



General Assembly

Amendment

January Session, 2015

LCO No. 8108



Offered by:

REP. URBAN, 43rd Dist.

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To: Subst. House Bill No. 6899

File No. 160

Cal. No. 128

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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

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

12 149 of the general statutes in which a child has been placed;

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

16 (3) "Normal childhood activities" means extracurricular, enrichment
17 and social activities that may include, but not be limited to, overnight
18 activities outside the direct supervision of the caregiver for periods of
19 up to forty-eight hours; and

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

28 (b) A caregiver shall have the authority, without prior approval of
29 the department, Probate Court or Superior Court, to allow a child in
30 his or her care that is the subject of a service plan or safety plan to
31 participate in normal childhood activities that are age appropriate or
32 developmentally appropriate for such child based on a reasonable and
33 prudent parent standard, provided (1) such activities comply with
34 provisions included in any existing service plan or safety plan
35 established by the department or court order, and (2) the parent or
36 guardian of such child or youth shall be afforded an opportunity to
37 provide input into the development of such service plan or safety plan.
38 The Commissioner of Children and Families shall promulgate
39 department policy to provide guidance to caregivers concerning the
40 reasonable and prudent parent standard. Such guidance shall include
41 factors for the caregiver to consider prior to allowing a child to
42 participate in age appropriate or developmentally appropriate
43 activities, including, but not be limited to, the child's age, maturity,

44 mental and physical health, developmental level, behavioral
45 propensities and aptitude. The commissioner shall notify each
46 caregiver of the department policy promulgated pursuant to this
47 subsection.

48 (c) (1) A representative of the department shall document the child's
49 interest in and pursuit of normal childhood activities during regular
50 home visits and document the child's participation in normal
51 childhood activities that are age appropriate or developmentally
52 appropriate in such child's service plan or safety plan.

53 (2) A representative of the department shall document a child's
54 interest in and pursuit of normal childhood activities that are age
55 appropriate or developmentally appropriate during regular meetings
56 with the parents of such child. A representative of the department
57 shall communicate to the caregiver of such child the opinions of the
58 parents of such child regarding the child's participation in normal
59 childhood activities so that the caregiver may consider the opinions of
60 the parents of such child in the provision of care to the child.

61 (d) The department, caregiver, child-placing agency or child care
62 facility, as defined in section 17a-93 of the general statutes, or any
63 other private entity under contract with the state shall not be liable for
64 any injury to a child that occurs as a result of a caregiver allowing a
65 child to participate in normal childhood activities pursuant to
66 subsection (b) of this section, unless the acts or omissions of the
67 department, caregiver, child-placing agency or child care facility or
68 any other private entity under contract with the state that cause such
69 injury constitute gross, wilful or wanton negligence. The provisions of
70 this subsection shall not be construed to remove or limit any existing
71 liability protection afforded by law.

72 (e) Any private entity that contracts with the department to provide
73 placement services to children in the legal custody of the department
74 shall have policies consistent with this section. Policies that are not
75 consistent with this section include those that are incompatible with,

76 contradictory to or more restrictive than those provided in this section.

77 Sec. 2. Subsection (c) of section 17a-111b of the general statutes is
78 repealed and the following is substituted in lieu thereof (*Effective July*
79 *1, 2015*):

80 (c) If the court determines that such efforts are not required, the
81 court shall, at such hearing or at a hearing held not later than thirty
82 days after such determination, approve a permanency plan for such
83 child. The plan may include (1) adoption and a requirement that the
84 commissioner file a petition to terminate parental rights, (2) [long-term
85 foster care with a relative licensed as a foster parent or certified as a
86 relative caregiver, (3)] transfer of guardianship, or [(4)] (3) for a child
87 sixteen years of age or older, such other planned permanent living
88 arrangement as may be ordered by the court, provided the
89 commissioner has documented a compelling reason why it would not
90 be in the best interests of the child for the permanency plan to include
91 one of the options set forth in [subdivisions (1) to (3), inclusive,]
92 subdivision (1) or (2) of this subsection. The child's health and safety
93 shall be of paramount concern in formulating such plan. If the
94 permanency plan for a child sixteen years of age or older includes such
95 other planned permanent living arrangement pursuant to subdivision
96 (3) of this subsection, the provisions of subdivisions (3) to (5),
97 inclusive, of subsection (k) of section 46b-129, as amended by this act,
98 shall be applicable.

99 Sec. 3. Subsection (k) of section 46b-129 of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective July*
101 *1, 2015*):

102 (k) (1) (A) Nine months after placement of the child or youth in the
103 care and custody of the commissioner pursuant to a voluntary
104 placement agreement, or removal of a child or youth pursuant to
105 section 17a-101g or an order issued by a court of competent
106 jurisdiction, whichever is earlier, the commissioner shall file a motion
107 for review of a permanency plan if the child or youth has not reached

108 his or her eighteenth birthday. Nine months after a permanency plan
109 has been approved by the court pursuant to this subsection or
110 subdivision (5) of subsection (j) of this section, the commissioner shall
111 file a motion for review of the permanency plan. Any party seeking to
112 oppose the commissioner's permanency plan, including a relative of a
113 child or youth by blood or marriage who has intervened pursuant to
114 subsection (d) of this section and is licensed as a foster parent for such
115 child or youth or is vested with such child's or youth's temporary
116 custody by order of the court, shall file a motion in opposition not later
117 than thirty days after the filing of the commissioner's motion for
118 review of the permanency plan, which motion shall include the reason
119 therefor. A permanency hearing on any motion for review of the
120 permanency plan shall be held not later than ninety days after the
121 filing of such motion. The court shall hold evidentiary hearings in
122 connection with any contested motion for review of the permanency
123 plan and credible hearsay evidence regarding any party's compliance
124 with specific steps ordered by the court shall be admissible at such
125 evidentiary hearings. The commissioner shall have the burden of
126 proving that the proposed permanency plan is in the best interests of
127 the child or youth. After the initial permanency hearing, subsequent
128 permanency hearings shall be held not less frequently than every
129 twelve months while the child or youth remains in the custody of the
130 Commissioner of Children and Families or, if the youth is over
131 eighteen years of age, while the youth remains in voluntary placement
132 with the department. The court shall provide notice to the child or
133 youth, the parent or guardian of such child or youth, and any
134 intervenor of the time and place of the court hearing on any such
135 motion not less than fourteen days prior to such hearing.

136 (B) (i) If a child is at least twelve years of age, the child's
137 permanency plan, and any revision to such plan, shall be developed in
138 consultation with the child. In developing or revising such plan, the
139 child may consult up to two individuals participating in the
140 department's case plan regarding such child, neither of whom shall be
141 the foster parent or caseworker of such child. One individual so

142 selected by such child may be designated as the child's advisor for
143 purposes of developing or revising the permanency plan.

144 (ii) If a child is at least twelve years of age, the commissioner shall
145 notify the parent or guardian, foster parent and child of any
146 administrative case review regarding such child's commitment not less
147 than five days prior to such review and shall make a reasonable effort
148 to schedule such review at a time and location that allows the parent or
149 guardian, foster parent and child to attend.

150 (iii) If a child is at least twelve years of age, such child shall,
151 whenever possible, identify not more than three adults with whom
152 such child has a significant relationship and who may serve as a
153 permanency resource. The identity of such adults shall be recorded in
154 the case plan of such child.

155 (iv) Not later than January 1, 2016, and annually thereafter, the
156 commissioner shall submit a report, in accordance with the provisions
157 of section 11-4a, to the joint standing committees of the General
158 Assembly having cognizance of matters relating to children and the
159 judiciary, on the number of case plans in which children have
160 identified adults with whom they have a significant relationship and
161 who may serve as a permanency resource.

162 (2) At a permanency hearing held in accordance with the provisions
163 of subdivision (1) of this subsection, the court shall approve a
164 permanency plan that is in the best interests of the child or youth and
165 takes into consideration the child's or youth's need for permanency.
166 The child's or youth's health and safety shall be of paramount concern
167 in formulating such plan. Such permanency plan may include the goal
168 of (A) revocation of commitment and reunification of the child or
169 youth with the parent or guardian, with or without protective
170 supervision; (B) transfer of guardianship or permanent legal
171 guardianship; (C) [long-term foster care with a relative licensed as a
172 foster parent; (D)] filing of termination of parental rights and adoption;
173 or [(E)] (D) for a child sixteen years of age or older, another planned

174 permanent living arrangement ordered by the court, provided the
175 Commissioner of Children and Families has documented a compelling
176 reason why it would not be in the best interests of the child or youth
177 for the permanency plan to include the goals in subparagraphs (A) to
178 [(D)] (C), inclusive, of this subdivision. Such other planned permanent
179 living arrangement shall, whenever possible, include an adult who has
180 a significant relationship with the child, and who is willing to be a
181 permanency resource, and may include, but not be limited to,
182 placement of a [child or] youth in an independent living program or
183 long term foster care with an identified foster parent.

184 (3) If the permanency plan for a child sixteen years of age or older
185 includes the goal of another planned permanent living arrangement
186 pursuant to subparagraph (D) of subdivision (2) of this subsection or
187 subdivision (3) of subsection (c) of section 17a-111b, as amended by
188 this act, the department shall document for the court: (A) The manner
189 and frequency of efforts made by the department to return the child
190 home or to secure placement for the child with a fit and willing
191 relative, legal guardian or adoptive parent; and (B) the steps the
192 department has taken to ensure (i) the child's foster family home or
193 child care institution is following a reasonable and prudent parent
194 standard, as defined in section 1 of this act; and (ii) the child has
195 regular opportunities to engage in age appropriate and
196 developmentally appropriate activities, as defined in section 1 of this
197 act.

198 [(3)] (4) At a permanency hearing held in accordance with the
199 provisions of subdivision (1) of this subsection, the court shall (A) (i)
200 ask the child or youth about his or her desired permanency outcome,
201 or (ii) if the child or youth is unavailable to appear at such hearing,
202 require the attorney for the child or youth to consult with the child or
203 youth regarding the child's or youth's desired permanency outcome
204 and report the same to the court, (B) review the status of the child [,] or
205 youth, (C) review the progress being made to implement the
206 permanency plan, (D) determine a timetable for attaining the

207 permanency plan, (E) determine the services to be provided to the
208 parent if the court approves a permanency plan of reunification and
209 the timetable for such services, and (F) determine whether the
210 commissioner has made reasonable efforts to achieve the permanency
211 plan. The court may revoke commitment if a cause for commitment no
212 longer exists and it is in the best interests of the child or youth.

