



General Assembly

February Session, 2014

***Raised Bill No. 43***

LCO No. 472



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:  
(KID)

***AN ACT CONCERNING REVISIONS TO THE DEPARTMENT OF CHILDREN AND FAMILIES STATUTES.***

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

1 Section 1. Subsection (d) of section 17a-11 of the 2014 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2014*):

4 (d) (1) Ten months after admitting a child or youth on a voluntary  
5 basis and annually thereafter if the child or youth remains in the  
6 custody of the commissioner and remains placed in a foster home  
7 licensed pursuant to section 17a-114 or a facility licensed pursuant to  
8 section 17a-145, the commissioner shall file a motion for review of a  
9 permanency plan. A hearing on such motion shall be held not later  
10 than thirty days after the filing of such motion. The court shall provide  
11 notice to the child or youth and such child's or youth's parent or  
12 guardian of the time and place of the hearing on such motion not less  
13 than ten days prior to the date of such hearing.

14 (2) At a permanency hearing held in accordance with the provisions

15 of subdivision (1) of this subsection, the court shall approve a  
16 permanency plan that is in the best interests of the child or youth and  
17 takes into consideration the child's or youth's need for permanency.  
18 The health and safety of the child or youth shall be of paramount  
19 concern in formulating such plan. At such hearing, the court shall  
20 consider among other things: (A) The appropriateness of the  
21 department's plan for service to the child or youth and his or her  
22 family; (B) the treatment and support services that have been offered  
23 and provided to the child or youth to strengthen and reunite the  
24 family; (C) if return home is not likely for the child or youth, the efforts  
25 that have been made or should be made to evaluate and plan for other  
26 modes of care; and (D) any further efforts [which] that have been or  
27 will be made to promote the best interests of the child or youth.

28 (3) The permanency plan pursuant to subdivision (2) of this  
29 subsection may include the goal of (A) placement of the child or youth  
30 with the parent or guardian, (B) transfer of guardianship, (C) long-  
31 term foster care with a relative licensed as a foster parent, [or certified  
32 as a relative caregiver,] (D) termination of parental rights and  
33 adoption, or (E) such other planned permanent living arrangement  
34 ordered by the court provided the commissioner has documented a  
35 compelling reason why it would not be in the best interest of the child  
36 or youth for the permanency plan to include the goals in  
37 subparagraphs (A) to (D), inclusive, of this subdivision. Such other  
38 planned permanent living arrangement may include, but not be  
39 limited to, placement of a child or youth in an independent living  
40 program or long-term foster care with an identified foster parent.

41 (4) At a permanency hearing, the court shall review the status of the  
42 child or youth and the progress being made to implement the  
43 permanency plan, determine a timetable for attaining the permanency  
44 prescribed by the plan and determine whether the commissioner has  
45 made reasonable efforts to achieve the permanency plan. At the  
46 conclusion of the hearing, the court may: (A) Direct that the services  
47 being provided, or the placement of the child or youth and

48 reunification efforts, be continued if the court, after hearing,  
49 determines that continuation of the child or youth in services or  
50 placement is in the child's or youth's best interests, or (B) direct that the  
51 child's or youth's services or placement be modified to reflect the  
52 child's or youth's best interest.

53 Sec. 2. Subdivision (13) of section 17a-93 of the 2014 supplement to  
54 the general statutes is repealed and the following is substituted in lieu  
55 thereof (*Effective October 1, 2014*):

56 (13) "Foster family" means a person or persons, licensed [or  
57 certified] by the Department of Children and Families or approved by  
58 a licensed child-placing agency, for the care of a child or children in a  
59 private home;

60 Sec. 3. Subsection (c) of section 17a-111b of the general statutes is  
61 repealed and the following is substituted in lieu thereof (*Effective*  
62 *October 1, 2014*):

