



General Assembly

January Session, 2015

**Raised Bill No. 6899**

LCO No. 4247



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:  
(KID)

**AN ACT EXPANDING GUARDIANSHIP OPPORTUNITIES FOR CHILDREN AND IMPLEMENTING PROVISIONS OF THE FEDERAL PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT.**

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

1 Section 1. (NEW) (*Effective July 1, 2015*) (a) For purposes of this  
2 section:

3 (1) "Caregiver" means (A) a person who holds a license issued by  
4 the Department of Children and Families to provide foster care, (B) a  
5 person who has been approved to provide foster care by a child-  
6 placing agency licensed pursuant to section 17a-149 of the general  
7 statutes, (C) a relative or fictive kin caregiver, as defined in section 17a-  
8 114 of the general statutes, as amended by this act, or (D) an operator  
9 or official of a child-placing agency licensed pursuant to section 17a-  
10 149 of the general statutes in which a child has been placed;

11 (2) "Reasonable and prudent parent standard" means the standard  
12 characterized by careful and sensible parental decisions that maintain  
13 the health, safety and best interests of a child;

14 (3) "Normal childhood activities" means extracurricular, enrichment

15 and social activities that may include, but not be limited to, overnight  
16 activities outside the direct supervision of the caregiver for periods of  
17 up to seventy-two hours; and

18 (4) "Age appropriate or developmentally appropriate" means (A)  
19 activities or items that are generally accepted as suitable for children of  
20 the same chronological age or maturity level or that are determined to  
21 be developmentally appropriate for a child based on the cognitive,  
22 emotional, physical and behavioral capacities that are typical for an  
23 age or age group; or (B) in the case of a specific child, activities or items  
24 that are suitable for such child based on such child's cognitive,  
25 emotional, physical and behavioral capacities.

26 (b) A caregiver shall have the authority, without prior approval of  
27 the department, Court of Probate or Superior Court, to allow a child in  
28 his or her care that is the subject of a service plan or safety plan to  
29 participate in normal childhood activities that are age appropriate or  
30 developmentally appropriate for such child based on a reasonable and  
31 prudent parent standard, provided such activities comply with  
32 provisions included in any existing service plan or safety plan  
33 established by the department or court order. The Commissioner of  
34 Children and Families may, upon written request from a caregiver,  
35 approve a child in the care of such caregiver to participate in normal  
36 childhood activities that deviate from an existing service plan or safety  
37 plan established by the department or court order.

38 (c) (1) A representative of the department shall document the child's  
39 interest in and pursuit of normal childhood activities during regular  
40 home visits and document the child's participation in normal  
41 childhood activities that are age appropriate or developmentally  
42 appropriate in such child's service plan and safety plan.

43 (2) A representative of the department shall document a child's  
44 interest in and pursuit of normal childhood activities that are age  
45 appropriate or developmentally appropriate during regular meetings

46 with the parents of such child. A representative of the department  
47 shall communicate to the caregiver of such child the opinions of the  
48 parents of such child regarding the child's participation in normal  
49 childhood activities so that the caregiver may consider the opinions of  
50 the parents of such child in the provision of care to the child.

51 (d) The department, caregiver, child-placing agency or child care  
52 facility, as defined in section 17a-93 of the general statutes, or any  
53 other private entity under contract with the state shall not be liable for  
54 any injury to a child that occurs as a result of a caregiver allowing a  
55 child to participate in normal childhood activities pursuant to  
56 subsection (b) of this section, unless the acts or omissions of the  
57 department, caregiver, child-placing agency or child care facility or  
58 any other private entity under contract with the state that cause such  
59 injury constitute gross, wilful or wanton negligence. The provisions of  
60 this subsection shall not be construed to remove or limit any existing  
61 liability protection afforded by law.

62 (e) Any private entity that contracts with the department to provide  
63 placement services to children in the legal custody of the department  
64 shall have policies consistent with this section. Policies that are not  
65 consistent with this section include those that are incompatible with,  
66 contradictory to or more restrictive than those provided in this section.

67 Sec. 2. Subsection (d) of section 17a-11 of the general statutes is  
68 repealed and the following is substituted in lieu thereof (*Effective July*  
69 *1, 2015*):

70 (d) (1) Ten months after admitting a child or youth on a voluntary  
71 basis and annually thereafter if the child or youth remains in the  
72 custody of the commissioner and remains placed (A) in a foster home  
73 licensed pursuant to section 17a-114, as amended by this act, (B) in a  
74 foster home approved by a child-placing agency licensed pursuant to  
75 section 17a-149, or (C) in a facility licensed pursuant to section 17a-145,  
76 as amended by this act, the commissioner shall file a motion for review

77 of a permanency plan. A hearing on such motion shall be held not later  
78 than thirty days after the filing of such motion. The court shall provide  
79 notice to the child or youth and such child's or youth's parent or  
80 guardian of the time and place of the hearing on such motion not less  
81 than ten days prior to the date of such hearing.

82 (2) At a permanency hearing held in accordance with the provisions  
83 of subdivision (1) of this subsection, the court shall approve a  
84 permanency plan that is in the best interests of the child or youth and  
85 takes into consideration the child's or youth's need for permanency.  
86 The health and safety of the child or youth shall be of paramount  
87 concern in formulating such plan. At such hearing, the court shall  
88 consider among other things: (A) The appropriateness of the  
89 department's plan for service to the child or youth and his or her  
90 family; (B) the treatment and support services that have been offered  
91 and provided to the child or youth to strengthen and reunite the  
92 family; (C) if return home is not likely for the child or youth, the efforts  
93 that have been made or should be made to evaluate and plan for other  
94 modes of care; and (D) any further efforts which have been or will be  
95 made to promote the best interests of the child or youth.

96 (3) The permanency plan approved pursuant to subdivision (2) of  
97 this subsection may include the goal of (A) placement of the child or  
98 youth with the parent or guardian, (B) transfer of guardianship, (C)  
99 [long-term foster care with a relative licensed as a foster parent or  
100 certified as a relative caregiver, (D)] termination of parental rights and  
101 adoption, or [(E)] (D) for a youth, such other planned permanent living  
102 arrangement ordered by the court, provided the commissioner has  
103 documented a compelling reason why it would not be in the best  
104 interest of the [child or] youth for the permanency plan to include the  
105 goals in subparagraphs (A) to [(D)] (C), inclusive, of this subdivision.  
106 Such other planned permanent living arrangement may include, but  
107 not be limited to, placement of a [child or] youth in an independent  
108 living program or long-term foster care with an identified foster  
109 parent.

110 (4) At a permanency hearing, the court shall review the status of the  
111 child or youth and the progress being made to implement the  
112 permanency plan, determine a timetable for attaining the permanency  
113 prescribed by the plan and determine whether the commissioner has  
114 made reasonable efforts to achieve the permanency plan. At the  
115 conclusion of the hearing, the court may: (A) Direct that the services  
116 being provided, or the placement of the child or youth and  
117 reunification efforts, be continued if the court, after hearing,  
118 determines that continuation of the child or youth in services or  
119 placement is in the child's or youth's best interests, or (B) direct that the  
120 child's or youth's services or placement be modified to reflect the  
121 child's or youth's best interest.

122 (5) If the permanency plan for a youth includes the goal of such  
123 other planned permanent living arrangement pursuant to  
124 subparagraph (D) of subdivision (3) of this subsection, the department  
125 shall document for the court: (A) The manner and frequency of efforts  
126 made by the department to return the youth home or to secure  
127 placement for the youth with a fit and willing relative, legal guardian  
128 or adoptive parent; and (B) the steps the department has taken to  
129 ensure (i) the youth's foster family home or child care institution is  
130 following a reasonable and prudent parent standard, as defined in  
131 section 1 of this act; and (ii) the youth has regular opportunities to  
132 engage in age appropriate and developmentally appropriate activities,  
133 as defined in section 1 of this act.