213 (5) If the permanency plan for a child sixteen years of age or older
214 includes the goal of another planned permanent living arrangement
215 pursuant to subparagraph (D) of subdivision (2) of this subsection, the
216 court shall (A) (i) ask the child about his or her desired permanency
217 outcome, or (ii) if the child is unavailable to appear at a permanency
218 hearing held in accordance with the provisions of subdivision (1) of
219 this subsection, require the attorney for the child to consult with the
220 child regarding the child's desired permanency outcome and report
221 the same to the court; (B) make a judicial determination that, as of the
222 date of hearing, another planned permanent living arrangement is the
223 best permanency plan for the child; and (C) document the compelling
224 reasons why it is not in the best interest of the child to return home or
225 to be placed with a fit and willing relative, legal guardian or adoptive
226 parent.

227 ~~[(4)]~~ (6) If the court approves the permanency plan of adoption: (A)
228 The Commissioner of Children and Families shall file a petition for
229 termination of parental rights not later than sixty days after such
230 approval if such petition has not previously been filed; (B) the
231 commissioner may conduct a thorough adoption assessment and
232 child-specific recruitment; and (C) the court may order that the child
233 be photo-listed within thirty days if the court determines that such
234 photo-listing is in the best interests of the child or youth. As used in
235 this subdivision, "thorough adoption assessment" means conducting
236 and documenting face-to-face interviews with the child or youth,
237 foster care providers and other significant parties and "child specific
238 recruitment" means recruiting an adoptive placement targeted to meet
239 the individual needs of the specific child or youth, including, but not

240 limited to, use of the media, use of photo-listing services and any other
241 in-state or out-of-state resources that may be used to meet the specific
242 needs of the child or youth, unless there are extenuating circumstances
243 that indicate that such efforts are not in the best interests of the child or
244 youth.

245 Sec. 4. Section 46b-141 of the general statutes is repealed and the
246 following is substituted in lieu thereof (*Effective July 1, 2015*):

247 (a) (1) Except as otherwise limited by subsection (i) of section 46b-
248 140 and subdivision (2) of this subsection, commitment of children
249 convicted as delinquent by the Superior Court to the Department of
250 Children and Families shall be for (A) an indeterminate time up to a
251 maximum of eighteen months, or (B) when so convicted for a serious
252 juvenile offense, up to a maximum of four years at the discretion of the
253 court, unless extended as hereinafter provided.

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

257 (b) The Commissioner of Children and Families may file a motion
258 for an extension of the commitment as provided in subparagraph (A)
259 of subdivision (1) of subsection (a) of this section beyond the eighteen-
260 month period on the grounds that such extension is for the best
261 interest of the child or the community. The court shall give notice to
262 the parent or guardian and to the child at least fourteen days prior to
263 the hearing upon such motion. The court may, after hearing and upon
264 finding that such extension is in the best interest of the child or the
265 community, continue the commitment for an additional period of not
266 more than eighteen months, except that such additional period shall
267 not continue beyond the date the child attains the age of twenty. Not
268 later than twelve months after a child is committed to the Department
269 of Children and Families in accordance with subparagraph (A) of
270 subdivision (1) of subsection (a) of this section, the court shall hold a
271 permanency hearing in accordance with subsection (d) of this section.

272 After the initial permanency hearing, subsequent permanency hearings
273 shall be held not less frequently than every twelve months while the
274 child remains committed to the Department of Children and Families.

275 (c) The court shall hold a permanency hearing in accordance with
276 subsection (d) of this section for each child convicted as delinquent for
277 a serious juvenile offense as provided in subparagraph (B) of
278 subdivision (1) of subsection (a) of this section within twelve months
279 of commitment to the Department of Children and Families and every
280 twelve months thereafter if the child remains committed to the
281 Department of Children and Families. Such hearing may include the
282 submission of a motion to the court by the commissioner to either (1)
283 modify such commitment, or (2) extend the commitment beyond such
284 four-year period on the grounds that such extension is for the best
285 interest of the child or the community. The court shall give notice to
286 the parent or guardian and to the child at least fourteen days prior to
287 the hearing upon such motion. The court, after hearing, may modify
288 such commitment or, upon finding that such extension is in the best
289 interest of the child or the community, continue the commitment for an
290 additional period of not more than eighteen months.

291 (d) At least sixty days prior to each permanency hearing required
292 pursuant to subsection (b) or (c) of this section, the Commissioner of
293 Children and Families shall file a permanency plan with the court. At
294 each permanency hearing, the court shall review and approve a
295 permanency plan that is in the best interest of the child and takes into
296 consideration the child's need for permanency. Such permanency plan
297 may include the goal of: (1) Revocation of commitment and placement
298 of the child with the parent or guardian, (2) transfer of guardianship,
299 (3) [permanent placement with a relative, (4)] adoption, or [(5)] (4) for
300 any child sixteen years of age or older, such other planned permanent
301 living arrangement ordered by the court, provided the Commissioner
302 of Children and Families has documented a compelling reason why it
303 would not be in the best interest of the child for the permanency plan
304 to include the goals in subdivisions (1) to [(4)] (3), inclusive, of this

305 subsection. Such other planned permanent living arrangement may
306 include, but not be limited to, placement of the child in an independent
307 living program. At any such permanency hearing, the court shall also
308 determine whether the Commissioner of Children and Families has
309 made reasonable efforts to achieve the permanency plan.

310 (e) (1) If the permanency plan for a child sixteen years of age or
311 older includes such other planned permanent living arrangement
312 pursuant to subdivision (4) of subsection (d) of this section, the
313 department shall document for the court: (A) The manner and
314 frequency of efforts made by the department to return the child home
315 or secure a placement for the child with a fit and willing relative, legal
316 guardian or an adoptive parent; and (B) the steps the department has
317 taken to ensure that (i) the child's foster family home or child care
318 institution is following a reasonable and prudent parent standard, as
319 defined in section 1 of this act; and (ii) the child has regular, ongoing
320 opportunities to engage in age appropriate or developmentally
321 appropriate activities, as defined in section 1 of this act.

322 (2) At any such permanency hearing in which the plan for a child
323 sixteen years of age or older is such other planned permanent living
324 arrangement pursuant to subdivision (4) of subsection (d) of this
325 section, the court shall (A) (i) ask the child about his or her desired
326 permanency outcome, or (ii) if the child is unavailable to appear at
327 such hearing, require the attorney for the child to consult with the
328 child regarding the child's desired permanency outcome and report
329 the same to the court; (B) make a judicial determination that, as of the
330 date of hearing, such other planned permanent living arrangement is
331 the best permanency plan for the child; and (C) document the
332 compelling reasons why it is not in the best interest of the child to
333 return home or to be placed with a fit and willing relative, legal
334 guardian or adoptive parent.

335 [(e)] (f) All other commitments of delinquent, mentally deficient or
336 mentally ill children by the court pursuant to the provisions of section
337 46b-140 may be for an indeterminate time, except that no such

338 commitment may be ordered or continued for any child who has
339 attained the age of twenty. Commitments may be reopened and
340 terminated at any time by said court, provided the Commissioner of
341 Children and Families shall be given notice of such proposed
342 reopening and a reasonable opportunity to present the commissioner's
343 views thereon. The parents or guardian of such child may apply not
344 more than twice in any calendar year for such reopening and
345 termination of commitment. Any order of the court made under the
346 provisions of this section shall be deemed a final order for purposes of
347 appeal, except that no bond shall be required and no costs shall be
348 taxed on such appeal.

349 Sec. 5. Section 17a-114 of the general statutes is repealed and the
350 following is substituted in lieu thereof (*Effective July 1, 2015*):

351 (a) As used in this section, (1) "approval" means a person has been
352 approved to provide foster care by a child-placing agency licensed
353 pursuant to section 17a-149, (2) "licensed" means a person holds a
354 license to provide foster care issued by the Department of Children
355 and Families, [to provide foster care, including foster care of a specific
356 child, and "special study foster parent"] (3) "fictive kin caregiver"
357 means a person who is twenty-one years of age or older and [who does
358 not hold a license issued] who is unrelated to a child by birth, adoption
359 or marriage but who has an emotionally significant relationship with
360 such child amounting to a familial relationship and who is not
361 approved or licensed to provide foster care by the Department of
362 Children and Families, [to provide foster care] and (4) "regular
363 unsupervised access" means periodic interaction with a child in the
364 home for purposes of unsupervised child care, medical or other
365 services to the child.

366 (b) (1) No child in the custody of the Commissioner of Children and
367 Families shall be placed in foster care with any person, unless (A) such
368 person is licensed for that purpose by the department or the
369 Department of Developmental Services pursuant to the provisions of
370 section 17a-227, or (B) such person's home is approved by a child

371 placing agency licensed by the commissioner pursuant to section 17a-
372 149, or (C) such person has received approval as provided in this
373 section. Any person licensed by the department may be a prospective
374 adoptive parent. The commissioner shall adopt regulations, in
375 accordance with the provisions of chapter 54, to establish the licensing
376 procedures and standards.

377 (2) The commissioner shall require each applicant for licensure or
378 approval pursuant to this section and any person sixteen years of age
379 or older living in the household of such applicant to submit to state
380 and national criminal history records checks prior to issuing a license
381 or approval to such applicant to accept placement of a child for
382 purposes of foster care or adoption. Such criminal history records
383 checks shall be conducted in accordance with section 29-17a. The
384 commissioner shall also check the state child abuse registry established
385 pursuant to section 17a-101k for the name of such applicant and for the
386 name of any person sixteen years of age or older living in the
387 household of such applicant.

388 (3) The commissioner, at his or her discretion, may require any
389 person sixteen years of age or older, who is not living in the household
390 but who has regular unsupervised access to a child in the home of an
391 applicant for licensure or approval, to submit to state and national
392 criminal history records checks prior to issuing a license or approval to
393 such applicant to accept placement of a child. Such criminal history
394 records checks shall be conducted in accordance with section 29-17a.
395 The commissioner may also check the state child abuse registry
396 established pursuant to section 17a-101k for the name of any person
397 sixteen years of age or older who is not living in the household but
398 who has regular unsupervised access to a child.