63 (c) If the court determines that such efforts are not required, the  
64 court shall, at such hearing or at a hearing held not later than thirty  
65 days after such determination, approve a permanency plan for such  
66 child. The plan may include (1) adoption and a requirement that the  
67 commissioner file a petition to terminate parental rights, (2) long-term  
68 foster care with a relative licensed as a foster parent, [or certified as a  
69 relative caregiver,] (3) transfer of guardianship, or (4) such other  
70 planned permanent living arrangement as may be ordered by the  
71 court, provided the commissioner has documented a compelling  
72 reason why it would not be in the best interests of the child for the  
73 permanency plan to include one of the options set forth in subdivisions  
74 (1) to (3), inclusive, of this subsection. The child's health and safety  
75 shall be of paramount concern in formulating such plan.

76 Sec. 4. Section 17a-114a of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective October 1, 2014*):

78 A person licensed [or certified] pursuant to section 17a-114 shall be  
79 liable for any act or omission resulting in personal injury to a child  
80 placed in his care by the Commissioner of Children and Families to the  
81 same extent as a biological parent is liable for any act or omission  
82 resulting in personal injury to a biological child in his care.

83 Sec. 5. (NEW) (*Effective October 1, 2014*) (a) The Commissioner of  
84 Children and Families may, within available appropriations, provide  
85 funds to a foster family, as defined in subdivision (13) of section 17a-93  
86 of the general statutes, as amended by this act, or prospective adoptive  
87 family, as defined in subdivision (14) of said section, who is or will be  
88 caring for a foster child with physical disabilities, as defined in section  
89 1-1f of the general statutes, for the purpose of modifying the foster  
90 family's or prospective adoptive family's principal residence to safely  
91 accommodate such child. The type of modification and the amount of  
92 the funds to be provided shall be determined by the commissioner or  
93 the commissioner's designee. The commissioner or the commissioner's  
94 designee shall take into consideration any available income and  
95 resources of the foster family or prospective adoptive family when  
96 determining the modification and the amount of the funds to be  
97 provided and may, at any time, modify, suspend or discontinue the  
98 provision of such funds.

99 (b) The foster family or prospective adoptive family shall repay fifty  
100 per cent of the funds provided pursuant to subsection (a) of this  
101 section, minus ten per cent for each year such child resides in the  
102 residence. The calculation of the ten per cent reduction shall commence  
103 from the date of the final provision of funds to the foster family or  
104 prospective adoptive family. The schedule for repayment of such  
105 funds shall be prescribed by the commissioner or the commissioner's  
106 designee.

107 (c) The commissioner or the commissioner's designee may place a  
108 lien against the residence for which the funds are provided to secure  
109 the claim of the state for an amount equal to fifty per cent of the funds

110 provided by the commissioner or the commissioner's designee minus  
111 ten per cent for each year such child resides in the residence. Such lien  
112 shall have priority over all other unsecured claims and unrecorded  
113 encumbrances. Such lien may be released by the commissioner or the  
114 commissioner's designee at his or her discretion.

115 (d) The Attorney General shall collect any claim the state may have  
116 under this section against the foster family or prospective adoptive  
117 family, and any amount recovered shall be paid to the State Treasurer,  
118 to be deposited in the General Fund. The statute of limitations shall not  
119 apply to any action for such collection.

120 Sec. 6. Subdivision (10) of subsection (g) of section 17a-28 of the 2014  
121 supplement to the general statutes is repealed and the following is  
122 substituted in lieu thereof (*Effective from passage*):

123 (10) The Governor, when requested in writing in the course of the  
124 Governor's official functions, the Legislative Program Review and  
125 Investigations Committee, the joint standing committee of the General  
126 Assembly having cognizance of matters relating to human services, the  
127 joint standing committee of the General Assembly having cognizance  
128 of matters relating to the judiciary or the [select] joint standing  
129 committee of the General Assembly having cognizance of matters  
130 relating to children, when requested in writing in the course of said  
131 committee's official functions, and upon a majority vote of said  
132 committee, provided no name or other identifying information is  
133 disclosed unless such information is essential to the gubernatorial or  
134 legislative purpose;