134 (6) If the permanency plan for a youth includes the goal of such  
135 other planned permanent living arrangement pursuant to  
136 subparagraph (D) of subdivision (3) of this subsection, the court shall  
137 (A) ask the youth about his or her desired permanency outcome; (B)  
138 make a judicial determination that, as of the date of hearing, such other  
139 planned permanent living arrangement is the best permanency plan  
140 for the youth; and (C) document the compelling reasons why it is not  
141 in the best interest of the child to return home or to be placed with a fit  
142 and willing relative, legal guardian or adoptive parent.

143 Sec. 3. Subsection (c) of section 17a-111b of the general statutes is  
144 repealed and the following is substituted in lieu thereof (*Effective July*  
145 *1, 2015*):

146 (c) If the court determines that such efforts are not required, the  
147 court shall, at such hearing or at a hearing held not later than thirty  
148 days after such determination, approve a permanency plan for such  
149 child. The plan may include (1) adoption and a requirement that the  
150 commissioner file a petition to terminate parental rights, (2) [long-term  
151 foster care with a relative licensed as a foster parent or certified as a  
152 relative caregiver, (3)] transfer of guardianship, or ~~[(4)]~~ (3) for a youth,  
153 such other planned permanent living arrangement as may be ordered  
154 by the court, provided the commissioner has documented a  
155 compelling reason why it would not be in the best interests of the  
156 [child] youth for the permanency plan to include one of the options set  
157 forth in [subdivisions (1) to (3), inclusive,] subdivision (1) or (2) of this  
158 subsection. The [child's] youth's health and safety shall be of  
159 paramount concern in formulating such plan. If the permanency plan  
160 for a youth includes such other planned permanent living arrangement  
161 pursuant to subdivision (3) of this subsection, the provisions of  
162 subdivisions (3) to (5), inclusive, of subsection (k) of section 46b-129, as  
163 amended by this act, shall be applicable.

164 Sec. 4. Subsection (k) of section 46b-129 of the general statutes is  
165 repealed and the following is substituted in lieu thereof (*Effective July*  
166 *1, 2015*):

167 (k) (1) Nine months after placement of the child or youth in the care  
168 and custody of the commissioner pursuant to a voluntary placement  
169 agreement, or removal of a child or youth pursuant to section 17a-101g  
170 or an order issued by a court of competent jurisdiction, whichever is  
171 earlier, the commissioner shall file a motion for review of a  
172 permanency plan if the child or youth has not reached his or her  
173 eighteenth birthday. Nine months after a permanency plan has been  
174 approved by the court pursuant to this subsection or subdivision (5) of

175 subsection (j) of this section, the commissioner shall file a motion for  
176 review of the permanency plan. Any party seeking to oppose the  
177 commissioner's permanency plan, including a relative of a child or  
178 youth by blood or marriage who has intervened pursuant to  
179 subsection (d) of this section and is licensed as a foster parent for such  
180 child or youth or is vested with such child's or youth's temporary  
181 custody by order of the court, shall file a motion in opposition not later  
182 than thirty days after the filing of the commissioner's motion for  
183 review of the permanency plan, which motion shall include the reason  
184 therefor. A permanency hearing on any motion for review of the  
185 permanency plan shall be held not later than ninety days after the  
186 filing of such motion. The court shall hold evidentiary hearings in  
187 connection with any contested motion for review of the permanency  
188 plan and credible hearsay evidence regarding any party's compliance  
189 with specific steps ordered by the court shall be admissible at such  
190 evidentiary hearings. The commissioner shall have the burden of  
191 proving that the proposed permanency plan is in the best interests of  
192 the child or youth. After the initial permanency hearing, subsequent  
193 permanency hearings shall be held not less frequently than every  
194 twelve months while the child or youth remains in the custody of the  
195 Commissioner of Children and Families or, if the youth is over  
196 eighteen years of age, while the youth remains in voluntary placement  
197 with the department. The court shall provide notice to the child or  
198 youth, the parent or guardian of such child or youth, and any  
199 intervenor of the time and place of the court hearing on any such  
200 motion not less than fourteen days prior to such hearing.

201 (2) At a permanency hearing held in accordance with the provisions  
202 of subdivision (1) of this subsection, the court shall approve a  
203 permanency plan that is in the best interests of the child or youth and  
204 takes into consideration the child's or youth's need for permanency.  
205 The child's or youth's health and safety shall be of paramount concern  
206 in formulating such plan. Such permanency plan may include the goal  
207 of (A) revocation of commitment and reunification of the child or

208 youth with the parent or guardian, with or without protective  
209 supervision; (B) transfer of guardianship or permanent legal  
210 guardianship; (C) [long-term foster care with a relative licensed as a  
211 foster parent; (D)] filing of termination of parental rights and adoption;  
212 or [(E)] (D) for a youth, another planned permanent living  
213 arrangement ordered by the court, provided the Commissioner of  
214 Children and Families has documented a compelling reason why it  
215 would not be in the best interests of the child or youth for the  
216 permanency plan to include the goals in subparagraphs (A) to [(D)]  
217 (C), inclusive, of this subdivision. Such other planned permanent  
218 living arrangement may include, but not be limited to, placement of a  
219 child or youth in an independent living program or long term foster  
220 care with an identified foster parent.

221 (3) If the permanency plan for a youth includes the goal of another  
222 planned permanent living arrangement pursuant to subparagraph (D)  
223 of subdivision (2) of this subsection or subdivision (3) of subsection (c)  
224 of section 17a-111b, as amended by this act, the department shall  
225 document for the court: (A) The manner and frequency of efforts made  
226 by the department to return the youth home or to secure placement for  
227 the youth with a fit and willing relative, legal guardian or adoptive  
228 parent; and (B) the steps the department has taken to ensure (i) the  
229 youth's foster family home or child care institution is following a  
230 reasonable and prudent parent standard, as defined in section 1 of this  
231 act; and (ii) the youth has regular opportunities to engage in age  
232 appropriate and developmentally appropriate activities, as defined in  
233 section 1 of this act.

234 [(3)] (4) At a permanency hearing held in accordance with the  
235 provisions of subdivision (1) of this subsection, the court shall (A) ask  
236 the child or youth about his or her desired permanency outcome, (B)  
237 review the status of the child [,] or youth, (C) review the progress  
238 being made to implement the permanency plan, (D) determine a  
239 timetable for attaining the permanency plan, (E) determine the services  
240 to be provided to the parent if the court approves a permanency plan



241 of reunification and the timetable for such services, and (F) determine  
242 whether the commissioner has made reasonable efforts to achieve the  
243 permanency plan. The court may revoke commitment if a cause for  
244 commitment no longer exists and it is in the best interests of the child  
245 or youth.

246 (5) If the permanency plan for a youth includes the goal of another  
247 planned permanent living arrangement pursuant to subparagraph (D)  
248 of subdivision (2) of this subsection, the court shall (A) ask the youth  
249 about his or her desired permanency outcome; (B) make a judicial  
250 determination that, as of the date of hearing, another planned  
251 permanent living arrangement is the best permanency plan for the  
252 youth; and (C) document the compelling reasons why it is not in the  
253 best interest of the child to return home or to be placed with a fit and  
254 willing relative, legal guardian or adoptive parent.

