



General Assembly

**Substitute Bill No. 5040**

February Session, 2014



**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2 statutes is repealed and the following is substituted in lieu thereof  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 the Department of  
161 Public Health when the Department of Children and Families places  
162 an individual licensed or certified by the Department of Public Health  
163 on the child abuse and neglect registry pursuant to section 17a-101k; or  
164 (E) notifying the Department of Public Health when the Department of  
165 Children and Families possesses information regarding a Department  
166 of Public Health regulatory violation committed by an individual  
167 licensed or certified by the Department of Public Health;

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, or (B) when  
223 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; [and]

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 birth-to-three program's referral intake office for the  
238 purpose of (A) determining eligibility of, (B) facilitating enrollment for,  
239 and (C) providing services to (i) substantiated victims of child abuse  
240 and neglect with suspected developmental delays, and (ii) newborns  
241 impacted by withdrawal symptoms resulting from prenatal drug  
242 exposure.

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

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

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

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

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

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

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

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

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

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

292 (10) An individual or agency involved in the collection of fees for  
293 services, provided such information is limited to the name and address  
294 of the person who received the services and the fees for services,  
295 except as provided in section 17b-225. In cases where a dispute arises  
296 over such fees or claims or where additional information is needed to  
297 substantiate the fee or claim, the Department of Children and Families

298 may disclose the following: (A) That the person was, in fact, provided  
299 services by the department; (B) the dates and duration of such services;  
300 and (C) a general description of the types of services, including  
301 evidence that a service or treatment plan exists and has been carried  
302 out and evidence to substantiate the necessity for admission and  
303 length of stay in an institution or facility;

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

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

316 (13) Any individual, when information concerning an incident of  
317 child abuse or neglect has been made public or the commissioner  
318 reasonably believes publication of such information is likely, provided  
319 such disclosure is limited to: (A) Whether the department has received  
320 any report in accordance with sections 17a-101a to 17a-101c, inclusive,  
321 or section 17a-103; (B) in general terms, any action taken by the  
322 department, provided: (i) Names or other individually identifiable  
323 information of the child or other family members is not disclosed,  
324 regardless of whether such individually identifiable information is  
325 otherwise available, and (ii) the name or other individually identifiable  
326 information of the person suspected to be responsible for the abuse or  
327 neglect is not disclosed unless such person has been arrested for a  
328 crime due to such abuse or neglect; (C) confirmation or denial of the  
329 accuracy of information that has been made public; and (D)  
330 notwithstanding the provisions of section 46b-124, in general terms,

331 the legal status of the case;

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

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

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

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

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

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

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

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

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

393 Sec. 2. Subsection (b) of section 17b-90 of the 2014 supplement to the  
394 general statutes is repealed and the following is substituted in lieu

395 thereof (*Effective October 1, 2014*):

396 (b) No person shall, except for purposes directly connected with the  
397 administration of programs of the Department of Social Services and in  
398 accordance with the regulations of the commissioner, solicit, disclose,  
399 receive or make use of, or authorize, knowingly permit, participate in  
400 or acquiesce in the use of, any list of the names of, or any information  
401 concerning, persons applying for or receiving assistance from the  
402 Department of Social Services or persons participating in a program  
403 administered by said department, directly or indirectly derived from  
404 the records, papers, files or communications of the state or its  
405 subdivisions or agencies, or acquired in the course of the performance  
406 of official duties. The Commissioner of Social Services shall disclose (1)  
407 to any authorized representative of the Labor Commissioner such  
408 information directly related to unemployment compensation,  
409 administered pursuant to chapter 567 or information necessary for  
410 implementation of sections 17b-688b, 17b-688c and 17b-688h and  
411 section 122 of public act 97-2 of the June 18 special session, (2) to any  
412 authorized representative of the Commissioner of Mental Health and  
413 Addiction Services any information necessary for the implementation  
414 and operation of the basic needs supplement program, (3) to any  
415 authorized representative of the Commissioner of Administrative  
416 Services or the Commissioner of Emergency Services and Public  
417 Protection such information as the Commissioner of Social Services  
418 determines is directly related to and necessary for the Department of  
419 Administrative Services or the Department of Emergency Services and  
420 Public Protection for purposes of performing their functions of  
421 collecting social services recoveries and overpayments or amounts due  
422 as support in social services cases, investigating social services fraud or  
423 locating absent parents of public assistance recipients, (4) to any  
424 authorized representative of the Commissioner of Children and  
425 Families necessary information concerning a child or the immediate  
426 family of a child receiving services from the Department of Social  
427 Services, including safety net services, if (A) the Commissioner of  
428 Children and Families or the Commissioner of Social Services has

