



General Assembly

January Session, 2017

**Committee Bill No. 396**

LCO No. 3891



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:  
(KID)

***AN ACT CONCERNING THE CHILD FATALITY REVIEW PANEL.***

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

1 Section 1. Section 46a-13l of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) The Child Advocate shall:

4 (1) Evaluate the delivery of services to children by state agencies  
5 and those entities that provide services to children through funds  
6 provided by the state;

7 (2) Review periodically the procedures established by any state  
8 agency providing services to children to carry out the provisions of  
9 sections 46a-13k to 46a-13p, inclusive, with a view toward the rights of  
10 the children and recommend revisions to such procedures;

11 (3) Review complaints of persons concerning the actions of any state  
12 or municipal agency providing services to children and of any entity  
13 that provides services to children through funds provided by the state,  
14 make appropriate referrals and investigate those where the Child

15 Advocate determines that a child or family may be in need of  
16 assistance from the Child Advocate or that a systemic issue in the  
17 state's provision of services to children is raised by the complaint;

18 (4) Pursuant to an investigation, provide assistance to a child or  
19 family who the Child Advocate determines is in need of such  
20 assistance including, but not limited to, advocating with an agency,  
21 provider or others on behalf of the best interests of the child;

22 (5) Periodically review the facilities and procedures of any and all  
23 institutions or residences, public or private, where a juvenile has been  
24 placed by any agency or department;

25 (6) Recommend changes in state policies concerning children  
26 including changes in the system of providing juvenile justice, child  
27 care, foster care and treatment;

28 (7) Take all possible action including, but not limited to, conducting  
29 programs of public education, undertaking legislative advocacy and  
30 making proposals for systemic reform and formal legal action, in order  
31 to secure and ensure the legal, civil and special rights of children who  
32 reside in this state;

33 (8) Provide training and technical assistance to attorneys  
34 representing children and guardians ad litem appointed by the  
35 Superior Court;

36 (9) Periodically review the number of special needs children in any  
37 foster care or permanent care facility and recommend changes in the  
38 policies and procedures for the placement of such children;

39 (10) Serve or designate a person to serve as a member of the child  
40 fatality review panel established in subsection (b) of this section;

41 (11) Take appropriate steps to advise the public of the services of the  
42 Office of the Child Advocate, the purpose of the office and procedures  
43 to contact the office; and

44 (12) Prepare an in-depth report on conditions of confinement,  
45 including, but not limited to, compliance with section 46a-152,  
46 regarding children twenty years of age or younger who are held in  
47 secure detention or correctional confinement in any facility operated  
48 by a state agency. Such report shall be submitted, in accordance with  
49 the provisions of section 11-4a, to the joint standing committee of the  
50 General Assembly having cognizance of matters relating to children  
51 not later than March 1, 2017, and every two years thereafter.

52 (b) There is established a child fatality review panel composed of  
53 thirteen permanent members as follows: The Child Advocate; [ or a  
54 designee;] the Commissioners of Children and Families, Public Health  
55 and Public Safety, or their designees; the Chief Medical Examiner, or a  
56 designee; the Chief State's Attorney, or a designee; a pediatrician,  
57 appointed by the Governor; a representative of law enforcement,  
58 appointed by the president pro tempore of the Senate; an attorney,  
59 appointed by the majority leader of the Senate; a social work  
60 professional, appointed by the minority leader of the Senate; a  
61 representative of a community service group appointed by the speaker  
62 of the House of Representatives; a psychologist, appointed by the  
63 majority leader of the House of Representatives; and an injury  
64 prevention representative, appointed by the minority leader of the  
65 House of Representatives. A majority of the panel may select not more  
66 than three additional temporary members with particular expertise or  
67 interest to serve on the panel. Such temporary members shall have the  
68 same duties and powers as the permanent members of the panel. The  
69 chairperson shall be [elected from among the panel's permanent  
70 members] the Child Advocate. The panel shall, to the greatest extent  
71 possible, reflect the ethnic, cultural and geographic diversity of the  
72 state.

73 (c) The panel shall review the circumstances of the death of a child  
74 placed in out-of-home care or whose death was due to unexpected or  
75 unexplained causes to facilitate development of prevention strategies  
76 to address identified trends and patterns of risk and to improve

77 coordination of services for children and families in the state. Members  
78 of the panel shall not be compensated for their services, but may be  
79 reimbursed for necessary expenses incurred in the performance of  
80 their duties.

81 (d) On or before [~~January 1, 2000~~] June 30, 2018, and annually  
82 thereafter, the panel shall issue [~~an annual report which shall include~~  
83 ~~its findings and recommendations to the Governor and the General~~  
84 ~~Assembly on its review of child fatalities for the preceding year]~~ a  
85 report to the Governor and, in accordance with the provisions of  
86 section 11-4a, the joint standing committee of the General Assembly  
87 having cognizance of matters relating to children. Such report shall  
88 include, but not be limited to, (1) a review of child fatalities for the  
89 preceding year, and (2) an assessment of the adequacy of the (A)  
90 Department of Children and Families' policies and practices  
91 concerning the prevention of child fatalities, and (B) compliance by  
92 department personnel with such policies and practices. Not later than  
93 four weeks after the issuance of such report, the panel shall, in  
94 coordination with the Department of Children and Families and the  
95 joint standing committee of the General Assembly having cognizance  
96 of matters relating to children, present such report at an informational  
97 forum.

98 (e) Upon request of two-thirds of the members of the panel and  
99 within available appropriations, the Governor, the [~~General Assembly~~]  
100 joint standing committee of the General Assembly having cognizance  
101 of matters relating to children or at the Child Advocate's discretion, the  
102 Child Advocate, shall conduct an in-depth investigation and review  
103 and issue a report with recommendations on the death or critical  
104 incident of a child. The report shall be submitted to the Governor, the  
105 General Assembly and the commissioner of any state agency cited in  
106 the report and shall be made available to the general public.

107 (f) Any state agency cited in a report issued by the Office of the  
108 Child Advocate, pursuant to the Child Advocate's responsibilities

109 under this section, shall submit a written response to the report and  
110 recommendations made in the report to the Governor and the General  
111 Assembly not later than ninety days after receipt of such report and  
112 recommendations. The General Assembly shall submit a copy of such  
113 response to the Office of the Child Advocate immediately upon  
114 receipt.

115 (g) The Chief Medical Examiner shall provide timely notice to the  
116 Child Advocate and to the chairperson of the child fatality review  
117 panel of the death of any child that is to be investigated pursuant to  
118 section 19a-406.

119 (h) Any agency having responsibility for the custody or care of  
120 children shall provide timely notice to the Child Advocate and the  
121 chairperson of the child fatality review panel of the death of a child or  
122 a critical incident involving a child in its custody or care.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	46a-13l

**Statement of Purpose:**

To require (1) the Child Advocate to serve as chairperson of the child fatality review panel, (2) such panel to assess the adequacy of the Department of Children and Families' policies and practices and the compliance by department personnel with such policies and practices, and (3) such panel to present its annual report at an informational forum.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. FASANO, 34th Dist.

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