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

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

410 (c) Notwithstanding the requirements of subsection (b) of this
411 section, the commissioner may place a child with a relative [who is not
412 licensed, a nonrelative, if such child's sibling who is related to the
413 caregiver is also placed with such caregiver or with a special study
414 foster parent,] or fictive kin caregiver who has not been issued a
415 license or approval, when such placement is in the best interests of the
416 child, provided a satisfactory home visit is conducted, a basic
417 assessment of the family is completed and such relative [, nonrelative
418 or special study foster parent] or fictive kin caregiver attests that such
419 relative [, nonrelative or special study foster parent] or fictive kin
420 caregiver and any adult living within the household has not been
421 convicted of a crime or arrested for a felony against a person, for injury
422 or risk of injury to or impairing the morals of a child, or for the
423 possession, use or sale of a controlled substance. Any such relative [,
424 nonrelative or special study foster parent] or fictive kin caregiver who
425 accepts placement of a child shall be subject to licensure by the
426 commissioner, pursuant to regulations adopted by the commissioner
427 in accordance with the provisions of chapter 54 to implement the
428 provisions of this section. The commissioner may grant a waiver from
429 such regulations, including any standard regarding separate bedrooms
430 or room-sharing arrangements, for a child placed with a relative or
431 fictive kin caregiver, on a case-by-case basis, if such placement is
432 otherwise in the best interests of such child, provided no procedure or
433 standard that is safety-related may be so waived. The commissioner
434 shall document, in writing, the reason for granting any waiver from
435 such regulations. [For purposes of this subsection, "sibling" includes a
436 stepbrother, stepsister, half-brother or half-sister.]

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

441 Sec. 6. Section 17a-145 of the general statutes is repealed and the
442 following is substituted in lieu thereof (*Effective July 1, 2015*):

443 (a) No person or entity shall care for or board a child without a
444 license obtained from the Commissioner of Children and Families,
445 except: (1) When a child has been placed by a person or entity holding
446 a license from the commissioner; (2) any residential educational
447 institution exempted by the State Board of Education under the
448 provisions of section 17a-152; (3) residential facilities licensed by the
449 Department of Developmental Services pursuant to section 17a-227; (4)
450 facilities providing child day care services, as defined in section 19a-77;
451 or (5) any home that houses students participating in a program
452 described in subparagraph (B) of subdivision (8) of section 10a-29. The
453 person or entity seeking a child care facility license shall file with the
454 commissioner an application for a license, in such form as the
455 commissioner furnishes, stating the location where it is proposed to
456 care for such child, the number of children to be cared for, in the case
457 of a corporation, the purpose of the corporation and the names of its
458 chief officers and of the actual person responsible for the child. The
459 Commissioner of Children and Families is authorized to fix the
460 maximum number of children to be boarded and cared for in any such
461 home or institution or by any person or entity licensed by the
462 commissioner. If the population served at any facility, institution or
463 home operated by any person or entity licensed under this section
464 changes after such license is issued, such person or entity shall file a
465 new license application with the commissioner, and the commissioner
466 shall notify the chief executive officer of the municipality in which the
467 facility is located of such new license application, except that no
468 confidential client information may be disclosed.

469 (b) Each person or entity licensed by the commissioner pursuant to

470 subsection (a) of this section shall designate an on-site staff member
471 who shall apply a reasonable and prudent parent standard, as defined
472 in subsection (a) of section 1 of this act, on behalf of the child.

473 Sec. 7. Section 17a-117 of the general statutes is repealed and the
474 following is substituted in lieu thereof (*Effective July 1, 2015*):

475 (a) The Department of Children and Families may, and is
476 encouraged to contract with child-placing agencies to arrange for the
477 adoption of children who are free for adoption. If (1) a child for whom
478 adoption is indicated, cannot, after all reasonable efforts consistent
479 with the best interests of the child, be placed in adoption through
480 existing sources because the child is a special needs child, and (2) the
481 adopting family meets the standards for adoption which any other
482 adopting family meets, the Commissioner of Children and Families
483 shall, before adoption of such child by such family, certify such child
484 as a special needs child and, after adoption, provide one or more of the
485 following subsidies for the adopting parents: (A) A special-need
486 subsidy, which is a lump sum payment paid directly to the person
487 providing the required service, to pay for an anticipated expense
488 resulting from the adoption when no other resource is available for
489 such payment; or (B) a periodic subsidy which is a payment to the
490 adopting family; and (C) in addition to the subsidies granted under
491 this subsection, any medical benefits which are being provided prior to
492 final approval of the adoption by the superior court for juvenile
493 matters or the Probate Court in accordance with the fee schedule and
494 payment procedures under the state Medicaid program administered
495 by the Department of Social Services shall continue as long as the child
496 qualifies as a dependent of the adoptive parent under the provisions of
497 the Internal Revenue Code. The amount of a periodic subsidy shall not
498 exceed the current costs of foster maintenance care.

499 (b) A medical subsidy may continue until the child reaches twenty-
500 one years of age. A periodic subsidy may continue until the child
501 reaches age eighteen, except such periodic subsidy may continue for a
502 child who is at least eighteen years of age but less than twenty-one

503 years of age, provided: (1) The adoption was finalized on or after
504 October 1, 2013, (2) the child was sixteen years of age or older at the
505 time the adoption was finalized, and (3) the child is (A) enrolled in a
506 full-time approved secondary education program or an approved
507 program leading to an equivalent credential; (B) enrolled full time in
508 an institution that provides postsecondary or vocational education; or
509 (C) participating full time in a program or activity approved by the
510 commissioner that is designed to promote or remove barriers to
511 employment. The commissioner, in his or her discretion, may waive
512 the provision of full-time enrollment or participation based on
513 compelling circumstances.

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

516 (d) Requests for subsidies after a final approval of the adoption by
517 the superior court for juvenile matters or the Probate Court may be
518 considered at the discretion of the commissioner for conditions
519 resulting from or directly related to the totality of circumstances
520 surrounding the child prior to placement in adoption. A written
521 certification of the need for a subsidy shall be made by the
522 commissioner in each case and the type, amount and duration of the
523 subsidy shall be mutually agreed to by the commissioner and the
524 adopting parents prior to the entry of such decree. Any subsidy
525 decision by the commissioner may be appealed by a licensed
526 child-placing agency or the adopting parent or parents to the
527 [Adoption] Subsidy Review Board established under subsection (e) of
528 this section. The commissioner shall adopt regulations establishing the
529 procedures for determining the amount and the need for a subsidy.

530 (e) There is established [an Adoption] a Subsidy Review Board to
531 hear appeals under this section, section 17a-118, as amended by this
532 act, and section 17a-120, as amended by this act. The board shall
533 consist of the Commissioner of Children and Families, or the
534 commissioner's designee, and a [licensed] representative of a
535 child-placing agency and an adoptive parent appointed by the

536 Governor. The Governor shall appoint an alternate [licensed]
537 representative of a child-placing agency and an alternate adoptive
538 parent. Such alternative members shall, when seated, have all the
539 powers and duties set forth in this section and sections 17a-118, [and]
540 as amended by this act, 17a-120, as amended by this act, and 17a-126,
541 as amended by this act. Whenever an alternate member serves in place
542 of a member of the board, such alternate member shall represent the
543 same interest as the member in whose place such alternative member
544 serves. All decisions of the board shall be based on the best interest of
545 the child. Appeals under this section shall be in accordance with the
546 provisions of chapter 54.

547 Sec. 8. Subsection (a) of section 17a-118 of the general statutes is
548 repealed and the following is substituted in lieu thereof (*Effective July*
549 *1, 2015*):

550 (a) There shall be a biennial review of the subsidy for a child under
551 eighteen years of age and an annual review for a child who is at least
552 eighteen years of age but less than twenty-one years of age. Such
553 reviews shall be conducted by the Commissioner of Children and
554 Families. The adoptive parents shall, at the time of such review, submit
555 a sworn statement that the condition which caused the child to be
556 certified as a special needs child or a related condition continues to
557 exist or has reoccurred and that the adoptive parent or parents are still
558 legally responsible for the support of the child and that the child is
559 receiving support from the adoptive family. A child who is at least
560 eighteen years of age but less than twenty-one years of age shall
561 continue to receive an adoption subsidy, pursuant to section 17a-117,
562 as amended by this act, provided his or her adoptive parent submits, at
563 the time of the review, a sworn statement that the child is (1) enrolled
564 in a full-time approved secondary education program or an approved
565 program leading to an equivalent credential; (2) enrolled full time in
566 an institution that provides postsecondary or vocational education; or
567 (3) participating full time in a program or activity approved by the
568 commissioner that is designed to promote or remove barriers to

569 employment. The commissioner, in his or her discretion, may waive
570 the provision of full-time enrollment or participation based on
571 compelling circumstances. If the subsidy is to be terminated or
572 reduced by the commissioner, notice of such proposed reduction or
573 termination shall be given, in writing, to the adoptive parents and such
574 adoptive parents shall, at least thirty days prior to the imposition of
575 said reduction or termination, be given a hearing before the
576 [Adoption] Subsidy Review Board. If such an appeal is taken, the
577 subsidy shall continue without modification until the final decision of
578 the [Adoption] Subsidy Review Board.

579 Sec. 9. Subsection (b) of section 17a-120 of the general statutes is
580 repealed and the following is substituted in lieu thereof (*Effective July*
581 *1, 2015*):

582 (b) There shall be an annual review of the medical expense subsidy
583 set forth in subsection (a) of this section by the Commissioner of
584 Children and Families. If, upon such annual review, the commissioner
585 determines that the child continues to have a condition for which the
586 subsidy was granted or has medical conditions related to such
587 condition, and that the adoptive parent or parents are still legally
588 responsible for the support of the child and that the child is receiving
589 support from the adoptive family, the commissioner shall not
590 terminate or reduce such subsidy. If the condition is corrected and
591 conditions related to it no longer exist, or if the adoptive parent or
592 parents are no longer legally responsible for the support of the child or
593 if the child is no longer receiving any support from the adoptive
594 family, the commissioner may reduce or terminate eligibility for such
595 subsidy. If, following such reduction or termination, such condition or
596 related conditions reoccur, the adopting or adoptive parent or parents
597 may reapply for such subsidy. Upon receipt of such application and
598 determination that such condition or related conditions have
599 reoccurred, the commissioner shall grant such subsidy provided the
600 adoptive parent or parents are still legally responsible for the support
601 of the child or the child is receiving support from the adoptive family.