429 determined that imminent danger to such child's health, safety or  
430 welfare exists to target the services of the family services programs  
431 administered by the Department of Children and Families, or (B) the  
432 Commissioner of Children and Families requires access to the federal  
433 Parent Locator Service established pursuant to 88 Stat. 2353 (1975), 42  
434 USC 653 in order to identify a parent or putative parent of a child, (5)  
435 to a town official or other contractor or authorized representative of  
436 the Labor Commissioner such information concerning an applicant for  
437 or a recipient of assistance under state-administered general assistance  
438 deemed necessary by the Commissioner of Social Services and the  
439 Labor Commissioner to carry out their respective responsibilities to  
440 serve such persons under the programs administered by the Labor  
441 Department that are designed to serve applicants for or recipients of  
442 state-administered general assistance, (6) to any authorized  
443 representative of the Commissioner of Mental Health and Addiction  
444 Services for the purposes of the behavioral health managed care  
445 program established by section 17a-453, (7) to any authorized  
446 representative of the Commissioner of Public Health to carry out his or  
447 her respective responsibilities under programs that regulate child day  
448 care services or youth camps, (8) to a health insurance provider, in IV-  
449 D support cases, as defined in subdivision (13) of subsection (b) of  
450 section 46b-231, information concerning a child and the custodial  
451 parent of such child that is necessary to enroll such child in a health  
452 insurance plan available through such provider when the noncustodial  
453 parent of such child is under court order to provide health insurance  
454 coverage but is unable to provide such information, provided the  
455 Commissioner of Social Services determines, after providing prior  
456 notice of the disclosure to such custodial parent and an opportunity for  
457 such parent to object, that such disclosure is in the best interests of the  
458 child, (9) to any authorized representative of the Department of  
459 Correction, in IV-D support cases, as defined in subdivision (13) of  
460 subsection (b) of section 46b-231, information concerning noncustodial  
461 parents that is necessary to identify inmates or parolees with IV-D  
462 support cases who may benefit from Department of Correction  
463 educational, training, skill building, work or rehabilitation

464 programming that will significantly increase an inmate's or parolee's  
465 ability to fulfill such inmate's support obligation, (10) to any  
466 authorized representative of the Judicial Branch, in IV-D support cases,  
467 as defined in subdivision (13) of subsection (b) of section 46b-231,  
468 information concerning noncustodial parents that is necessary to: (A)  
469 Identify noncustodial parents with IV-D support cases who may  
470 benefit from educational, training, skill building, work or  
471 rehabilitation programming that will significantly increase such  
472 parent's ability to fulfill such parent's support obligation, (B) assist in  
473 the administration of the Title IV-D child support program, or (C)  
474 assist in the identification of cases involving family violence, (11) to  
475 any authorized representative of the State Treasurer, in IV-D support  
476 cases, as defined in subdivision (13) of subsection (b) of section 46b-  
477 231, information that is necessary to identify child support obligors  
478 who owe overdue child support prior to the Treasurer's payment of  
479 such obligors' claim for any property unclaimed or presumed  
480 abandoned under part III of chapter 32, or (12) to any authorized  
481 representative of the Commissioner of Housing for the purpose of  
482 verifying whether an applicant for the renters rebate program  
483 established by section 12-170d is a recipient of cash assistance from the  
484 Department of Social Services and the amount of such assistance. No  
485 such representative shall disclose any information obtained pursuant  
486 to this section, except as specified in this section. Any applicant for  
487 assistance provided through said department shall be notified that, if  
488 and when such applicant receives benefits, the department will be  
489 providing law enforcement officials with the address of such applicant  
490 upon the request of any such official pursuant to section 17b-16a.

491 Sec. 3. (NEW) (*Effective October 1, 2014*) (a) The Commissioner of  
492 Children and Families may: (1) Provide child welfare services for any  
493 minor child residing in the state who is identified by the Department  
494 of Children and Families as a victim of trafficking, as defined in section  
495 46a-170 of the general statutes; and (2) provide appropriate services to  
496 a minor child residing in the state who the Department of Children  
497 and Families reasonably believes may be a victim of trafficking in

498 order to safeguard the welfare of such minor child. For purposes of  
499 this section and section 17a-106a of the general statutes, "minor child"  
500 means any person under eighteen years of age.

