following is substituted in lieu thereof (*Effective October 1, 2014*):

578 (a) Notwithstanding any provision of the general statutes, not later
579 than five working days after an investigation [has been completed and
580 the Commissioner of Children and Families, based upon the results of
581 the investigation, (1) has reasonable cause to believe] of a report that a
582 child has been abused or neglected by a school employee, as defined in
583 section 53a-65, [who has been entrusted with the care of a child and
584 who holds a certificate, permit or authorization issued by the State
585 Board of Education, or (2) has recommended that such employee be
586 placed on the Department of Children and Families child abuse and
587 neglect registry established pursuant to section 17a-101k, the
588 commissioner] has been completed, the Commissioner of Children and
589 Families shall [, not later than five working days after such finding,]
590 notify the employing superintendent and the Commissioner of
591 Education of [such finding] the results of such investigation and shall
592 provide records, whether or not created by the department, concerning
593 such investigation to the superintendent and the Commissioner of
594 Education. [The superintendent shall suspend such school employee.]
595 The Commissioner of Children and Families shall provide such notice
596 whether or not the child was a student in the employing school or
597 school district. If (1) the Commissioner of Children and Families, based
598 upon the results of the investigation, has reasonable cause to believe
599 that a child has been abused or neglected by such employee, and (2)
600 the commissioner recommends such school employee be placed on the
601 child abuse and neglect registry established pursuant to section 17a-
602 101k, the superintendent shall suspend such school employee. Such
603 suspension shall be with pay and shall not result in the diminution or
604 termination of benefits to such employee. Not later than seventy-two
605 hours after such suspension the superintendent shall notify the local or
606 regional board of education and the Commissioner of Education, or
607 the commissioner's representative, of the reasons for and conditions of
608 the suspension. The superintendent shall disclose such records to the
609 Commissioner of Education and the local or regional board of
610 education or its attorney for purposes of review of employment status
611 or the status of such employee's certificate, permit or authorization.

612 The suspension of a school employee employed in a position requiring
613 a certificate shall remain in effect until the board of education acts
614 pursuant to the provisions of section 10-151. If the contract of
615 employment of such certified school employee is terminated, or such
616 certified school employee resigns such employment, the
617 superintendent shall notify the Commissioner of Education, or the
618 commissioner's representative, within seventy-two hours after such
619 termination or resignation. Upon receipt of such notice from the
620 superintendent, the Commissioner of Education may commence
621 certification revocation proceedings pursuant to the provisions of
622 subsection (i) of section 10-145b. Notwithstanding the provisions of
623 sections 1-210 and 1-211, information received by the Commissioner of
624 Education, or the commissioner's representative, pursuant to this
625 section shall be confidential subject to regulations adopted by the State
626 Board of Education under section 10-145g.

627 (b) Not later than five working days after an investigation of a
628 report that a child has been abused or neglected by a staff member of a
629 public or private institution or facility that provides care for children
630 or private school has been completed, [if] the Commissioner of
631 Children and Families shall notify such staff member's employer at
632 such institution, facility or school, or such employer's designee, of the
633 results of the investigation. If (1) the Commissioner of Children and
634 Families, based upon the results of the investigation, has reasonable
635 cause to believe that a child has been abused or neglected by [a] such
636 staff member, [of a public or private institution or facility providing
637 care for children or private school,] and (2) the commissioner
638 recommends that such staff member be placed on the child abuse and
639 neglect registry established pursuant to section 17a-101k, such
640 institution, facility or school [or facility] shall suspend such staff
641 person. Such suspension shall be with pay and shall not result in
642 diminution or termination of benefits to such staff person. Such
643 suspension shall remain in effect until the incident of abuse or neglect
644 has been satisfactorily resolved by the employer of the staff person or

645 until an appeal, conducted in accordance with section 17a-101k, has
646 resulted in a finding that such staff person is not responsible for the
647 abuse or neglect or does not pose a risk to the health, safety or well-
648 being of children. If such staff member has a professional license or
649 certificate issued by the state or a permit or authorization issued by the
650 State Board of Education or if such institution, school or facility has a
651 license or approval issued by the state, the commissioner shall
652 forthwith notify the state agency responsible for issuing such license,
653 certificate, permit, approval or authorization to the staff member and
654 provide records, whether or not created by the department, concerning
655 such investigation.

656 (c) If a school employee, as defined in section 53a-65, or any person
657 holding a certificate, permit or authorization issued by the State Board
658 of Education under the provisions of sections 10-144o to 10-149,
659 inclusive, is convicted of a crime involving an act of child abuse or
660 neglect as described in section 46b-120, as amended by this act, or a
661 violation of section 53-21, 53a-71 or 53a-73a, the state's attorney for the
662 judicial district in which the conviction occurred shall in writing notify
663 the superintendent of the school district or the supervisory agent of the
664 nonpublic school in which the person is employed and the
665 Commissioner of Education of such conviction.

666 (d) For the purposes of receiving and making reports, notifying and
667 receiving notification, or investigating, pursuant to the provisions of
668 sections 17a-101a to 17a-101h, inclusive, and 17a-103, a superintendent
669 of a school district or a supervisory agent of a nonpublic school may
670 assign a designee to act on such superintendent's or agent's behalf.

671 (e) On or before February 1, 2012, each local and regional board of
672 education shall adopt a written policy, in accordance with the
673 provisions of subsection (d) of section 17a-101, regarding the reporting
674 by school employees, as defined in section 53a-65, of suspected child
675 abuse in accordance with sections 17a-101a to 17a-101d, inclusive, and
676 17a-103. Such policy shall be distributed annually to all school

677 employees employed by the local or regional board of education. The
678 local or regional board of education shall document that all such
679 school employees have received such written policy and completed the
680 training and refresher training programs required by subsection (c) of
681 section 17a-101.

682 (f) (1) All school employees, as defined in section 53a-65, hired by a
683 local or regional board of education on or after July 1, 2011, shall be
684 required to complete the training program developed pursuant to
685 subsection (c) of section 17a-101. All such school employees shall
686 complete the refresher training program, developed pursuant to
687 subsection (c) of section 17a-101, not later than three years after
688 completion of the initial training program, and shall thereafter retake
689 such refresher training course at least once every three years.

690 (2) On or before July 1, 2012, all school employees, as defined in
691 section 53a-65, hired by a local or regional board of education before
692 July 1, 2011, shall complete the refresher training program developed
693 pursuant to subsection (c) of section 17a-101 and shall thereafter retake
694 such refresher training course at least once every three years.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	17a-28
Sec. 2	<i>October 1, 2014</i>	17b-90(b)
Sec. 3	<i>October 1, 2014</i>	New section
Sec. 4	<i>October 1, 2014</i>	17a-106a(a)
Sec. 5	<i>October 1, 2014</i>	46b-120(8)
Sec. 6	<i>October 1, 2014</i>	17a-101(b)
Sec. 7	<i>October 1, 2014</i>	17a-101i

Statement of Purpose:

To better protect children within the state by expanding the avenues by which information is shared between the Department of Children and Families and other agencies and entities within the state; enhancing the protection of child victims of trafficking; increasing the

number of mandated reporters; and making clarifying changes to the statutes involving the abuse and neglect of children.

[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.]