602 If the subsidy is to be reduced or terminated by said commissioner,
603 notice of such proposed reduction or termination shall be given, in
604 writing, to the adoptive parent or parents and such adoptive parent or
605 parents shall, at least thirty days prior to the imposition of said
606 reduction or termination, be given a hearing before the [Adoption]
607 Subsidy Review Board. If such an appeal is taken, the subsidy shall
608 continue without modification or termination until the final decision of
609 the [Adoption] Subsidy Review Board. Eligibility for such subsidy may
610 continue until the child's twenty-first birthday if the condition that
611 caused the child to be certified as a special needs child or related
612 conditions continue to exist or have reoccurred and the child continues
613 to qualify as a dependent of the legal adoptive parent under the
614 Internal Revenue Code. In no case shall the eligibility for such subsidy
615 continue beyond the child's twenty-first birthday.

616 Sec. 10. Section 17a-126 of the general statutes is repealed and the
617 following is substituted in lieu thereof (*Effective July 1, 2015*):

618 (a) As used in this section, (1) ["relative caregiver" means]
619 "caregiver" means (A) a fictive kin caregiver, as defined in section 17a-
620 114, as amended by this act, who is caring for a child, or (B) a person
621 who is a licensed foster care provider pursuant to section 17a-114, as
622 amended by this act, and is caring for a child who is related to such
623 person, because the parent of the child has died or become otherwise
624 unable to care for the child for reasons that make reunification with the
625 parent and adoption not viable options within the foreseeable future,
626 and (2) "commissioner" means the Commissioner of Children and
627 Families.

628 (b) The commissioner shall establish a program of subsidized
629 guardianship for the benefit of children [in foster care] who have been
630 in foster care for not less than six consecutive months and who have
631 been living with [relative] (1) caregivers, [who are licensed foster care
632 providers pursuant to section 17a-114, and who have been in foster
633 care for not less than six consecutive months] or (2) foster care
634 providers who have been approved to provide foster care by a child-

635 placing agency licensed pursuant to section 17a-149. A [relative]
636 caregiver may request a guardianship subsidy from the commissioner.

637 (c) If a [relative] caregiver who is receiving a guardianship subsidy
638 for a [related] child is also caring for the child's sibling, [who is not
639 related to the caregiver,] the commissioner shall provide a
640 guardianship subsidy to such [relative] caregiver in accordance with
641 regulations adopted by the commissioner pursuant to subsection (e) of
642 this section. For purposes of this subsection, "child's sibling" includes a
643 stepbrother, stepsister, a half-brother or a half-sister.

644 (d) The commissioner shall provide the following subsidies under
645 the subsidized guardianship program in accordance with this section
646 and the regulations adopted pursuant to subsection (e) of this section:
647 (1) A special-need subsidy, which shall be a lump sum payment for
648 one-time expenses resulting from the assumption of care of the child
649 and shall not exceed two thousand dollars; and (2) a medical subsidy
650 comparable to the medical subsidy to children in the subsidized
651 adoption program. The subsidized guardianship program shall also
652 provide a monthly subsidy on behalf of the child payable to the
653 [relative] caregiver that is based on the circumstances of the [relative]
654 caregiver and the needs of the child and shall not exceed the foster care
655 maintenance payment that would have been paid on behalf of the
656 child if the child had remained in licensed foster care.

657 (e) The commissioner shall adopt regulations, in accordance with
658 chapter 54, implementing the subsidized guardianship program
659 established under this section. Such regulations shall include all
660 federal requirements necessary to maximize federal reimbursement
661 available to the state, including, but not limited to, (1) eligibility for the
662 program, (2) the maximum age at which a child is no longer eligible for
663 a guardianship subsidy, including the maximum age, for purposes of
664 claiming federal reimbursement under Title IV-E of the Social Security
665 Act, at which a child is no longer eligible for a guardianship subsidy,
666 and (3) a procedure for determining the types and amounts of the
667 subsidies.

668 (f) (1) At a minimum, the guardianship subsidy provided under this
669 section shall continue until the child reaches the age of eighteen or the
670 age of twenty-one if such child is in full-time attendance at a secondary
671 school, technical school or college or is in a state accredited job training
672 program or otherwise meets the criteria set forth in federal law.

673 (2) A guardianship subsidy may be provided for a child, subject to
674 the commissioner's annual review, through his or her twenty-first
675 birthday, provided: (A) The transfer of guardianship to a successor
676 guardian, as provided in subsection (i) of this section, was finalized on
677 or after October 1, 2013; (B) the child was sixteen years of age or older
678 when such transfer was finalized; and (C) the child is (i) enrolled in a
679 full-time approved secondary education program or an approved
680 program leading to an equivalent credential, (ii) enrolled full time in
681 an institution that provides postsecondary or vocational education, or
682 (iii) participating full time in a program or activity approved by the
683 commissioner that is designed to promote or remove barriers to
684 employment. The commissioner, in his or her discretion, may waive
685 the provision of full-time enrollment or participation based on
686 compelling circumstances. To receive a guardianship subsidy pursuant
687 to this subsection, the guardian shall, at the time of the annual review,
688 submit to the commissioner a sworn statement that the child is still
689 meeting the requirements of clauses (i), (ii) or (iii) of subparagraph (C)
690 of this subdivision, provided the commissioner, in his or her
691 discretion, may waive such requirements based on compelling
692 circumstances.

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

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

701 within the household of the [relative] caregiver.

702 (h) Payments for guardianship subsidies shall be made from
703 moneys available from any source to the commissioner for child
704 welfare purposes. The commissioner shall develop and implement a
705 plan that: (1) Maximizes use of the subsidized guardianship program
706 to decrease the number of children in the legal custody of the
707 commissioner and to reduce the number of children who would
708 otherwise be placed into nonrelative foster care when there is a [family
709 member] caregiver willing to provide care; (2) maximizes federal
710 reimbursement for the costs of the subsidized guardianship program,
711 provided whatever federal maximization method is employed shall
712 not result in the [relative] caregiver of a child being subject to work
713 requirements as a condition of receipt of benefits for the child or the
714 benefits restricted in time or scope other than as specified in subsection
715 (c) of this section; and (3) ensures necessary transfers of funds between
716 agencies and interagency coordination in program implementation.
717 The commissioner shall seek all federal waivers and reimbursement as
718 are necessary and appropriate to implement this plan.

719 (i) In the case of the death, severe disability or serious illness of a
720 [relative] caregiver who is receiving a guardianship subsidy, the
721 commissioner may transfer the guardianship subsidy to a [new
722 relative caregiver who meets the Department of Children and Families
723 foster care safety requirements and] successor guardian who meets the
724 department's foster care safety requirements if such successor
725 guardian has been identified in the subsidy agreement, or an
726 addendum thereto, and such successor guardian is appointed as legal
727 guardian by a court of competent jurisdiction.

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

732 (k) Not less than thirty days prior to the termination or reduction of

733 a guardianship subsidy, the commissioner shall (1) provide written
734 notice of such reduction or termination to the caregiver receiving such
735 subsidy, and (2) provide such caregiver with a hearing before the
736 Subsidy Review Board. If such an appeal is taken, the subsidy shall
737 continue without modification until the final decision of the Subsidy
738 Review Board.

739 Sec. 11. Section 17a-10b of the general statutes is repealed and the
740 following is substituted in lieu thereof (*Effective July 1, 2015*):

741 (a) Notwithstanding the provisions of section 17a-28, as amended
742 by this act, if the Commissioner of Children and Families removes a
743 child from the custody of a parent, the commissioner shall [use best
744 efforts] make a reasonable effort to identify and [notify the
745 grandparents of the child not later than fifteen days after the child is
746 removed from the home. A grandparent may provide contact
747 information to the commissioner for the purposes of such notice if the
748 child is the subject of an investigation by the commissioner or has
749 been, or is under, the care or supervision of the commissioner] provide
750 notice, not later than thirty days after the child is removed from the
751 home, to the following relatives: (1) Each grandparent of the child, (2)
752 each parent of any sibling of the child, provided such parent has legal
753 custody of such sibling, and (3) any other adult relative of the child by
754 blood or marriage. For purposes of this subsection, "sibling" includes a
755 stepbrother, stepsister, half-brother, half-sister and any individual who
756 would have been considered a sibling of the child under state law
757 except for a termination or other disruption of parental rights,
758 including, but not limited to, the death of a parent.

759 (b) The notice provided pursuant to subsection (a) of this section
760 shall include: (1) A statement that the child has been removed from the
761 custody of a parent; (2) a summary of relative's rights under federal
762 and state law to participate in the care and placement of the child,
763 including any options that may be deemed waived through failure to
764 respond to such notice; (3) a description of the requirements to become
765 licensed or approved as a foster family home and the additional

766 services and supports that are available for a child placed in such
767 home; and (4) a description of how the caregiver of the child may
768 subsequently enter into an agreement with the department to receive
769 subsidies for the provision of foster care.

770 Sec. 12. Section 17a-114b of the general statutes is repealed and the
771 following is substituted in lieu thereof (*Effective July 1, 2015*):

772 The Commissioner of Children and Families, pursuant to the federal
773 Child and Family Services Improvement and Innovation Act and the
774 federal Preventing Sex Trafficking and Strengthening Families Act,
775 shall request, annually, a free credit report on behalf of each [youth
776 sixteen] child fourteen years of age or older who is in the custody of
777 the commissioner and placed in foster care. Upon receipt of each credit
778 report, the commissioner or a designee of the commissioner shall
779 review the report for evidence of identity theft, as defined in section
780 53a-129a and provide a copy of the report to [the youth's] such child's
781 attorney or guardian ad litem, if any. Upon receipt of the credit report,
782 if feasible, such attorney or guardian ad litem shall review the report
783 for evidence of identity theft, as defined in section 53a-129a, and, in
784 conjunction with the commissioner or designee, shall assist [the youth]
785 such child in interpreting such report and resolving any inaccuracies
786 contained in such report. If the commissioner or the commissioner's
787 designee finds evidence of identity theft, not later than five business
788 days after receipt of the credit report, the commissioner shall report
789 such findings to the office of the Chief State's Attorney.

790 Sec. 13. (NEW) (*Effective July 1, 2015*) The Department of Children
791 and Families shall report any missing or abducted child who was
792 committed to the custody of the commissioner to the law enforcement
793 authority having jurisdiction over the geographical area from which
794 the child was reported missing or was abducted. The department shall
795 make such report immediately, but in no case later than twenty-four
796 hours after the child is determined to be missing or abducted, to the
797 Federal Bureau of Investigation's National Crime Information Center
798 and to the National Center for Missing and Exploited Children.