501 (b) The Commissioner of Children and Families may, within  
502 available appropriations, provide training to law enforcement officials  
503 regarding the trafficking of minor children. The training shall include,  
504 but not be limited to, (1) awareness and compliance with the laws and  
505 protocols concerning trafficking of minor children, (2) identification of,  
506 access to and provision of services for minor children who are victims  
507 of trafficking, and (3) any other services the department deems  
508 necessary to carry out the provisions of this section and section 17a-  
509 106a of the general statutes, as amended by this act.

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

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

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

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

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

541 (b) The following persons shall be mandated reporters: (1) Any  
542 physician or surgeon licensed under the provisions of chapter 370, (2)  
543 any resident physician or intern in any hospital in this state, whether  
544 or not so licensed, (3) any registered nurse, (4) any licensed practical  
545 nurse, (5) any medical examiner, (6) any dentist, (7) any dental  
546 hygienist, [or] (8) any psychologist, [a] (9) any school employee, as  
547 defined in section 53a-65, [social worker,] (10) any person who holds or  
548 is issued a coaching permit by the State Board of Education, is a coach  
549 of intramural or interscholastic athletics and is eighteen years of age or  
550 older, (11) any paid coach or director of youth athletics who is eighteen  
551 years of age or older, (12) any paid coach or director of a private youth  
552 sports organization, league or team who is eighteen years of age or  
553 older, (13) any paid administrator, faculty, staff, athletic director,  
554 athletic coach or athletic trainer employed by a public or private  
555 institution of higher education who is eighteen years of age or older,  
556 excluding student employees, (14) any social worker, except a social  
557 worker employed or retained by an attorney or law firm who, in the  
558 course of his or her duties for such attorney or law firm, has  
559 knowledge of a communication from a client of such attorney or law  
560 firm about such client that would otherwise require such social worker  
561 to make a report pursuant to section 17a-101a, (15) any police officer,  
562 (16) any juvenile or adult probation officer, (17) any juvenile or adult

563 parole officer, (18) any member of the clergy, (19) any pharmacist, (20)  
564 any physical therapist, (21) any optometrist, (22) any chiropractor, (23)  
565 any podiatrist, (24) any mental health professional, [or] (25) any  
566 physician assistant, (26) any person who is a licensed or certified  
567 emergency medical services provider, (27) any person who is a  
568 licensed or certified alcohol and drug counselor, (28) any person who  
569 is a licensed marital and family therapist, (29) any person who is a  
570 sexual assault counselor or a domestic violence counselor, as defined  
571 in section 52-146k, (30) any person who is a licensed professional  
572 counselor, (31) any person who is a licensed foster parent, (32) any  
573 person paid to care for a child in any public or private facility, child  
574 day care center, group day care home or family day care home licensed  
575 by the state, (33) any employee of the Department of Children and  
576 Families, (34) any employee of the Department of Public Health who is  
577 responsible for the licensing of child day care centers, group day care  
578 homes, family day care homes or youth camps, (35) any paid youth  
579 camp director or assistant director, (36) the Child Advocate and any  
580 employee of the Office of the Child Advocate, and (37) any family  
581 relations counselor, family relations counselor trainee or family  
582 services supervisor employed by the Judicial Department.

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

585 (a) Notwithstanding any provision of the general statutes, not later  
586 than five working days after an investigation [has been completed and  
587 the Commissioner of Children and Families, based upon the results of  
588 the investigation, (1) has reasonable cause to believe] of a report that a  
589 child has been abused or neglected by a school employee, as defined in  
590 section 53a-65, [who has been entrusted with the care of a child and  
591 who holds a certificate, permit or authorization issued by the State  
592 Board of Education, or (2) has recommended that such employee be  
593 placed on the Department of Children and Families child abuse and  
594 neglect registry established pursuant to section 17a-101k, the  
595 commissioner] has been completed, the Commissioner of Children and