255 [(4)] (6) If the court approves the permanency plan of adoption: (A)  
256 The Commissioner of Children and Families shall file a petition for  
257 termination of parental rights not later than sixty days after such  
258 approval if such petition has not previously been filed; (B) the  
259 commissioner may conduct a thorough adoption assessment and  
260 child-specific recruitment; and (C) the court may order that the child  
261 be photo-listed within thirty days if the court determines that such  
262 photo-listing is in the best interests of the child. As used in this  
263 subdivision, "thorough adoption assessment" means conducting and  
264 documenting face-to-face interviews with the child, foster care  
265 providers and other significant parties and "child specific recruitment"  
266 means recruiting an adoptive placement targeted to meet the  
267 individual needs of the specific child, including, but not limited to, use  
268 of the media, use of photo-listing services and any other in-state or  
269 out-of-state resources that may be used to meet the specific needs of  
270 the child, unless there are extenuating circumstances that indicate that  
271 such efforts are not in the best interests of the child.

272 Sec. 5. Section 46b-141 of the general statutes is repealed and the

273 following is substituted in lieu thereof (*Effective July 1, 2015*):

274 (a) (1) Except as otherwise limited by subsection (i) of section 46b-  
275 140 and subdivision (2) of this subsection, commitment of children  
276 convicted as delinquent by the Superior Court to the Department of  
277 Children and Families shall be for (A) an indeterminate time up to a  
278 maximum of eighteen months, or (B) when so convicted for a serious  
279 juvenile offense, up to a maximum of four years at the discretion of the  
280 court, unless extended as hereinafter provided.

281 (2) Commitment of children convicted as delinquent by the Superior  
282 Court to the Department of Children and Families shall terminate  
283 when the child attains the age of twenty.

284 (b) The Commissioner of Children and Families may file a motion  
285 for an extension of the commitment as provided in subparagraph (A)  
286 of subdivision (1) of subsection (a) of this section beyond the eighteen-  
287 month period on the grounds that such extension is for the best  
288 interest of the child or the community. The court shall give notice to  
289 the parent or guardian and to the child at least fourteen days prior to  
290 the hearing upon such motion. The court may, after hearing and upon  
291 finding that such extension is in the best interest of the child or the  
292 community, continue the commitment for an additional period of not  
293 more than eighteen months, except that such additional period shall  
294 not continue beyond the date the child attains the age of twenty. Not  
295 later than twelve months after a child is committed to the Department  
296 of Children and Families in accordance with subparagraph (A) of  
297 subdivision (1) of subsection (a) of this section, the court shall hold a  
298 permanency hearing in accordance with subsection (d) of this section.  
299 After the initial permanency hearing, subsequent permanency hearings  
300 shall be held not less frequently than every twelve months while the  
301 child remains committed to the Department of Children and Families.

302 (c) The court shall hold a permanency hearing in accordance with  
303 subsection (d) of this section for each child convicted as delinquent for

304 a serious juvenile offense as provided in subparagraph (B) of  
305 subdivision (1) of subsection (a) of this section within twelve months  
306 of commitment to the Department of Children and Families and every  
307 twelve months thereafter if the child remains committed to the  
308 Department of Children and Families. Such hearing may include the  
309 submission of a motion to the court by the commissioner to either (1)  
310 modify such commitment, or (2) extend the commitment beyond such  
311 four-year period on the grounds that such extension is for the best  
312 interest of the child or the community. The court shall give notice to  
313 the parent or guardian and to the child at least fourteen days prior to  
314 the hearing upon such motion. The court, after hearing, may modify  
315 such commitment or, upon finding that such extension is in the best  
316 interest of the child or the community, continue the commitment for an  
317 additional period of not more than eighteen months.

318 (d) At least sixty days prior to each permanency hearing required  
319 pursuant to subsection (b) or (c) of this section, the Commissioner of  
320 Children and Families shall file a permanency plan with the court. At  
321 each permanency hearing, the court shall review and approve a  
322 permanency plan that is in the best interest of the child and takes into  
323 consideration the child's need for permanency. Such permanency plan  
324 may include the goal of: (1) Revocation of commitment and placement  
325 of the child with the parent or guardian, (2) transfer of guardianship,  
326 (3) [permanent placement with a relative, (4)] adoption, or [(5)] (4) for  
327 any youth, such other planned permanent living arrangement ordered  
328 by the court, provided the Commissioner of Children and Families has  
329 documented a compelling reason why it would not be in the best  
330 interest of the child for the permanency plan to include the goals in  
331 subdivisions (1) to [(4)] (3), inclusive, of this subsection. Such other  
332 planned permanent living arrangement may include, but not be  
333 limited to, placement of the child in an independent living program. At  
334 any such permanency hearing, the court shall also determine whether  
335 the Commissioner of Children and Families has made reasonable  
336 efforts to achieve the permanency plan.

337 (e) (1) If the permanency plan for a youth includes such other  
338 planned permanent living arrangement pursuant to subdivision (4) of  
339 this subsection, the department shall document for the court: (A) The  
340 manner and frequency of efforts made by the department to return the  
341 youth home or secure a placement for the youth with a fit and willing  
342 relative, legal guardian or an adoptive parent; and (B) the steps the  
343 department has taken to ensure that (i) the youth's foster family home  
344 or child care institution is following a reasonable and prudent parent  
345 standard, as defined in section 1 of this act; and (ii) the youth has  
346 regular, ongoing opportunities to engage in age appropriate or  
347 developmentally appropriate activities, as defined in section 1 of this  
348 act.

349 (2) At any such permanency hearing in which the plan for a youth is  
350 such other planned permanent living arrangement pursuant to  
351 subdivision (4) of this subsection, the court shall (A) ask the youth  
352 about his or her desired permanency outcome; (B) make a judicial  
353 determination that, as of the date of hearing, such other planned  
354 permanent living arrangement is the best permanency plan for the  
355 youth; and (C) document the compelling reasons why it is not in the  
356 best interest of the youth to return home or to be placed with a fit and  
357 willing relative, legal guardian or adoptive parent.

358 [(e)] (f) All other commitments of delinquent, mentally deficient or  
359 mentally ill children by the court pursuant to the provisions of section  
360 46b-140 may be for an indeterminate time, except that no such  
361 commitment may be ordered or continued for any child who has  
362 attained the age of twenty. Commitments may be reopened and  
363 terminated at any time by said court, provided the Commissioner of  
364 Children and Families shall be given notice of such proposed  
365 reopening and a reasonable opportunity to present the commissioner's  
366 views thereon. The parents or guardian of such child may apply not  
367 more than twice in any calendar year for such reopening and  
368 termination of commitment. Any order of the court made under the  
369 provisions of this section shall be deemed a final order for purposes of

370 appeal, except that no bond shall be required and no costs shall be  
371 taxed on such appeal.

372 Sec. 6. Section 17a-114 of the general statutes is repealed and the  
373 following is substituted in lieu thereof (*Effective July 1, 2015*):

374 (a) As used in this section, (1) "approval" means a person has been  
375 approved to provide foster care by a child-placing agency licensed  
376 pursuant to section 17a-149, (2) "licensed" means a person holds a  
377 license to provide foster care issued by the Department of Children  
378 and Families, [to provide foster care, including foster care of a specific  
379 child, and "special study foster parent"] (3) "fictive kin caregiver"  
380 means a person who is twenty-one years of age or older and [who does  
381 not hold a license issued] who is unrelated to a child by birth, adoption  
382 or marriage but who has an emotionally significant relationship with  
383 such child amounting to a familial relationship and who is not  
384 approved or licensed to provide foster care by the Department of  
385 Children and Families, [to provide foster care] and (4) "regular  
386 unsupervised access" means periodic interaction with a child in the  
387 home for purposes of unsupervised child care, medical or other  
388 services to the child.