799 Sec. 14. Subsection (a) of section 17a-15 of the general statutes is
800 repealed and the following is substituted in lieu thereof (*Effective July*
801 *1, 2015*):

802 (a) The commissioner shall prepare and maintain a written case plan
803 for care, treatment and permanent placement of every child under the
804 commissioner's supervision, which shall include, but not be limited to,
805 a diagnosis of the problems of each child, the proposed plan of
806 treatment services and temporary placement and a goal for permanent
807 placement of the child, which may include reunification with the
808 parent, [long-term foster care with an identified individual,] transfer of
809 guardianship, [another planned permanent living arrangement, or]
810 adoption or, for a child sixteen years of age or older, another planned
811 permanent living arrangement. The child's health and safety shall be
812 the paramount concern in formulating the plan.

813 Sec. 15. Subsection (g) of section 17a-28 of the general statutes is
814 repealed and the following is substituted in lieu thereof (*Effective July*
815 *1, 2015*):

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

819 (1) The person named in the record or such person's authorized
820 representative, provided such disclosure shall be limited to
821 information (A) contained in the record about such person or about
822 such person's biological or adoptive minor child, if such person's
823 parental rights to such child have not been terminated; and (B)
824 identifying an individual who reported abuse or neglect of the person,
825 including any tape recording of an oral report pursuant to section 17a-
826 103, if a court determines that there is reasonable cause to believe the
827 reporter knowingly made a false report or that the interests of justice
828 require disclosure;

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

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

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

833 (4) The Attorney General, any assistant attorney general or any
834 other legal counsel retained to represent the department during the
835 course of a legal proceeding involving the department or an employee
836 of the department;

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

838 (6) The Chief Public Defender or the Chief Public Defender's
839 designee for purposes of ensuring competent representation by the
840 attorneys with whom the Chief Public Defender contracts to provide
841 legal and guardian ad litem services to the subjects of such records and
842 for ensuring accurate payments for services rendered by such
843 attorneys;

844 (7) The Chief State's Attorney or the Chief State's Attorney's
845 designee for purposes of investigating or prosecuting (A) an allegation
846 related to child abuse or neglect, (B) an allegation that an individual
847 made a false report of suspected child abuse or neglect, or (C) an
848 allegation that a mandated reporter failed to report suspected child
849 abuse or neglect in accordance with section 17a-101a, provided such
850 prosecuting authority shall have access to records of a child charged
851 with the commission of a delinquent act, who is not being charged
852 with an offense related to child abuse, only while the case is being
853 prosecuted and after obtaining a release;

854 (8) A state or federal law enforcement officer for purposes of
855 investigating (A) an allegation related to child abuse or neglect, (B) an
856 allegation that an individual made a false report of suspected child
857 abuse or neglect, or (C) an allegation that a mandated reporter failed to
858 report suspected child abuse or neglect in accordance with section 17a-
859 101a;

860 (9) A foster or prospective adoptive parent, if the records pertain to
861 a child or youth currently placed with the foster or prospective
862 adoptive parent, or a child or youth being considered for placement
863 with the foster or prospective adoptive parent, and the records are
864 necessary to address the social, medical, psychological or educational
865 needs of the child or youth, provided no information identifying a
866 biological parent is disclosed without the permission of such biological
867 parent;

868 (10) The Governor, when requested in writing in the course of the
869 Governor's official functions, the Legislative Program Review and
870 Investigations Committee, the joint standing committee of the General
871 Assembly having cognizance of matters relating to human services, the
872 joint standing committee of the General Assembly having cognizance
873 of matters relating to the judiciary or the joint standing committee of
874 the General Assembly having cognizance of matters relating to
875 children, when requested in writing by any of such committees in the
876 course of such committee's official functions, and upon a majority vote
877 of such committee, provided no name or other identifying information
878 is disclosed unless such information is essential to the gubernatorial or
879 legislative purpose;

880 (11) The Office of Early Childhood for the purpose of (A)
881 determining the suitability of a person to care for children in a facility
882 licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining
883 the suitability of such person for licensure; (C) an investigation
884 conducted pursuant to section 19a-80f; (D) notifying the Department of
885 Public Health when the Department of Children and Families places
886 an individual licensed or certified by the Department of Public Health
887 on the child abuse and neglect registry pursuant to section 17a-101k; or
888 (E) notifying the Department of Public Health when the Department of
889 Children and Families possesses information regarding a Department
890 of Public Health regulatory violation committed by an individual
891 licensed or certified by the Department of Public Health;

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

893 department to determine eligibility, facilitate enrollment and plan for
894 the provision of services to a child who is a client of said department
895 and who is applying to enroll in or is enrolled in said department's
896 voluntary services program. At the time that a parent or guardian
897 completes an application for enrollment of a child in the Department of
898 Developmental Services' voluntary services program, or at the time
899 that said department updates a child's annual individualized plan of
900 care, said department shall notify such parent or guardian that the
901 Department of Children and Families may provide records to the
902 Department of Developmental Services for the purposes specified in
903 this subdivision without the consent of such parent or guardian;

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

909 ~~[(13)]~~ (14) A state agency that licenses or certifies an individual to
910 educate or care for children or youth;

911 ~~[(14)]~~ (15) A judge or employee of a ~~[probate court]~~ Probate Court
912 who requires access to such records in order to perform such judge's or
913 employee's official duties;

914 ~~[(15)]~~ (16) A judge of the Superior Court for purposes of
915 determining the appropriate disposition of a child convicted as
916 delinquent or a child who is a member of a family with service needs;

917 ~~[(16)]~~ (17) A judge of the Superior Court in a criminal prosecution
918 for purposes of in camera inspection whenever (A) the court has
919 ordered that the record be provided to the court; or (B) a party to the
920 proceeding has issued a subpoena for the record;

921 ~~[(17)]~~ (18) A judge of the Superior Court and all necessary parties in
922 a family violence proceeding when such records concern family
923 violence with respect to the child who is the subject of the proceeding

924 or the parent of such child who is the subject of the proceeding;

925 [(18)] (19) The Auditors of Public Accounts, or their representative,
926 provided no information identifying the subject of the record is
927 disclosed unless such information is essential to an audit conducted
928 pursuant to section 2-90;

929 [(19)] (20) A local or regional board of education, provided the
930 records are limited to educational records created or obtained by the
931 state or Connecticut Unified School District #2, established pursuant to
932 section 17a-37;

933 [(20)] (21) The superintendent of schools for any school district for
934 the purpose of determining the suitability of a person to be employed
935 by the local or regional board of education for such school district
936 pursuant to subsection (a) of section 10-221d;

937 [(21)] (22) The Department of Motor Vehicles for the purpose of
938 criminal history records checks pursuant to subsection (e) of section
939 14-44, provided information disclosed pursuant to this subdivision
940 shall be limited to information included on the Department of
941 Children and Families child abuse and neglect registry established
942 pursuant to section 17a-101k, subject to the provisions of sections 17a-
943 101g and 17a-101k concerning the nondisclosure of findings of
944 responsibility for abuse and neglect;

945 [(22)] (23) The Department of Mental Health and Addiction Services
946 for the purpose of treatment planning for young adults who have
947 transitioned from the care of the Department of Children and Families;

948 [(23)] (24) The superintendent of a public school district or the
949 executive director or other head of a public or private institution for
950 children providing care for children or a private school (A) pursuant to
951 sections 17a-11, as amended by this act, 17a-101b, 17a-101c, [and] 17a-
952 101i, 17a-111b, as amended by this act, 46b-129, as amended by this act,
953 and 46b-141, as amended by this act, or (B) when the Department of
954 Children and Families places an individual employed by such

955 institution or school on the child abuse and neglect registry pursuant
956 to section 17a-101k;

957 ~~[(24)]~~ (25) The Department of Social Services for the purpose of (A)
958 determining the suitability of a person for payment from the
959 Department of Social Services for providing child care; (B) promoting
960 the health, safety and welfare of a child or youth receiving services
961 from either department; or (C) investigating allegations of fraud
962 provided no information identifying the subject of the record is
963 disclosed unless such information is essential to any such
964 investigation;

965 ~~[(25)]~~ (26) The Court Support Services Division of the Judicial
966 Branch, to allow the division to determine the supervision and
967 treatment needs of a child or youth, and provide appropriate
968 supervision and treatment services to such child or youth, provided
969 such disclosure shall be limited to information that identifies the child
970 or youth, or a member of such child's or youth's immediate family, as
971 being or having been (A) committed to the custody of the
972 Commissioner of Children and Families as delinquent, (B) under the
973 supervision of the Commissioner of Children and Families, or (C)
974 enrolled in the voluntary services program operated by the
975 Department of Children and Families;

976 ~~[(26)]~~ (27) The Court Support Services Division of the Judicial
977 Branch for the purpose of sharing common case records to track
978 recidivism of juvenile offenders; and

979 ~~[(27)]~~ (28) The birth-to-three program's referral intake office for the
980 purpose of (A) determining eligibility of, (B) facilitating enrollment for,
981 and (C) providing services to (i) substantiated victims of child abuse
982 and neglect with suspected developmental delays, and (ii) newborns
983 impacted by withdrawal symptoms resulting from prenatal drug
984 exposure.

985 Sec. 16. Section 17a-6a of the general statutes is repealed and the

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

987 (a) The Commissioner of Children and Families shall (1) require
988 each applicant for a position with the department to state in writing
989 whether such person has ever been convicted of a crime or whether
990 criminal charges are pending against such person at the time such
991 person submits an application, and (2) require each applicant to submit
992 to state and national criminal history records checks, in accordance
993 with section 29-17a. The commissioner shall also check the state child
994 abuse registry established pursuant to section 17a-101k for the name of
995 such applicant.

996 (b) The Commissioner of Children and Families shall require each
997 vendor or contractor of the department and each employee of such
998 vendor or contractor who provides direct services to children or
999 youths in the care and custody of the department or who has access to
1000 the department's records to submit to state and national criminal
1001 history records checks, in accordance with section 29-17a. The
1002 commissioner shall also check the state child abuse registry established
1003 pursuant to section 17a-101k for the name of such vendor or contractor
1004 and each employee of such vendor or contractor who has access to
1005 records or clients of the department.