596 Families shall [, not later than five working days after such finding,]  
597 notify the employing superintendent and the Commissioner of  
598 Education of [such finding] the results of such investigation and shall  
599 provide records, whether or not created by the department, concerning  
600 such investigation to the superintendent and the Commissioner of  
601 Education. [The superintendent shall suspend such school employee.]  
602 The Commissioner of Children and Families shall provide such notice  
603 whether or not the child was a student in the employing school or  
604 school district. If (1) the Commissioner of Children and Families, based  
605 upon the results of the investigation, has reasonable cause to believe  
606 that a child has been abused or neglected by such employee, and (2)  
607 the commissioner recommends such school employee be placed on the  
608 child abuse and neglect registry established pursuant to section 17a-  
609 101k, the superintendent shall suspend such school employee. Such  
610 suspension shall be with pay and shall not result in the diminution or  
611 termination of benefits to such employee. Not later than seventy-two  
612 hours after such suspension the superintendent shall notify the local or  
613 regional board of education and the Commissioner of Education, or  
614 the commissioner's representative, of the reasons for and conditions of  
615 the suspension. The superintendent shall disclose such records to the  
616 Commissioner of Education and the local or regional board of  
617 education or its attorney for purposes of review of employment status  
618 or the status of such employee's certificate, permit or authorization.  
619 The suspension of a school employee employed in a position requiring  
620 a certificate shall remain in effect until the board of education acts  
621 pursuant to the provisions of section 10-151. If the contract of  
622 employment of such certified school employee is terminated, or such  
623 certified school employee resigns such employment, the  
624 superintendent shall notify the Commissioner of Education, or the  
625 commissioner's representative, within seventy-two hours after such  
626 termination or resignation. Upon receipt of such notice from the  
627 superintendent, the Commissioner of Education may commence  
628 certification revocation proceedings pursuant to the provisions of  
629 subsection (i) of section 10-145b. Notwithstanding the provisions of  
630 sections 1-210 and 1-211, information received by the Commissioner of

631 Education, or the commissioner's representative, pursuant to this  
632 section shall be confidential subject to regulations adopted by the State  
633 Board of Education under section 10-145g.

634 (b) Not later than five working days after an investigation of a  
635 report that a child has been abused or neglected by a staff member of a  
636 public or private institution or facility that provides care for children  
637 or a private school has been completed, [if] the Commissioner of  
638 Children and Families shall notify such staff member's employer at  
639 such institution, facility or school, or such employer's designee, of the  
640 results of the investigation. If (1) the Commissioner of Children and  
641 Families, based upon the results of the investigation, has reasonable  
642 cause to believe that a child has been abused or neglected by [a] such  
643 staff member, [of a public or private institution or facility providing  
644 care for children or private school,] and (2) the commissioner  
645 recommends that such staff member be placed on the child abuse and  
646 neglect registry established pursuant to section 17a-101k, such  
647 institution, facility or school [or facility] shall suspend such staff  
648 person. Such suspension shall be with pay and shall not result in  
649 diminution or termination of benefits to such staff person. Such  
650 suspension shall remain in effect until the incident of abuse or neglect  
651 has been satisfactorily resolved by the employer of the staff person or  
652 until an appeal, conducted in accordance with section 17a-101k, has  
653 resulted in a finding that such staff person is not responsible for the  
654 abuse or neglect or does not pose a risk to the health, safety or well-  
655 being of children. If such staff member has a professional license or  
656 certificate issued by the state or a permit or authorization issued by the  
657 State Board of Education or if such institution, school or facility has a  
658 license or approval issued by the state, the commissioner shall  
659 forthwith notify the state agency responsible for issuing such license,  
660 certificate, permit, approval or authorization to the staff member and  
661 provide records, whether or not created by the department, concerning  
662 such investigation.

663 (c) If a school employee, as defined in section 53a-65, or any person

664 holding a certificate, permit or authorization issued by the State Board  
665 of Education under the provisions of sections 10-144o to 10-149,  
666 inclusive, is convicted of a crime involving an act of child abuse or  
667 neglect as described in section 46b-120, as amended by this act, or a  
668 violation of section 53-21, 53a-71 or 53a-73a, the state's attorney for the  
669 judicial district in which the conviction occurred shall in writing notify  
670 the superintendent of the school district or the supervisory agent of the  
671 nonpublic school in which the person is employed and the  
672 Commissioner of Education of such conviction.

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

678 (e) On or before February 1, 2012, each local and regional board of  
679 education shall adopt a written policy, in accordance with the  
680 provisions of subsection (d) of section 17a-101, regarding the reporting  
681 by school employees, as defined in section 53a-65, of suspected child  
682 abuse in accordance with sections 17a-101a to 17a-101d, inclusive, and  
683 17a-103. Such policy shall be distributed annually to all school  
684 employees employed by the local or regional board of education. The  
685 local or regional board of education shall document that all such  
686 school employees have received such written policy and completed the  
687 training and refresher training programs required by subsection (c) of  
688 section 17a-101.

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

697 (2) On or before July 1, 2012, all school employees, as defined in  
698 section 53a-65, hired by a local or regional board of education before  
699 July 1, 2011, shall complete the refresher training program developed  
700 pursuant to subsection (c) of section 17a-101 and shall thereafter retake  
701 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    |

**KID**      *Joint Favorable Subst.*

**ED**        *Joint Favorable*