389 (b) (1) No child in the custody of the Commissioner of Children and  
390 Families shall be placed in foster care with any person, unless (A) such  
391 person is licensed for that purpose by the department or the  
392 Department of Developmental Services pursuant to the provisions of  
393 section 17a-227, or (B) such person's home is approved by a child  
394 placing agency licensed by the commissioner pursuant to section 17a-  
395 149, or (C) such person has received approval as provided in this  
396 section. Any person licensed by the department may be a prospective  
397 adoptive parent. The commissioner shall adopt regulations, in  
398 accordance with the provisions of chapter 54, to establish the licensing  
399 procedures and standards.

400 (2) The commissioner shall require each applicant for licensure or

401 approval pursuant to this section and any person sixteen years of age  
402 or older living in the household of such applicant to submit to state  
403 and national criminal history records checks prior to issuing a license  
404 or approval to such applicant to accept placement of a child. Such  
405 criminal history records checks shall be conducted in accordance with  
406 section 29-17a. The commissioner shall also check the state child abuse  
407 registry established pursuant to section 17a-101k for the name of such  
408 applicant and for the name of any person sixteen years of age or older  
409 living in the household of such applicant.

410 (3) The commissioner, at his or her discretion, may require any  
411 person sixteen years of age or older, who is not living in the household  
412 but who has regular unsupervised access to a child in the home of an  
413 applicant for licensure or approval, to submit to state and national  
414 criminal history records checks prior to issuing a license or approval to  
415 such applicant to accept placement of a child. Such criminal history  
416 records checks shall be conducted in accordance with section 29-17a.  
417 The commissioner may also check the state child abuse registry  
418 established pursuant to section 17a-101k for the name of any person  
419 sixteen years of age or older who is not living in the household but  
420 who has regular unsupervised access to a child.

421 (4) The commissioner shall require each individual licensed or  
422 approved pursuant to this section and any person sixteen years of age  
423 or older living in the household of such individual to submit to state  
424 and national criminal history records checks prior to renewing a  
425 license or approval for any individual providing foster care.

426 (5) The commissioner, at his or her discretion, may require any  
427 person sixteen years of age or older who is not living in the household  
428 but who has regular unsupervised access to a child in the home of any  
429 individual licensed or approved pursuant to this section to submit to  
430 state and national criminal history records checks prior to renewing a  
431 license or approval for such individual providing foster care.

432 (c) Notwithstanding the requirements of subsection (b) of this  
433 section, the commissioner may place a child with a relative [who is not  
434 licensed, a nonrelative, if such child's sibling who is related to the  
435 caregiver is also placed with such caregiver or with a special study  
436 foster parent,] or fictive kin caregiver who has not been issued a  
437 license or approval, when such placement is in the best interests of the  
438 child, provided a satisfactory home visit is conducted, a basic  
439 assessment of the family is completed and such relative [, nonrelative  
440 or special study foster parent] or fictive kin caregiver attests that such  
441 relative [, nonrelative or special study foster parent] or fictive kin  
442 caregiver and any adult living within the household has not been  
443 convicted of a crime or arrested for a felony against a person, for injury  
444 or risk of injury to or impairing the morals of a child, or for the  
445 possession, use or sale of a controlled substance. Any such relative [,  
446 nonrelative or special study foster parent] or fictive kin caregiver who  
447 accepts placement of a child shall be subject to licensure by the  
448 commissioner, pursuant to regulations adopted by the commissioner  
449 in accordance with the provisions of chapter 54 to implement the  
450 provisions of this section. The commissioner may grant a waiver from  
451 such regulations, including any standard regarding separate bedrooms  
452 or room-sharing arrangements, for a child placed with a relative or  
453 fictive kin caregiver, on a case-by-case basis, if such placement is  
454 otherwise in the best interests of such child, provided no procedure or  
455 standard that is safety-related may be so waived. The commissioner  
456 shall document, in writing, the reason for granting any waiver from  
457 such regulations. [For purposes of this subsection, "sibling" includes a  
458 stepbrother, stepsister, half-brother or half-sister.]

459 (d) Any individual who has been licensed or received approval to  
460 provide foster care and any relative or fictive kin caregiver shall apply  
461 a reasonable and prudent parent standard, as defined in subsection (a)  
462 of section 1 of this act, on behalf of the child.

463 Sec. 7. Section 17a-145 of the general statutes is repealed and the  
464 following is substituted in lieu thereof (*Effective July 1, 2015*):

465 (a) No person or entity shall care for or board a child without a  
466 license obtained from the Commissioner of Children and Families,  
467 except: (1) When a child has been placed by a person or entity holding  
468 a license from the commissioner; (2) any residential educational  
469 institution exempted by the State Board of Education under the  
470 provisions of section 17a-152; (3) residential facilities licensed by the  
471 Department of Developmental Services pursuant to section 17a-227; (4)  
472 facilities providing child day care services, as defined in section 19a-77;  
473 or (5) any home that houses students participating in a program  
474 described in subparagraph (B) of subdivision (8) of section 10a-29. The  
475 person or entity seeking a child care facility license shall file with the  
476 commissioner an application for a license, in such form as the  
477 commissioner furnishes, stating the location where it is proposed to  
478 care for such child, the number of children to be cared for, in the case  
479 of a corporation, the purpose of the corporation and the names of its  
480 chief officers and of the actual person responsible for the child. The  
481 Commissioner of Children and Families is authorized to fix the  
482 maximum number of children to be boarded and cared for in any such  
483 home or institution or by any person or entity licensed by the  
484 commissioner. If the population served at any facility, institution or  
485 home operated by any person or entity licensed under this section  
486 changes after such license is issued, such person or entity shall file a  
487 new license application with the commissioner, and the commissioner  
488 shall notify the chief executive officer of the municipality in which the  
489 facility is located of such new license application, except that no  
490 confidential client information may be disclosed.

491 (b) Each person or entity licensed by the commissioner pursuant to  
492 subsection (a) of this section shall designate an on-site staff member  
493 who shall apply a reasonable and prudent parent standard, as defined  
494 in subsection (a) of section 1 of this act, on behalf of the child.

495 Sec. 8. Section 17a-117 of the general statutes is repealed and the  
496 following is substituted in lieu thereof (*Effective July 1, 2015*):



497 (a) The Department of Children and Families may, and is  
498 encouraged to contract with child-placing agencies to arrange for the  
499 adoption of children who are free for adoption. If (1) a child for whom  
500 adoption is indicated, cannot, after all reasonable efforts consistent  
501 with the best interests of the child, be placed in adoption through  
502 existing sources because the child is a special needs child, and (2) the  
503 adopting family meets the standards for adoption which any other  
504 adopting family meets, the Commissioner of Children and Families  
505 shall, before adoption of such child by such family, certify such child  
506 as a special needs child and, after adoption, provide one or more of the  
507 following subsidies for the adopting parents: (A) A special-need  
508 subsidy, which is a lump sum payment paid directly to the person  
509 providing the required service, to pay for an anticipated expense  
510 resulting from the adoption when no other resource is available for  
511 such payment; or (B) a periodic subsidy which is a payment to the  
512 adopting family; and (C) in addition to the subsidies granted under  
513 this subsection, any medical benefits which are being provided prior to  
514 final approval of the adoption by the superior court for juvenile  
515 matters or the Court of Probate in accordance with the fee schedule  
516 and payment procedures under the state Medicaid program  
517 administered by the Department of Social Services shall continue as  
518 long as the child qualifies as a dependent of the adoptive parent under  
519 the provisions of the Internal Revenue Code. The amount of a periodic  
520 subsidy shall not exceed the current costs of foster maintenance care.

