
OLR Bill Analysis

sSB 43

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

SUMMARY:

This bill allows the Department of Children and Families (DCF), within available appropriations, to provide funds to foster or prospective adoptive families to make home modifications to safely accommodate a foster child with physical disabilities. If a child remains in the home for five years or more after DCF provides the money, there is no repayment requirement, but if the child remains for less than five years, the bill (1) requires the family to repay up to 50% of the funds and (2) allows DCF to place a lien for up to 50% of the funds against the family's home and requires the attorney general to collect on the lien. (The maximum repayment and lien amounts drop by 10% for each year up to five the child remains in the home.)

The bill also:

1. eliminates requirements that DCF measure and report on private provider outcomes,
2. eliminates references to "certified relative caregivers" to conform with current practice, and
3. makes other minor and technical changes.

EFFECTIVE DATE: October 1, 2014, except for two sections that make minor technical changes, which are effective upon passage.

§ 5 – HOME MODIFICATION FUNDS FOR FOSTER AND PROSPECTIVE ADOPTIVE FAMILIES

The bill allows DCF, within available appropriations, to provide funds to a foster or prospective adoptive family to modify the family's principal residence to safely accommodate a foster child with physical

disabilities. The commissioner or her designee must determine the type of modification and amount of funds to provide, taking into account any available income and resources the family has at the time. DCF may modify, suspend, or discontinue the funds at any time.

Repayment of Funds

Under the bill, the family does not have to repay the funds if the child stays in the home for five years or more. Otherwise, it must repay an annually decreasing share as follows:

1. less than one year, 50%;
2. one year, 40%;
3. two years, 30%;
4. three years, 20%; and
5. four years, 10%.

The annual repayment reduction must be calculated starting from the last date the department provided funds to the family.

Lien Placement

The bill allows DCF to place a lien against the family's home for up to 50% of the funds the department provides minus any applicable annual repayment reduction. The bill gives the lien priority over all other unsecured claims and unrecorded encumbrances on the home. DCF may release the lien at its discretion.

The bill requires the attorney general to collect any claim the state has under the bill against the family, and requires him to pay the amount recovered to the state treasurer for deposit in the General Fund. The bill exempts such a collection action from the statute of limitations.

§ 8 – MEASUREMENT OF PROVIDER OUTCOMES

The bill eliminates requirements that DCF:

1. determine measurable outcomes for each type of service a private provider provides under its contract with the

department;

2. incorporate the outcomes into the provider contract;
3. include outcome achievement and other quality indicators in annual evaluations of each provider; and
4. report annually to the Human Services committee its progress in implementing such steps.

§§ 1 – 4 CERTIFIED RELATIVE CAREGIVERS

The bill conforms the law to current DCF practice by eliminating references to certified relative caregivers. DCF stopped certifying relative caregivers approximately 10 years ago when the federal government began requiring all caregivers to be licensed in order to be eligible for federal Title IV-E (foster care and adoption services) reimbursement.

§ 7 – FAMILY ASSESSMENT RESPONSE PROGRAM

The bill replaces obsolete references to the “differential response” program with the “family assessment response” program. PA 13-54 renamed the DCF differential response program the family assessment response program. Under this program, when DCF receives a report of child abuse or neglect, it can make referrals to appropriate community providers for family assessment and services either when it decides not to investigate a case that it classifies as presenting a lower safety risk or, if it decides to investigate, at any time during the investigation.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 8 Nay 4 (03/04/2014)