1006 Sec. 17. Section 17a-10a of the general statutes is repealed and the
1007 following is substituted in lieu thereof (*Effective October 1, 2015*):

1008 (a) The Commissioner of Children and Families shall ensure that a
1009 child placed in the care and custody of the commissioner pursuant to
1010 an order of temporary custody or an order of commitment is provided
1011 visitation with such child's parents and siblings, unless otherwise
1012 ordered by the court.

1013 (b) The commissioner shall ensure that such child's visits with his or
1014 her parents shall occur as frequently as reasonably possible, based
1015 upon consideration of the best interests of the child, including the age
1016 and developmental level of the child, and shall be sufficient in number

1017 and duration to ensure continuation of the relationship.

1018 (c) If such child has an existing relationship with a sibling and is
1019 separated from such sibling as a result of intervention by the
1020 commissioner including, but not limited to, placement in a foster home
1021 or in the home of a relative, the commissioner shall, based upon
1022 consideration of the best interests of the child, ensure that such child
1023 has access to and visitation rights with such sibling throughout the
1024 duration of such placement. In determining the number, frequency
1025 and duration of sibling visits, the commissioner shall consider the best
1026 interests of each sibling, given each child's age and developmental
1027 level and the continuation of the sibling relationship. If the child and
1028 his or her sibling both reside within the state and within fifty miles of
1029 each other, the commissioner shall, within available appropriations,
1030 ensure that such child's visits with his or her sibling occur, on average,
1031 not less than once per week, unless the commissioner finds that the
1032 frequency of such visitation is not in the best interests of each sibling.

1033 (d) The commissioner shall include in each child's plan of treatment
1034 information relating to the factors considered in making visitation
1035 determinations pursuant to this section. If the commissioner
1036 determines that such visits are not in the best interests of the child, that
1037 the occurrence of, on average, not less than one visit per week with his
1038 or her sibling is not in the best interests of each sibling, or that the
1039 number, frequency or duration of the visits requested by the child's
1040 attorney or guardian ad litem is not in the best interests of the child,
1041 the commissioner shall include the reasons for such determination in
1042 the child's plan of treatment.

1043 (e) On or before October first of each year, the commissioner shall
1044 report, in accordance with the provisions of section 11-4a, to the joint
1045 standing committee of the General Assembly having cognizance of
1046 matters relating to children, data sufficient to demonstrate compliance
1047 with subsections (a), (c) and (d) of this section. Such data shall include
1048 the total annual number of children in out-of-home placements who
1049 have siblings, the total number of child cases with documented sibling

1050 visitation and the number of individual siblings involved in each case.

1051 Sec. 18. Section 45a-715 of the general statutes is repealed and the
1052 following is substituted in lieu thereof (*Effective October 1, 2015*):

1053 (a) Any of the following persons may petition the [Court of] Probate
1054 Court to terminate parental rights of all persons who may have
1055 parental rights regarding any minor child or for the termination of
1056 parental rights of only one parent provided the application so states:
1057 (1) Either or both parents, including a parent who is a minor; (2) the
1058 guardian of the child; (3) the selectmen of any town having charge of
1059 any foundling child; (4) a duly authorized officer of any child care
1060 facility or child-placing agency or organization or any children's home
1061 or similar institution approved by the Commissioner of Children and
1062 Families; (5) a relative of the child if the parent or parents have
1063 abandoned or deserted the child; (6) the Commissioner of Children
1064 and Families, provided the custodial parent of such minor child has
1065 consented to the termination of parental rights and the child has not
1066 been committed to the commissioner, and no application for
1067 commitment has been made; provided in any case hereunder where
1068 the child with respect to whom the petition is brought has attained the
1069 age of twelve, the child shall join in the petition.

1070 (b) A petition for termination of parental rights shall be entitled "In
1071 the interest of (Name of child), a person under the age of eighteen
1072 years", and shall set forth with specificity: (1) The name, sex, date and
1073 place of birth, and present address of the child; (2) the name and
1074 address of the petitioner, and the nature of the relationship between
1075 the petitioner and the child; (3) the names, dates of birth and addresses
1076 of the parents of the child, if known, including the name of any
1077 putative father named by the mother, and the tribe and reservation of
1078 an American Indian parent; (4) if the parent of the child is a minor, the
1079 names and addresses of the parents or guardian of the person of such
1080 minor; (5) the names and addresses of: (A) The guardian of the person
1081 of the child; (B) any guardians ad litem appointed in a prior
1082 proceeding; (C) the tribe and reservation of an American Indian child;

1083 and (D) the child-placing agency which placed the child in his current
1084 placement; (6) the facts upon which termination is sought, the legal
1085 grounds authorizing termination, the effects of a termination decree
1086 and the basis for the jurisdiction of the court; (7) the name of the
1087 persons or agencies which have agreed to accept custody or
1088 guardianship of the child's person upon disposition.

1089 (c) If the information required under subdivisions (2) and (6) of
1090 subsection (b) of this section is not stated, the petition shall be
1091 dismissed. If any other facts required under subdivision (1), (3), (4), (5)
1092 or (7) of subsection (b) of this section are not known or cannot be
1093 ascertained by the petitioner, he shall so state in the petition. If the
1094 whereabouts of either parent or the putative father named under
1095 subdivision (3) of subsection (b) of this section are unknown, the
1096 petitioner shall diligently search for any such parent or putative father.
1097 The petitioner shall file an affidavit with the petition indicating the
1098 efforts used to locate the parent or putative father.

1099 (d) If a petition indicates that either or both parents consent to the
1100 termination of their parental rights, or if at any time following the
1101 filing of a petition and before the entry of a decree a parent consents to
1102 the termination of his parental rights, each consenting parent shall
1103 acknowledge such consent on a form promulgated by the Office of the
1104 Chief Court Administrator evidencing to the satisfaction of the court
1105 that the parent has voluntarily and knowingly consented to the
1106 termination of his parental rights. No consent to termination by a
1107 mother shall be executed within forty-eight hours immediately after
1108 the birth of her child. A parent who is a minor shall have the right to
1109 consent to termination of parental rights and such consent shall not be
1110 voidable by reason of such minority. A guardian ad litem shall be
1111 appointed by the court to assure that such minor parent is giving an
1112 informed and voluntary consent.

1113 (e) A petition under this section shall be filed in the [court of
1114 probate] Probate Court for the district in which the petitioner or the
1115 child resides or, in the case of a minor who is under the guardianship

1116 of any child care facility or child-placing agency, in the [court of
1117 probate] Probate Court for the district in which the main office or any
1118 local office of the agency is located. If the petition is filed with respect
1119 to a child born out of wedlock, the petition shall state whether there is
1120 a putative father to whom notice shall be given under subdivision (2)
1121 of subsection (b) of section 45a-716.

1122 (f) If any petitioner under subsection (a) is a minor or incompetent,
1123 the guardian ad litem, appointed by the court in accordance with
1124 section 45a-708, must approve the petition in writing, before action by
1125 the court.

1126 (g) Before a hearing on the merits in any case in which a petition for
1127 termination of parental rights is contested in a [court of probate]
1128 Probate Court, the [court of probate] Probate Court shall, on the
1129 motion of any legal party except the petitioner, or may on its own
1130 motion or that of the petitioner, transfer the case to the Superior Court
1131 in accordance with rules adopted by the judges of the Supreme Court.
1132 In addition to the provisions of this section, the [probate court] Probate
1133 Court may, on the court's own motion or that of any interested party,
1134 transfer any termination of parental rights case to a regional children's
1135 probate court established pursuant to section 45a-8a. If the case is
1136 transferred, the clerk of the [Court of] Probate Court shall transmit to
1137 the clerk of the Superior Court or the regional children's probate court
1138 to which the case was transferred, the original files and papers in the
1139 case. The Superior Court or the regional children's probate court to
1140 which the case was transferred, upon hearing after notice as provided
1141 in sections 45a-716 and 45a-717, may grant the petition as provided in
1142 section 45a-717.

1143 (h) Either or both birth parents and an intended adoptive parent
1144 may enter into a cooperative postadoption agreement regarding
1145 communication or contact between either or both birth parents and the
1146 adopted child. Such an agreement may be entered into if: (1) [The child
1147 is in the custody of the Department of Children and Families; (2) an]
1148 An order terminating parental rights has not yet been entered; and

1149 [(3)] (2) either or both birth parents agree to a voluntary termination of
1150 parental rights, including an agreement in a case which began as an
1151 involuntary termination of parental rights. The postadoption
1152 agreement shall be applicable only to a birth parent who is a party to
1153 the agreement. Such agreement shall be in addition to those under
1154 common law. Counsel for the child and any guardian ad litem for the
1155 child may be heard on the proposed cooperative postadoption
1156 agreement. There shall be no presumption of communication or
1157 contact between the birth parents and an intended adoptive parent in
1158 the absence of a cooperative postadoption agreement.

1159 (i) If the [Court of Probate] court determines that the child's best
1160 interests will be served by postadoption communication or contact
1161 with either or both birth parents, the court shall so order, stating the
1162 nature and frequency of the communication or contact. A court may
1163 grant postadoption communication or contact privileges if: (1) Each
1164 intended adoptive parent consents to the granting of communication
1165 or contact privileges; (2) the intended adoptive parent and either or
1166 both birth parents execute a cooperative agreement and file the
1167 agreement with the court; (3) consent to postadoption communication
1168 or contact is obtained from the child, if the child is at least twelve years
1169 of age; and (4) the cooperative postadoption agreement is approved by
1170 the court.

1171 (j) A cooperative postadoption agreement shall contain the
1172 following: (1) An acknowledgment by either or both birth parents that
1173 the termination of parental rights and the adoption is irrevocable, even
1174 if the adoptive parents do not abide by the cooperative postadoption
1175 agreement; and (2) an acknowledgment by the adoptive parents that
1176 the agreement grants either or both birth parents the right to seek to
1177 enforce the cooperative postadoption agreement.

1178 (k) The terms of a cooperative postadoption agreement may include
1179 the following: (1) Provision for communication between the child and
1180 either or both birth parents; (2) provision for future contact between
1181 either or both birth parents and the child or an adoptive parent; and (3)

1182 maintenance of medical history of either or both birth parents who are
1183 a party to the agreement.