521 (b) A medical subsidy may continue until the child reaches twenty-  
522 one years of age. A periodic subsidy may continue until the child  
523 reaches age eighteen, except such periodic subsidy may continue for a  
524 child who is at least eighteen years of age but less than twenty-one  
525 years of age, provided: (1) The adoption was finalized on or after  
526 October 1, 2013, (2) the child was sixteen years of age or older at the  
527 time the adoption was finalized, and (3) the child is (A) enrolled in a  
528 full-time approved secondary education program or an approved  
529 program leading to an equivalent credential; (B) enrolled full time in

530 an institution that provides postsecondary or vocational education; or  
531 (C) participating full time in a program or activity approved by the  
532 commissioner that is designed to promote or remove barriers to  
533 employment. The commissioner, in his or her discretion, may waive  
534 the provision of full-time enrollment or participation based on  
535 compelling circumstances.

536 (c) The periodic subsidy is subject to review by the commissioner as  
537 provided in section 17a-118, as amended by this act.

538 (d) Requests for subsidies after a final approval of the adoption by  
539 the superior court for juvenile matters or the Court of Probate may be  
540 considered at the discretion of the commissioner for conditions  
541 resulting from or directly related to the totality of circumstances  
542 surrounding the child prior to placement in adoption. A written  
543 certification of the need for a subsidy shall be made by the  
544 commissioner in each case and the type, amount and duration of the  
545 subsidy shall be mutually agreed to by the commissioner and the  
546 adopting parents prior to the entry of such decree. Any subsidy  
547 decision by the commissioner may be appealed by a licensed  
548 child-placing agency or the adopting parent or parents to the  
549 [Adoption] Subsidy Review Board established under subsection (e) of  
550 this section. The commissioner shall adopt regulations establishing the  
551 procedures for determining the amount and the need for a subsidy.

552 (e) There is established [an Adoption] a Subsidy Review Board to  
553 hear appeals under this section, section 17a-118, as amended by this  
554 act, and section 17a-120, as amended by this act. The board shall  
555 consist of the Commissioner of Children and Families, or the  
556 commissioner's designee, and a [licensed] representative of a  
557 child-placing agency and an adoptive parent appointed by the  
558 Governor. The Governor shall appoint an alternate [licensed]  
559 representative of a child-placing agency and an alternate adoptive  
560 parent. Such alternative members shall, when seated, have all the  
561 powers and duties set forth in this section and sections 17a-118, [and]

562 as amended by this act, 17a-120, as amended by this act, and 17a-126,  
563 as amended by this act. Whenever an alternate member serves in place  
564 of a member of the board, such alternate member shall represent the  
565 same interest as the member in whose place such alternative member  
566 serves. All decisions of the board shall be based on the best interest of  
567 the child. Appeals under this section shall be in accordance with the  
568 provisions of chapter 54.

569 Sec. 9. Subsection (a) of section 17a-118 of the general statutes is  
570 repealed and the following is substituted in lieu thereof (*Effective July*  
571 *1, 2015*):

572 (a) There shall be a biennial review of the subsidy for a child under  
573 eighteen years of age and an annual review for a child who is at least  
574 eighteen years of age but less than twenty-one years of age. Such  
575 reviews shall be conducted by the Commissioner of Children and  
576 Families. The adoptive parents shall, at the time of such review, submit  
577 a sworn statement that the condition which caused the child to be  
578 certified as a special needs child or a related condition continues to  
579 exist or has reoccurred and that the adoptive parent or parents are still  
580 legally responsible for the support of the child and that the child is  
581 receiving support from the adoptive family. A child who is at least  
582 eighteen years of age but less than twenty-one years of age shall  
583 continue to receive an adoption subsidy, pursuant to section 17a-117,  
584 as amended by this act, provided his or her adoptive parent submits, at  
585 the time of the review, a sworn statement that the child is (1) enrolled  
586 in a full-time approved secondary education program or an approved  
587 program leading to an equivalent credential; (2) enrolled full time in  
588 an institution that provides postsecondary or vocational education; or  
589 (3) participating full time in a program or activity approved by the  
590 commissioner that is designed to promote or remove barriers to  
591 employment. The commissioner, in his or her discretion, may waive  
592 the provision of full-time enrollment or participation based on  
593 compelling circumstances. If the subsidy is to be terminated or  
594 reduced by the commissioner, notice of such proposed reduction or

595 termination shall be given, in writing, to the adoptive parents and such  
596 adoptive parents shall, at least thirty days prior to the imposition of  
597 said reduction or termination, be given a hearing before the  
598 [Adoption] Subsidy Review Board. If such an appeal is taken, the  
599 subsidy shall continue without modification until the final decision of  
600 the [Adoption] Subsidy Review Board.

601 Sec. 10. Subsection (b) of section 17a-120 of the general statutes is  
602 repealed and the following is substituted in lieu thereof (*Effective July*  
603 *1, 2015*):

604 (b) There shall be an annual review of the medical expense subsidy  
605 set forth in subsection (a) of this section by the Commissioner of  
606 Children and Families. If, upon such annual review, the commissioner  
607 determines that the child continues to have a condition for which the  
608 subsidy was granted or has medical conditions related to such  
609 condition, and that the adoptive parent or parents are still legally  
610 responsible for the support of the child and that the child is receiving  
611 support from the adoptive family, the commissioner shall not  
612 terminate or reduce such subsidy. If the condition is corrected and  
613 conditions related to it no longer exist, or if the adoptive parent or  
614 parents are no longer legally responsible for the support of the child or  
615 if the child is no longer receiving any support from the adoptive  
616 family, the commissioner may reduce or terminate eligibility for such  
617 subsidy. If, following such reduction or termination, such condition or  
618 related conditions reoccur, the adopting or adoptive parent or parents  
619 may reapply for such subsidy. Upon receipt of such application and  
620 determination that such condition or related conditions have  
621 reoccurred, the commissioner shall grant such subsidy provided the  
622 adoptive parent or parents are still legally responsible for the support  
623 of the child or the child is receiving support from the adoptive family.  
624 If the subsidy is to be reduced or terminated by said commissioner,  
625 notice of such proposed reduction or termination shall be given, in  
626 writing, to the adoptive parent or parents and such adoptive parent or  
627 parents shall, at least thirty days prior to the imposition of said

628 reduction or termination, be given a hearing before the [Adoption]  
629 Subsidy Review Board. If such an appeal is taken, the subsidy shall  
630 continue without modification or termination until the final decision of  
631 the [Adoption] Subsidy Review Board. Eligibility for such subsidy may  
632 continue until the child's twenty-first birthday if the condition that  
633 caused the child to be certified as a special needs child or related  
634 conditions continue to exist or have reoccurred and the child continues  
635 to qualify as a dependent of the legal adoptive parent under the  
636 Internal Revenue Code. In no case shall the eligibility for such subsidy  
637 continue beyond the child's twenty-first birthday.

638 Sec. 11. Section 17a-126 of the general statutes is repealed and the  
639 following is substituted in lieu thereof (*Effective July 1, 2015*):

640 (a) As used in this section, (1) ["relative caregiver" means]  
641 "caregiver" means (A) a fictive kin caregiver, as defined in section 17a-  
642 114, as amended by this act, who is caring for a child, or (B) a person  
643 who is a licensed foster care provider pursuant to section 17a-114, as  
644 amended by this act, and is caring for a child who is related to such  
645 person, because the parent of the child has died or become otherwise  
646 unable to care for the child for reasons that make reunification with the  
647 parent and adoption not viable options within the foreseeable future,  
648 and (2) "commissioner" means the Commissioner of Children and  
649 Families.