135 Sec. 7. Section 17a-106e of the 2014 supplement to the general  
136 statutes is repealed and the following is substituted in lieu thereof  
137 (*Effective from passage*):

138 (a) (1) On and after October 1, 2013, the Department of Children and  
139 Families shall, within available appropriations, ensure that each child  
140 thirty-six months of age or younger who has been substantiated as a

141 victim of abuse or neglect is screened for both developmental and  
142 social-emotional delays using validated assessment tools such as the  
143 Ages and Stages and the Ages and Stages-Social/Emotional  
144 Questionnaires, or their equivalents. The department shall ensure that  
145 such screenings are administered to any such child twice annually,  
146 unless such child has been found to be eligible for the birth-to-three  
147 program, established under section 17a-248b.

148 (2) On and after July 1, 2015, the department shall ensure that each  
149 child thirty-six months of age or younger who is being served through  
150 the department's [differential] family assessment response program,  
151 established under section 17a-101g, is screened for both developmental  
152 and social-emotional delays using validated assessment tools such as  
153 the Ages and Stages and the Ages and Stages-Social/Emotional  
154 Questionnaires, or their equivalents, unless such child has been found  
155 to be eligible for the birth-to-three program.

156 (b) The department shall refer any child exhibiting developmental  
157 or social-emotional delays pursuant to such screenings to the birth-to-  
158 three program. The department shall refer any child who is not found  
159 eligible for services under the birth-to-three program to the Help Me  
160 Grow prevention program of the Children's Trust Fund or a similar  
161 program [which] that the department deems appropriate.

162 (c) Not later than July 1, 2014, and annually thereafter, the  
163 department shall submit, in accordance with the provisions of section  
164 11-4a, a report to the joint standing committee of the General Assembly  
165 having cognizance of matters relating to children for inclusion in the  
166 annual report card prepared pursuant to section 2-53m on the status of  
167 the screening and referral program authorized pursuant to subsection  
168 (a) of this section. Such report shall include: (1) The number of children  
169 thirty-six months of age or younger within the state who have been  
170 substantiated as victims of abuse or neglect within the preceding  
171 twelve months; (2) the number of children thirty-six months of age or  
172 younger within the state who have been served through the

173 department's [differential] family assessment response program within  
 174 the preceding twelve months; (3) the number of children who were  
 175 screened for developmental and social-emotional delays pursuant to  
 176 subsection (a) of this section by the department or by a provider  
 177 contracted by the department within the preceding twelve months; (4)  
 178 the number of children in subdivisions (1) and (2) of this subsection  
 179 referred for evaluation under the birth-to-three program within the  
 180 preceding twelve months, the number of such children actually  
 181 evaluated under such program, the number of such children found  
 182 eligible for services under such program and the services for which  
 183 such children were found eligible under such program; and (5) the  
 184 number of children described in subdivisions (1) and (2) of this  
 185 subsection receiving evidence-based developmental support services  
 186 through the birth-to-three program or through a provider contracted  
 187 by the department within the preceding twelve months.

188 Sec. 8. Section 17a-63a of the general statutes is repealed. (*Effective*  
 189 *October 1, 2014*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	17a-11(d)
Sec. 2	<i>October 1, 2014</i>	17a-93(13)
Sec. 3	<i>October 1, 2014</i>	17a-111b(c)
Sec. 4	<i>October 1, 2014</i>	17a-114a
Sec. 5	<i>October 1, 2014</i>	New section
Sec. 6	<i>from passage</i>	17a-28(g)(10)
Sec. 7	<i>from passage</i>	17a-106e
Sec. 8	<i>October 1, 2014</i>	Repealer section

**Statement of Purpose:**

To improve the effectiveness and efficiency of the Department of Children and Families by making minor changes to the statutes involving the department.

*[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.]*