1184 (l) The order approving a cooperative postadoption agreement shall
1185 be made part of the final order terminating parental rights. The finality
1186 of the termination of parental rights and of the adoption shall not be
1187 affected by implementation of the provisions of the postadoption
1188 agreement, nor is the cooperative postadoption contingent upon the
1189 finalization of an adoption. Such an agreement shall not affect the
1190 ability of the adoptive parents and the child to change their residence
1191 within or outside this state.

1192 (m) A disagreement between the parties or litigation brought to
1193 enforce or modify the agreement shall not affect the validity of the
1194 termination of parental rights or the adoption and shall not serve as a
1195 basis for orders affecting the custody of the child. The court shall not
1196 act on a petition to change or enforce the agreement unless the
1197 petitioner had participated, or attempted to participate, in good faith
1198 in mediation or other appropriate dispute resolution proceedings to
1199 resolve the dispute and allocate any cost for such mediation or dispute
1200 resolution proceedings.

1201 (n) An adoptive parent, guardian ad litem for the child or the court
1202 on its own motion may, at any time, petition for review of
1203 communication or contact ordered pursuant to subsection (i) of this
1204 section, if the adoptive parent believes that the best interests of the
1205 child are being compromised. The court may order the communication
1206 or contact be terminated, or order such conditions in regard to
1207 communication or contact as the court deems to be in the best interest
1208 of the adopted child.

1209 (o) For any child who is the subject of a petition for adoption under
1210 this chapter, the court shall consider the appropriateness of
1211 postadoption communication or contact with a sibling of such child,
1212 including, but not limited to, visitation, written correspondence or
1213 telephone calls. If the court determines such postadoption

1214 communication or contact is in the best interest of the child, the court
1215 shall order that such child has access to and visitation rights with such
1216 sibling until the child reaches eighteen years of age.

1217 (p) The court shall consider the following factors in determining
1218 whether postadoption communication or contact with a sibling is in
1219 the best interest of the child: (1) The age of the child and his or her
1220 sibling; (2) the extent of the existing relationship between the child and
1221 his or her sibling; (3) the physical, emotional and psychological needs,
1222 including any special needs, and stability of the child and his or her
1223 sibling; (4) the child's opinion and the opinion of his or her sibling
1224 regarding such postadoption communication or contact; (5) the
1225 opinion of the adoptive parent regarding such postadoption
1226 communication or contact; (6) opinions of experts, including any
1227 individuals who may have provided services to the child or his or her
1228 sibling; (7) the long-term plans for the child and his or her sibling; and
1229 (8) any relevant logistical concerns.

1230 (q) Any determination of the court pursuant to subdivision (o) of
1231 this section shall be included in the final adoption order, but such
1232 determination shall not affect the validity of the adoption. Nothing in
1233 this subsection shall limit the authority of the court to enforce its
1234 orders in any manner permitted by law.

1235 (r) An adoptive parent may, at any time, petition the court to review
1236 its determination regarding postadoption communication or contact
1237 between a child and his or her sibling. Upon receiving such petition,
1238 the court shall conduct a review of its determination using the factors
1239 listed in subsection (p) of this section and may order the
1240 communication or contact to be terminated or modified if the court
1241 determines that such termination or modification is in the best interest
1242 of the child. If any dispute arises pursuant to such review, the court
1243 may order the parties to engage in mediation.

1244 (s) The court shall not, pursuant to the review required under
1245 subsection (r) of this section, increase communication or contact

1246 between the adopted child and his or her sibling unless the court (1)
1247 receives consent from the adoptive parent; and (2) inquires about and
1248 considers the opinion of the child regarding such increase.

1249 Sec. 19. Section 17a-11 of the general statutes is repealed and the
1250 following is substituted in lieu thereof (*Effective October 1, 2015*):

1251 (a) The commissioner may, in the commissioner's discretion, admit
1252 to the department on a voluntary basis any child or youth who, in the
1253 commissioner's opinion, could benefit from any of the services offered
1254 or administered by, or under contract with, or otherwise available to,
1255 the department. Application for voluntary admission shall be made in
1256 writing by the parent or guardian of a child under fourteen years of
1257 age or by such person himself or herself if he or she is a child fourteen
1258 years of age or older or a youth. The fact that a parent has applied for
1259 services or received services for his or her child through voluntary
1260 admission shall not be used against the parent (1) in any investigation
1261 conducted by the department in accordance with section 17a-101g, (2)
1262 when making placement decisions for the child, (3) when making
1263 foster care licensing determinations in accordance with section 17a-
1264 114, or (4) in any court proceeding related to the placement of a minor
1265 relative of the parent.

1266 (b) A child or youth voluntarily admitted to the department shall be
1267 deemed to be within the care of the commissioner until such admission
1268 is terminated. The commissioner shall terminate the admission of any
1269 child or youth voluntarily admitted to the department within ten days
1270 after receipt of a written request for termination from a parent or
1271 guardian of any child under fourteen years of age or from a child if
1272 such child is fourteen years of age or older, or youth, unless prior to
1273 the expiration of that time the commissioner has sought and received
1274 from the Superior Court an order of temporary custody as provided by
1275 law. [The] Except as provided in subsection (i) of this section, the
1276 commissioner may terminate the admission of any child or youth
1277 voluntarily admitted to the department after (1) giving reasonable
1278 notice in writing to (A) the parent or guardian of any child [under

1279 fourteen years of age and to a child] or youth, and (B) the child if such
1280 child is fourteen years of age or older, [and to any] or youth, and (2) if
1281 the commissioner has previously petitioned the Probate Court
1282 pursuant to subsection (c) of this section, providing notice to the
1283 Probate Court of such petition. Any child or youth admitted
1284 voluntarily to the department may be placed in, or transferred to, any
1285 resource, facility or institution within the department or available to
1286 the commissioner except the Connecticut Juvenile Training School,
1287 provided the commissioner shall give written notice to such child or
1288 youth and to the parent or guardian of the child of the commissioner's
1289 intention to make a transfer at least ten days prior to any actual
1290 transfer, unless written notice is waived by those entitled to receive it,
1291 or unless an emergency commitment of such child or youth is made
1292 pursuant to section 17a-502. Any child or youth admitted voluntarily
1293 to the department may be transferred to the supervision of the
1294 Department of Mental Health and Addiction Services or the
1295 Department of Developmental Services, in collaboration with the
1296 commissioner of the department to which the child is transferred. The
1297 Commissioner of Children and Families shall provide written notice of
1298 his or her intention to make a transfer at least ten days prior to any
1299 actual transfer to a child fourteen years of age or older, or youth, and
1300 to the parent or guardian of the child or youth being transferred. If the
1301 department has previously filed a petition with the Probate Court
1302 under subsection (c) of this section, the commissioner shall provide
1303 notice of such petition to the court. The Commissioner of Children and
1304 Families may continue to provide services to the child or youth in
1305 collaboration with the department to which the child or youth has
1306 been transferred or may terminate the voluntary services if, in the
1307 commissioner's discretion, the department to which the child or youth
1308 has been transferred provides adequate services. The commissioner
1309 shall provide written notice of his or her intention to terminate services
1310 following a transfer to another department to a child fourteen years of
1311 age or older, or youth, and to the parent or guardian of such child or
1312 youth. If the department has previously filed a petition with the
1313 Probate Court under subsection (c) of this section, the commissioner

1314 shall provide notice of such petition to the court.

1315 (c) Not more than one hundred twenty days after admitting a child
1316 or youth on a voluntary basis, the [department] commissioner shall
1317 petition the [probate court] Probate Court for the district in which a
1318 parent or guardian of the child or youth resides for a determination as
1319 to whether continuation [in] of care is in the child's or youth's best
1320 interest and, if so, whether there is an appropriate case service or
1321 permanency plan in place for such child or youth. A case service plan
1322 shall be required for all children and youths receiving services
1323 voluntarily from the department who are not in an out-of-home
1324 placement. A permanency plan shall be required for all children and
1325 youths voluntarily admitted to the department and placed by the
1326 department in a foster home licensed pursuant to section 17a-114 or a
1327 facility licensed pursuant to section 17a-145. Upon receipt of such
1328 [application] petition, the court shall set a time and place for a hearing
1329 to be held within thirty days of receipt of the [application] petition,
1330 unless continued by the court for cause shown. The court shall order
1331 notice of the hearing to be given by first class mail at least five days
1332 prior to the hearing to the Commissioner of Children and Families,
1333 and by first class mail at least five days prior to the hearing to the
1334 parents or guardian of the child or youth and [the minor, if over
1335 twelve] the child, if such child is fourteen years of age or older, or
1336 youth. If the whereabouts of the parent or guardian are unknown, or if
1337 delivery cannot reasonably be effected, then notice shall be ordered to
1338 be given by publication. In making its determination as to whether
1339 there is an appropriate case service plan for a child or youth, the court
1340 shall consider the items specified in subdivision (2) of subsection (d) of
1341 this section. In making its determination as to whether there is an
1342 appropriate permanency plan for a child or youth, the court shall
1343 consider the items specified in subsection (f) of this section. The court
1344 shall possess continuing jurisdiction in proceedings under this section.

1345 (d) (1) If the child or youth is not in an out-of-home placement, the
1346 commissioner shall not be required to file periodic motions for review

1347 of the case service plan, provided the court shall conduct a hearing to
1348 review the case service plan on motion of the commissioner, a parent
1349 or guardian of the child or youth or a child fourteen years of age or
1350 older, or youth. The court may conduct a hearing on its own motion to
1351 review the case service plan for a child or youth who is not in an out-
1352 of-home placement if the court determines that imminent concerns
1353 regarding the health and safety of the child or youth require a hearing.
1354 The court shall provide notice of the time and place of the hearing on
1355 such motion to the commissioner, the parents or guardian of the child
1356 or youth and to the child, if such child is fourteen years of age or older,
1357 or youth, not later than ten days prior to the date of such hearing. In
1358 making its determination as to whether there is an appropriate case
1359 service plan, the court shall consider the items specified in subdivision
1360 (2) of this subsection.

1361 (2) At a hearing on a motion to review a case service plan for a child
1362 or youth who is not in an out-of-home placement, the court shall
1363 approve a case service plan that is in the best interests of the child or
1364 youth. The health and safety of the child or youth shall be of
1365 paramount concern in formulating such plan. At such hearing, the
1366 court shall consider among other things: (A) The appropriateness of
1367 the department's plan for service to the child or youth and his or her
1368 family; (B) the treatment and support services that have been offered
1369 and provided to the child or youth to strengthen the family; and (C)
1370 any further efforts which have been or will be made to promote the
1371 best interests of the child or youth. At the conclusion of the hearing,
1372 the court may: (i) Direct that the services being provided be continued
1373 if the court determines that continuation of the child or youth in
1374 services is in the child's or youth's best interests, or (ii) direct that the
1375 child's or youth's services be modified to reflect the child's or youth's
1376 best interest.