650 (b) The commissioner shall establish a program of subsidized  
651 guardianship for the benefit of children [in foster care] who have been  
652 in foster care for not less than six consecutive months and who have  
653 been living with [relative] (1) caregivers, [who are licensed foster care  
654 providers pursuant to section 17a-114, and who have been in foster  
655 care for not less than six consecutive months] or (2) foster care  
656 providers who have been approved to provide foster care by a child-  
657 placing agency licensed pursuant to section 17a-149. A [relative]  
658 caregiver may request a guardianship subsidy from the commissioner.

659 (c) If a [relative] caregiver who is receiving a guardianship subsidy  
660 for a [related] child is also caring for the child's sibling, [who is not  
661 related to the caregiver,] the commissioner shall provide a  
662 guardianship subsidy to such [relative] caregiver in accordance with  
663 regulations adopted by the commissioner pursuant to subsection (e) of  
664 this section. For purposes of this subsection, "child's sibling" includes a  
665 stepbrother, stepsister, a half-brother or a half-sister.

666 (d) The commissioner shall provide the following subsidies under  
667 the subsidized guardianship program in accordance with this section  
668 and the regulations adopted pursuant to subsection (e) of this section:  
669 (1) A special-need subsidy, which shall be a lump sum payment for  
670 one-time expenses resulting from the assumption of care of the child  
671 and shall not exceed two thousand dollars; and (2) a medical subsidy  
672 comparable to the medical subsidy to children in the subsidized  
673 adoption program. The subsidized guardianship program shall also  
674 provide a monthly subsidy on behalf of the child payable to the  
675 [relative] caregiver that is based on the circumstances of the [relative]  
676 caregiver and the needs of the child and shall not exceed the foster care  
677 maintenance payment that would have been paid on behalf of the  
678 child if the child had remained in licensed foster care.

679 (e) The commissioner shall adopt regulations, in accordance with  
680 chapter 54, implementing the subsidized guardianship program  
681 established under this section. Such regulations shall include all  
682 federal requirements necessary to maximize federal reimbursement  
683 available to the state, including, but not limited to, (1) eligibility for the  
684 program, (2) the maximum age at which a child is no longer eligible for  
685 a guardianship subsidy, including the maximum age, for purposes of  
686 claiming federal reimbursement under Title IV-E of the Social Security  
687 Act, at which a child is no longer eligible for a guardianship subsidy,  
688 and (3) a procedure for determining the types and amounts of the  
689 subsidies.

690 (f) (1) At a minimum, the guardianship subsidy provided under this

691 section shall continue until the child reaches the age of eighteen or the  
692 age of twenty-one if such child is in full-time attendance at a secondary  
693 school, technical school or college or is in a state accredited job training  
694 program or otherwise meets the criteria set forth in federal law.

695 (2) A guardianship subsidy may be provided for a child subject to  
696 the commissioner's annual review, through his or her twenty-first  
697 birthday, provided: (A) The transfer of guardianship to a successor  
698 guardian, as provided in subsection (i) of this section, was finalized on  
699 or after October 1, 2013; (B) the child was sixteen years of age or older  
700 when such transfer was finalized; and (C) the child is (i) enrolled in a  
701 full-time approved secondary education program or an approved  
702 program leading to an equivalent credential, (ii) enrolled full time in  
703 an institution that provides postsecondary or vocational education, or  
704 (iii) participating full time in a program or activity approved by the  
705 commissioner that is designed to promote or remove barriers to  
706 employment. The commissioner, in his or her discretion, may waive  
707 the provision of full-time enrollment or participation based on  
708 compelling circumstances. To receive a guardianship subsidy pursuant  
709 to this subsection, the guardian shall, at the time of the annual review,  
710 submit to the commissioner a sworn statement that the child is still  
711 meeting the requirements of clauses (i), (ii) or (iii) of subparagraph (C)  
712 of this subdivision, provided the commissioner, in his or her  
713 discretion, may waive such requirements based on compelling  
714 circumstances.

715 (3) Annually, the subsidized guardian shall submit to the  
716 commissioner a sworn statement that the child is still living with and  
717 receiving support from the guardian. The parent of any child receiving  
718 assistance through the subsidized guardianship program shall remain  
719 liable for the support of the child as required by the general statutes.

720 (g) A guardianship subsidy shall not be included in the calculation  
721 of household income in determining eligibility for benefits of the  
722 [relative] caregiver of the subsidized child or other persons living

723 within the household of the [relative] caregiver.

724 (h) Payments for guardianship subsidies shall be made from  
725 moneys available from any source to the commissioner for child  
726 welfare purposes. The commissioner shall develop and implement a  
727 plan that: (1) Maximizes use of the subsidized guardianship program  
728 to decrease the number of children in the legal custody of the  
729 commissioner and to reduce the number of children who would  
730 otherwise be placed into nonrelative foster care when there is a [family  
731 member] caregiver willing to provide care; (2) maximizes federal  
732 reimbursement for the costs of the subsidized guardianship program,  
733 provided whatever federal maximization method is employed shall  
734 not result in the [relative] caregiver of a child being subject to work  
735 requirements as a condition of receipt of benefits for the child or the  
736 benefits restricted in time or scope other than as specified in subsection  
737 (c) of this section; and (3) ensures necessary transfers of funds between  
738 agencies and interagency coordination in program implementation.  
739 The commissioner shall seek all federal waivers and reimbursement as  
740 are necessary and appropriate to implement this plan.

741 (i) In the case of the death, severe disability or serious illness of a  
742 [relative] caregiver who is receiving a guardianship subsidy, the  
743 commissioner may transfer the guardianship subsidy to a [new  
744 relative caregiver who meets the Department of Children and Families  
745 foster care safety requirements and] successor guardian who meets the  
746 department's foster care safety requirements if such successor  
747 guardian has been identified in the subsidy agreement, or an  
748 addendum thereto, and such successor guardian is appointed as legal  
749 guardian by a court of competent jurisdiction.

750 (j) Nothing in this section shall prohibit the commissioner from  
751 continuing to pay guardianship subsidies to those relative caregivers  
752 who entered into written subsidy agreements with the Department of  
753 Children and Families prior to October 5, 2009.



754 (k) Not less than thirty days prior to the termination or reduction of  
755 a guardianship subsidy, the commissioner shall (1) provide written  
756 notice of such reduction or termination to the caregiver receiving such  
757 subsidy, and (2) provide such caregiver with a hearing before the  
758 Subsidy Review Board. If such an appeal is taken, the subsidy shall  
759 continue without modification until the final decision of the Subsidy  
760 Review Board.

761 Sec. 12. Section 17a-10b of the general statutes is repealed and the  
762 following is substituted in lieu thereof (*Effective July 1, 2015*):

763 (a) Notwithstanding the provisions of section 17a-28, as amended  
764 by this act, if the Commissioner of Children and Families removes a  
765 child from the custody of a parent, the commissioner shall [use best  
766 efforts] make a reasonable effort to identify and [notify the  
767 grandparents of the child not later than fifteen days after the child is  
768 removed from the home. A grandparent may provide contact  
769 information to the commissioner for the purposes of such notice if the  
770 child is the subject of an investigation by the commissioner or has  
771 been, or is under, the care or supervision of the commissioner] provide  
772 notice, not later than thirty days after the child is removed from the  
773 home, to the following relatives: (1) Each grandparent of the child, (2)  
774 each parent of any sibling of the child, provided such parent has legal  
775 custody of such sibling, and (3) any other adult relative of the child by  
776 blood or marriage. For purposes of this subsection, "sibling" includes a  
777 stepbrother, stepsister, half-brother, half-sister and any individual who  
778 would have been considered a sibling of the child under state law  
779 except for a termination or other disruption of parental rights,  
780 including, but not limited to, the death of a parent.