1377 [(d) (1)] (e) Ten months after admitting a child or youth on a
1378 voluntary basis and annually thereafter if the child or youth remains in
1379 the custody of the commissioner and remains placed (1) in a foster

1380 home licensed pursuant to section 17a-114, (2) in a foster home
1381 approved by a child-placing agency licensed pursuant to section 17a-
1382 149, or (3) in a facility licensed pursuant to section 17a-145, the
1383 commissioner shall file a motion for review of a permanency plan. A
1384 hearing on such motion shall be held not later than thirty days after the
1385 filing of such motion. [The] Not later than ten days prior to the date of
1386 such hearing, the court shall provide notice to the commissioner, the
1387 parents or guardian of the child or youth and [such child's or youth's
1388 parent or guardian of the time and place of the hearing on such motion
1389 not less than ten days prior to the date of such hearing] to the child, if
1390 such child is fourteen years of age or older, or youth, of the time and
1391 place of such hearing. In making its determination as to whether there
1392 is an appropriate permanency plan in place, the court shall consider
1393 the items specified in subsection (f) of this section.

1394 [(2)] (f) (1) At a [permanency hearing held in accordance with the
1395 provisions of subdivision (1) of this subsection] hearing to review a
1396 permanency plan for a child or youth who is placed in a foster home
1397 licensed pursuant to section 17a-114 or facility licensed pursuant to
1398 section 17a-145, the court shall approve a permanency plan that is in
1399 the best interests of the child or youth and takes into consideration the
1400 child's or youth's need for permanency. The health and safety of the
1401 child or youth shall be of paramount concern in formulating such plan.
1402 At such hearing, the court shall consider among other things: (A) The
1403 appropriateness of the department's plan for service to the child or
1404 youth and his or her family; (B) the treatment and support services that
1405 have been offered and provided to the child or youth to strengthen
1406 and reunite the family; (C) if return home is not likely for the child or
1407 youth, the efforts that have been made or should be made to evaluate
1408 and plan for other modes of care; and (D) any further efforts [which]
1409 that have been or will be made to promote the best interests of the
1410 child or youth.

1411 [(3)] (2) The permanency plan [pursuant to subdivision (2) of this
1412 subsection] may include the goal of (A) placement of the child or youth

1413 with the parent or guardian, (B) transfer of guardianship, (C) [long-
1414 term foster care with a relative licensed as a foster parent or certified as
1415 a relative caregiver, (D)] termination of parental rights and adoption,
1416 or [(E)] (D) for a youth, such other planned permanent living
1417 arrangement ordered by the court, provided the commissioner has
1418 documented a compelling reason why it would not be in the best
1419 interest of the [child or] youth for the permanency plan to include the
1420 goals in subparagraphs (A) to [(D)] (C), inclusive, of this subdivision.
1421 Such other planned permanent living arrangement may include, but
1422 not be limited to, placement of a [child or] youth in an independent
1423 living program or long-term foster care with an identified foster
1424 parent.

1425 [(4)] (3) At a [permanency] hearing on a motion to review a
1426 permanency plan, the court shall review the status of the child or
1427 youth and the progress being made to implement the permanency
1428 plan, determine a timetable for attaining the permanency prescribed
1429 by the plan and determine whether the commissioner has made
1430 reasonable efforts to achieve the permanency plan. At the conclusion
1431 of the hearing, the court may: (A) Direct that the services being
1432 provided, or the placement of the child or youth and reunification
1433 efforts, be continued if the court, after hearing, determines that
1434 continuation of the child or youth in services or placement is in the
1435 child's or youth's best interests, or (B) direct that the child's or youth's
1436 services or placement be modified to reflect the child's or youth's best
1437 interest.

1438 (4) If the permanency plan for a youth includes the goal of such
1439 other planned permanent living arrangement pursuant to
1440 subparagraph (D) of subdivision (2) of this subsection, the department
1441 shall document for the court: (A) The manner and frequency of efforts
1442 made by the department to return the youth home or to secure
1443 placement for the youth with a fit and willing relative, legal guardian
1444 or adoptive parent; and (B) the steps the department has taken to
1445 ensure (i) the youth's foster family home or child care institution is

1446 following a reasonable and prudent parent standard, as defined in
1447 section 1 of this act; and (ii) the youth has regular opportunities to
1448 engage in age appropriate and developmentally appropriate activities,
1449 as defined in section 1 of this act.

1450 (5) If the permanency plan for a youth includes the goal of such
1451 other planned permanent living arrangement pursuant to
1452 subparagraph (D) of subdivision (2) of this subsection, the court shall
1453 (A) (i) ask the youth about his or her desired permanency outcome, or
1454 (ii) if the youth is unavailable to appear at a hearing held in accordance
1455 with the provisions of subdivision (1) of this subsection, require the
1456 attorney for the youth to consult with the youth regarding the youth's
1457 desired permanency outcome and report the same to the court; (B)
1458 make a judicial determination that, as of the date of hearing, such other
1459 planned permanent living arrangement is the best permanency plan
1460 for the youth; and (C) document the compelling reasons why it is not
1461 in the best interest of the youth to return home or to be placed with a
1462 fit and willing relative, legal guardian or adoptive parent.

1463 [(e)] (g) The commissioner shall adopt regulations in accordance
1464 with chapter 54 [describing the documentation required for]
1465 concerning (1) applications for voluntary admission, [and for] (2) the
1466 grant or denial of services, (3) informal administrative case review,
1467 [upon request, of any denial of an application for voluntary admission]
1468 and (4) termination of voluntary admission.

1469 [(f)] (h) Any person aggrieved by a decision of the commissioner
1470 denying voluntary services may appeal such decision through an
1471 administrative hearing held pursuant to chapter 54.

1472 (i) Any parent or guardian of a child or youth, or any child fourteen
1473 years of age or older, who is aggrieved by a termination of admission
1474 pursuant to subsection (b) of this section may (1) request an
1475 administrative hearing in accordance with the regulations adopted by
1476 the commissioner pursuant to subsection (g) of this section, or (2)
1477 request a hearing before the Probate Court. If, upon such hearing, the

1478 Probate Court finds that the termination of admission was made in
1479 accordance with the applicable regulations adopted by the
1480 commissioner, the court shall uphold such termination. If the court
1481 finds that the termination of admission was not made in accordance
1482 with the applicable regulations, the court may order the continuation
1483 of services and specify a time for the determination of a new case
1484 service or permanency plan.

1485 [(g)] (j) Notwithstanding any provision of sections 17a-1 to 17a-26,
1486 inclusive, and 17a-28 to 17a-49, inclusive, any person already under the
1487 care and supervision of the Commissioner of Children and Families
1488 who has passed such person's eighteenth birthday but has not yet
1489 reached such person's twenty-first birthday may be permitted to
1490 remain voluntarily under the supervision of the commissioner,
1491 provided the commissioner, in the commissioner's discretion,
1492 determines that such person would benefit from further care and
1493 support from the Department of Children and Families. Any person
1494 remaining voluntarily under the supervision of the commissioner
1495 pursuant to this subsection shall be entitled to a written plan for care
1496 and treatment, and review of such plan, in accordance with section
1497 17a-15.

1498 [(h)] (k) Upon motion of any interested party in a Probate Court
1499 proceeding under this section, the probate court of record may transfer
1500 the file for cause shown to a [probate court] Probate Court for a district
1501 other than the district in which the initial or permanency hearing was
1502 held. The file shall be transferred by the [probate court] Probate Court
1503 of record making copies of all recorded documents in the court file,
1504 certifying each of them, and delivering the certified copies to the
1505 [probate court] Probate Court to which the matter is transferred.

1506 Sec. 20. (NEW) (*Effective October 1, 2015*) Any appearance filed for
1507 any party in the Probate Court shall continue in the superior court for
1508 juvenile matters unless (1) a motion to withdraw is filed in the Probate
1509 Court within five days of the filing of the motion to transfer, and the
1510 motion to withdraw is granted by the Probate Court, (2) a motion to

1511 withdraw is filed by such party's counsel and granted by the superior
 1512 court for juvenile matters, or (3) another counsel files an "in lieu of"
 1513 appearance on behalf of the party. If the party represented is indigent
 1514 or is the child subject to the proceedings, new counsel shall be assigned
 1515 from the list of Public Defender Services assigned counsel and shall be
 1516 paid by the Public Defender Services Commission. The superior court
 1517 for juvenile matters may request that the Division of Public Defender
 1518 Services contract with probate counsel for representation if continued
 1519 representation would be in the best interest of the client. Counsel for
 1520 indigent parties or minor children appointed by the Probate Court
 1521 who remain on the case in superior court for juvenile matters shall be
 1522 paid by the Public Defender Services Commission according to its
 1523 policies at the rate of pay established by the commission."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	New section
Sec. 2	<i>July 1, 2015</i>	17a-111b(c)
Sec. 3	<i>July 1, 2015</i>	46b-129(k)
Sec. 4	<i>July 1, 2015</i>	46b-141
Sec. 5	<i>July 1, 2015</i>	17a-114
Sec. 6	<i>July 1, 2015</i>	17a-145
Sec. 7	<i>July 1, 2015</i>	17a-117
Sec. 8	<i>July 1, 2015</i>	17a-118(a)
Sec. 9	<i>July 1, 2015</i>	17a-120(b)
Sec. 10	<i>July 1, 2015</i>	17a-126
Sec. 11	<i>July 1, 2015</i>	17a-10b
Sec. 12	<i>July 1, 2015</i>	17a-114b
Sec. 13	<i>July 1, 2015</i>	New section
Sec. 14	<i>July 1, 2015</i>	17a-15(a)
Sec. 15	<i>July 1, 2015</i>	17a-28(g)
Sec. 16	<i>July 1, 2015</i>	17a-6a
Sec. 17	<i>October 1, 2015</i>	17a-10a
Sec. 18	<i>October 1, 2015</i>	45a-715
Sec. 19	<i>October 1, 2015</i>	17a-11
Sec. 20	<i>October 1, 2015</i>	New section