781 (b) The notice provided pursuant to subsection (a) of this section  
782 shall include: (1) A statement that the child has been removed from the  
783 custody of a parent; (2) a summary of relative's rights under federal  
784 and state law to participate in the care and placement of the child,  
785 including any options that may be deemed waived through failure to

786 respond to such notice; (3) a description of the requirements to become  
787 licensed or approved as a foster family home and the additional  
788 services and supports that are available for a child placed in such  
789 home; and (4) a description of how the caregiver of the child may  
790 subsequently enter into an agreement with the department to receive  
791 subsidies for the provision of foster care.

792 Sec. 13. Section 17a-114b of the general statutes is repealed and the  
793 following is substituted in lieu thereof (*Effective July 1, 2015*):

794 The Commissioner of Children and Families, pursuant to the federal  
795 Child and Family Services Improvement and Innovation Act and the  
796 federal Preventing Sex Trafficking and Strengthening Families Act,  
797 shall request, annually, a free credit report on behalf of each [youth  
798 sixteen] child fourteen years of age or older who is in the custody of  
799 the commissioner and placed in foster care. Upon receipt of each credit  
800 report, the commissioner or a designee of the commissioner shall  
801 review the report for evidence of identity theft, as defined in section  
802 53a-129a and provide a copy of the report to [the youth's] such child's  
803 attorney or guardian ad litem, if any. Upon receipt of the credit report,  
804 if feasible, such attorney or guardian ad litem shall review the report  
805 for evidence of identity theft, as defined in section 53a-129a, and, in  
806 conjunction with the commissioner or designee, shall assist [the youth]  
807 such child in interpreting such report and resolving any inaccuracies  
808 contained in such report. If the commissioner or the commissioner's  
809 designee finds evidence of identity theft, not later than five business  
810 days after receipt of the credit report, the commissioner shall report  
811 such findings to the office of the Chief State's Attorney.

812 Sec. 14. (NEW) (*Effective July 1, 2015*) The Department of Children  
813 and Families shall report any missing or abducted child who was  
814 committed to the custody of the commissioner to the law enforcement  
815 authority having jurisdiction over the geographical area from which  
816 the child was reported missing or was abducted. The department shall  
817 make such report immediately, but in no case later than twenty-four

818 hours after the child is determined to be missing or abducted, to the  
819 Federal Bureau of Investigation's National Crime Information Center  
820 and to the National Center for Missing and Exploited Children.

821 Sec. 15. Subsection (a) of section 17a-15 of the general statutes is  
822 repealed and the following is substituted in lieu thereof (*Effective July*  
823 *1, 2015*):

824 (a) The commissioner shall prepare and maintain a written case plan  
825 for care, treatment and permanent placement of every child under the  
826 commissioner's supervision, which shall include, but not be limited to,  
827 a diagnosis of the problems of each child, the proposed plan of  
828 treatment services and temporary placement and a goal for permanent  
829 placement of the child, which may include reunification with the  
830 parent, [long-term foster care with an identified individual,] transfer of  
831 guardianship, [another planned permanent living arrangement, or]  
832 adoption or, for a child sixteen years of age or older, another planned  
833 permanent living arrangement. The child's health and safety shall be  
834 the paramount concern in formulating the plan.

835 Sec. 16. Subsection (g) of section 17a-28 of the general statutes is  
836 repealed and the following is substituted in lieu thereof (*Effective July*  
837 *1, 2015*):

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

841 (1) The person named in the record or such person's authorized  
842 representative, provided such disclosure shall be limited to  
843 information (A) contained in the record about such person or about  
844 such person's biological or adoptive minor child, if such person's  
845 parental rights to such child have not been terminated; and (B)  
846 identifying an individual who reported abuse or neglect of the person,  
847 including any tape recording of an oral report pursuant to section 17a-  
848 103, if a court determines that there is reasonable cause to believe the

849 reporter knowingly made a false report or that the interests of justice  
850 require disclosure;

851 (2) An employee of the department for any purpose reasonably  
852 related to the performance of such employee's duties;

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

855 (4) The Attorney General, any assistant attorney general or any  
856 other legal counsel retained to represent the department during the  
857 course of a legal proceeding involving the department or an employee  
858 of the department;

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

860 (6) The Chief Public Defender or the Chief Public Defender's  
861 designee for purposes of ensuring competent representation by the  
862 attorneys with whom the Chief Public Defender contracts to provide  
863 legal and guardian ad litem services to the subjects of such records and  
864 for ensuring accurate payments for services rendered by such  
865 attorneys;

866 (7) The Chief State's Attorney or the Chief State's Attorney's  
867 designee for purposes of investigating or prosecuting (A) an allegation  
868 related to child abuse or neglect, (B) an allegation that an individual  
869 made a false report of suspected child abuse or neglect, or (C) an  
870 allegation that a mandated reporter failed to report suspected child  
871 abuse or neglect in accordance with section 17a-101a, provided such  
872 prosecuting authority shall have access to records of a child charged  
873 with the commission of a delinquent act, who is not being charged  
874 with an offense related to child abuse, only while the case is being  
875 prosecuted and after obtaining a release;

876 (8) A state or federal law enforcement officer for purposes of  
877 investigating (A) an allegation related to child abuse or neglect, (B) an

878 allegation that an individual made a false report of suspected child  
879 abuse or neglect, or (C) an allegation that a mandated reporter failed to  
880 report suspected child abuse or neglect in accordance with section 17a-  
881 101a;

882 (9) A foster or prospective adoptive parent, if the records pertain to  
883 a child or youth currently placed with the foster or prospective  
884 adoptive parent, or a child or youth being considered for placement  
885 with the foster or prospective adoptive parent, and the records are  
886 necessary to address the social, medical, psychological or educational  
887 needs of the child or youth, provided no information identifying a  
888 biological parent is disclosed without the permission of such biological  
889 parent;

890 (10) The Governor, when requested in writing in the course of the  
891 Governor's official functions, the Legislative Program Review and  
892 Investigations Committee, the joint standing committee of the General  
893 Assembly having cognizance of matters relating to human services, the  
894 joint standing committee of the General Assembly having cognizance  
895 of matters relating to the judiciary or the joint standing committee of  
896 the General Assembly having cognizance of matters relating to  
897 children, when requested in writing by any of such committees in the  
898 course of such committee's official functions, and upon a majority vote  
899 of such committee, provided no name or other identifying information  
900 is disclosed unless such information is essential to the gubernatorial or  
901 legislative purpose;

902 (11) The Office of Early Childhood for the purpose of (A)  
903 determining the suitability of a person to care for children in a facility  
904 licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining  
905 the suitability of such person for licensure; (C) an investigation  
906 conducted pursuant to section 19a-80f; (D) notifying the Department of  
907 Public Health when the Department of Children and Families places  
908 an individual licensed or certified by the Department of Public Health  
909 on the child abuse and neglect registry pursuant to section 17a-101k; or

910 (E) notifying the Department of Public Health when the Department of  
911 Children and Families possesses information regarding a Department  
912 of Public Health regulatory violation committed by an individual  
913 licensed or certified by the Department of Public Health;

914 (12) The Department of Developmental Services, to allow said  
915 department to determine eligibility, facilitate enrollment and plan for  
916 the provision of services to a child who is a client of said department  
917 and who is applying to enroll in or is enrolled in said department's  
918 voluntary services program. At the time that a parent or guardian  
919 completes an application for enrollment of a child in the Department of  
920 Developmental Services' voluntary services program, or at the time  
921 that said department updates a child's annual individualized plan of  
922 care, said department shall notify such parent or guardian that the  
923 Department of Children and Families may provide records to the  
924 Department of Developmental Services for the purposes specified in  
925 this subdivision without the consent of such parent or guardian;

926 (13) Any individual or entity for the purposes of identifying  
927 resources that will promote the permanency plan of a child or youth  
928 approved by the court pursuant to sections 17a-11, as amended by this  
929 act, 17a-111b, as amended by this act, 46b-129, as amended this act,  
930 and 46b-141, as amended by this act;

931 ~~[(13)]~~ (14) A state agency that licenses or certifies an individual to  
932 educate or care for children or youth;

933 ~~[(14)]~~ (15) A judge or employee of a probate court who requires  
934 access to such records in order to perform such judge's or employee's  
935 official duties;

936 ~~[(15)]~~ (16) A judge of the Superior Court for purposes of  
937 determining the appropriate disposition of a child convicted as  
938 delinquent or a child who is a member of a family with service needs;

939 ~~[(16)]~~ (17) A judge of the Superior Court in a criminal prosecution

940 for purposes of in camera inspection whenever (A) the court has  
941 ordered that the record be provided to the court; or (B) a party to the  
942 proceeding has issued a subpoena for the record;

943 [(17)] (18) A judge of the Superior Court and all necessary parties in  
944 a family violence proceeding when such records concern family  
945 violence with respect to the child who is the subject of the proceeding  
946 or the parent of such child who is the subject of the proceeding;

947 [(18)] (19) The Auditors of Public Accounts, or their representative,  
948 provided no information identifying the subject of the record is  
949 disclosed unless such information is essential to an audit conducted  
950 pursuant to section 2-90;

951 [(19)] (20) A local or regional board of education, provided the  
952 records are limited to educational records created or obtained by the  
953 state or Connecticut Unified School District #2, established pursuant to  
954 section 17a-37;

955 [(20)] (21) The superintendent of schools for any school district for  
956 the purpose of determining the suitability of a person to be employed  
957 by the local or regional board of education for such school district  
958 pursuant to subsection (a) of section 10-221d;

959 [(21)] (22) The Department of Motor Vehicles for the purpose of  
960 criminal history records checks pursuant to subsection (e) of section  
961 14-44, provided information disclosed pursuant to this subdivision  
962 shall be limited to information included on the Department of  
963 Children and Families child abuse and neglect registry established  
964 pursuant to section 17a-101k, subject to the provisions of sections 17a-  
965 101g and 17a-101k concerning the nondisclosure of findings of  
966 responsibility for abuse and neglect;

967 [(22)] (23) The Department of Mental Health and Addiction Services  
968 for the purpose of treatment planning for young adults who have  
969 transitioned from the care of the Department of Children and Families;

970        [(23)] (24) The superintendent of a public school district or the  
971 executive director or other head of a public or private institution for  
972 children providing care for children or a private school (A) pursuant to  
973 sections 17a-11, as amended this act, 17a-101b, 17a-101c [and] 17a-101i,  
974 17a-111b, as amended by this act, 46b-129, as amended by this act, 46b-  
975 141, as amended by this act, or (B) when the Department of Children  
976 and Families places an individual employed by such institution or  
977 school on the child abuse and neglect registry pursuant to section 17a-  
978 101k;

979        [(24)] (25) The Department of Social Services for the purpose of (A)  
980 determining the suitability of a person for payment from the  
981 Department of Social Services for providing child care; (B) promoting  
982 the health, safety and welfare of a child or youth receiving services  
983 from either department; or (C) investigating allegations of fraud  
984 provided no information identifying the subject of the record is  
985 disclosed unless such information is essential to any such  
986 investigation;

987        [(25)] (26) The Court Support Services Division of the Judicial  
988 Branch, to allow the division to determine the supervision and  
989 treatment needs of a child or youth, and provide appropriate  
990 supervision and treatment services to such child or youth, provided  
991 such disclosure shall be limited to information that identifies the child  
992 or youth, or a member of such child's or youth's immediate family, as  
993 being or having been (A) committed to the custody of the  
994 Commissioner of Children and Families as delinquent, (B) under the  
995 supervision of the Commissioner of Children and Families, or (C)  
996 enrolled in the voluntary services program operated by the  
997 Department of Children and Families;

998        [(26)] (27) The Court Support Services Division of the Judicial  
999 Branch for the purpose of sharing common case records to track  
1000 recidivism of juvenile offenders; and



1001 [(27)] (28) The birth-to-three program's referral intake office for the  
1002 purpose of (A) determining eligibility of, (B) facilitating enrollment for,  
1003 and (C) providing services to (i) substantiated victims of child abuse  
1004 and neglect with suspected developmental delays, and (ii) newborns  
1005 impacted by withdrawal symptoms resulting from prenatal drug  
1006 exposure.

1007 Sec. 17. Section 17a-6a of the general statutes is repealed and the  
1008 following is substituted in lieu thereof (*Effective July 1, 2015*):

1009 (a) The Commissioner of Children and Families shall (1) require  
1010 each applicant for a position with the department to state in writing  
1011 whether such person has ever been convicted of a crime or whether  
1012 criminal charges are pending against such person at the time such  
1013 person submits an application, and (2) require each applicant to submit  
1014 to state and national criminal history records checks, in accordance  
1015 with section 29-17a. The commissioner shall also check the state child  
1016 abuse registry established pursuant to section 17a-101k for the name of  
1017 such applicant.

1018 (b) The Commissioner of Children and Families shall require each  
1019 vendor or contractor of the department and each employee of such  
1020 vendor or contractor who provides direct services to children or  
1021 youths in the care and custody of the department or who has access to  
1022 the department's records to submit to state and national criminal  
1023 history records checks, in accordance with section 29-17a. The  
1024 commissioner shall also check the state child abuse registry established  
1025 pursuant to section 17a-101k for the name of such vendor or contractor  
1026 and each employee of such vendor or contractor who has access to  
1027 records or clients of the department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	New section
Sec. 2	July 1, 2015	17a-11(d)

Sec. 3	<i>July 1, 2015</i>	17a-111b(c)
Sec. 4	<i>July 1, 2015</i>	46b-129(k)
Sec. 5	<i>July 1, 2015</i>	46b-141
Sec. 6	<i>July 1, 2015</i>	17a-114
Sec. 7	<i>July 1, 2015</i>	17a-145
Sec. 8	<i>July 1, 2015</i>	17a-117
Sec. 9	<i>July 1, 2015</i>	17a-118(a)
Sec. 10	<i>July 1, 2015</i>	17a-120(b)
Sec. 11	<i>July 1, 2015</i>	17a-126
Sec. 12	<i>July 1, 2015</i>	17a-10b
Sec. 13	<i>July 1, 2015</i>	17a-114b
Sec. 14	<i>July 1, 2015</i>	New section
Sec. 15	<i>July 1, 2015</i>	17a-15(a)
Sec. 16	<i>July 1, 2015</i>	17a-28(g)
Sec. 17	<i>July 1, 2015</i>	17a-6a

***Statement of Purpose:***

To expand guardianship opportunities for children in foster care by permitting subsidized guardianship for fictive kin and to make conforming changes to comply with the requirements of the federal Preventing Sex Trafficking and Strengthening Families Act.

*[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.]*