

Committee on Children JOINT FAVORABLE REPORT

Bill No.: SB-312

AN ACT CONCERNING THE NEEDS OF CHILDREN WITH INTELLECTUAL
Title: AND DEVELOPMENTAL DISABILITIES.

Vote Date: 3/15/2018

Vote Action: Joint Favorable Substitute

PH Date: 3/6/2018

File No.:

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SPONSORS OF BILL:

Committee on Children

REASONS FOR BILL:

To require the Commissioner of Children and Families to develop investigation, assessment and case-planning procedures that, are responsive to the needs of children with intellectual and developmental disabilities.

RESPONSE FROM ADMINISTRATION/AGENCY:

House Republican Office, State of Connecticut

This bill will create a comprehensive network among state agencies that are directly responsible for the care and protection of those who face some of the most difficult challenges and require the most care. We urge the Children's Committee to pass Senate Bill 312. Please allow the full General Assembly the opportunity to debate this issue and to pass legislation to help those who need it most.

Senator Leonard A. Fasano, 34th District:

As the OCA report indicates, children with disabilities are particularly vulnerable to abuse and neglect. They are uniquely dependent on those around them and often lack the communication and other skills necessary to advocate on their own behalf. DCF failed to recognize that Matthew's disabilities increased his risk of abuse and required a heightened agency response. It is imperative that DCF, as well as the other state and local agencies that touch the lives of disabled and at risk children, develop protocols and address this issue. It requires the DCF Commissioner to collaborate with the Commissioners of Early Childhood,

Developmental Services, and Social Services to develop specific investigation, assessment and case planning tools that respond to the child safety needs of children with intellectual and developmental disabilities. I urge support of this bill.

Department of Children and Families:

The Department of Children and Families (DCF) expresses concerns regarding S.B. 312. The bill would require DCF, along with sister agencies, to develop investigation, assessment and case-planning procedures that are responsive to the needs of children with intellectual and developmental disabilities. The Departments of Children and Families and Developmental Services (DDS) have long maintained a strong and collaborative partnership in working with children and their families to best meet their individualized needs. Although this bill speaks specifically to those children with intellectual and developmental disabilities, they are not a homogeneous group and their needs and those of their families are quite varied. DCF also enjoys a strong working relationship with (DSS) and the (OEC). DCF formalized these partnerships through (MOAs) outlining each respective agency's statutory mandates and the ways in which the agencies join together to support children and their families.

Sarah Healy Eagan, JD, Child Advocate, Office of the Child Advocate:

The OCA strongly supports Senate Bill 312 which will support safer and better outcomes for children with disabilities who are suspected or documented victims of abuse and neglect. In December 2017 the OCA issued an investigative report regarding the circumstances leading to the death of teenager Matthew Tirado from abuse and neglect. OCA's investigation led to a concerning finding that DCF does not have specific training and guidance for staff regarding risk assessment, investigation and follow up for child abuse and neglect cases that involve children with developmental or other complex disabilities. DCF staff interviewed by OAC as part of the fatality investigation indicated that they had never received such training, despite the fact that children with complex and developmental disabilities represent a growing proportion of children served by the agency.

Connecticut Department of Social Services:

The Department feels this bill is duplicative of current efforts. Public Act 16-142 created the Developmental Disabilities Work Group, a subcommittee of the Medicaid Assistance Program Oversight Council (MAPOC), to bring together the aforementioned state agencies to work collaboratively on improving the services delivered to children with intellectual and developmental disabilities in addition to other items. DSS has developed and continued relationships with all of the previously mentioned agencies over the years. The Department also has the administrative flexibility and Memorandums of Agreement (MOA) with the other state agencies mentioned to achieve the broad mandates outlined in this bill.

NATURE AND SOURCES OF SUPPORT:

Kirsten Bechtel, Co-Chair, Child Fatality Review Panel-Connect:

I am a Pediatric Emergency Medicine Physician and the Co-Chair of the Child Fatality Review Panel for Connect. It has been demonstrated that children with disabilities are at greater risk of abuse and neglect than non-disabled children; they are also more likely to be seriously harmed by the abuse and neglect they experience. As found by the OCA's Report on the death of Matthew Tirado, it is imperative that the Department of Children and Families develop evidence-based policies, case practice guidance and training for its staff to adequately investigate cases of alleged abuse and neglect of children with developmental disabilities. From the Careline to ongoing treatment units, DCF must have practices and procedures to reduce the risk of harm and provide resources that can strengthen families of children with disabilities.

Shannon Jacovino, Director of Advocacy, Public Policy, The Arc-Connecticut

An excerpt from the OCA report states that, "In this case there was no contact with the family by anyone other than the caseworker, no internal consults with mental health or educational experts, and no outside consultation with agencies or providers that serve children with disabilities. Multiple DCF staff also acknowledged to the OCA that there are no specific internal resources in the agency that can provide expert guidance regarding case planning for children with developmental disabilities. DCF caseworkers felt stuck and unable to engage the children's mother and move the treatment goals forward, but they admittedly lacked training and specific guidance regarding how best to proceed to ensure the safety and well-being of Matthey and other children like him. OCA urgently recommends that staff be provided with additional support and training as soon as possible. DCF's Case Planning Guide for staff does address the primary importance of assessing a child and family's "current level of functioning across all domains," and that assessment must include identification of "the risk, physical and psychological safety concerns and the needs of the family." As a result, the OCA recommended that DCF must develop policies and practices to support investigation and case planning for abused/neglected children with developmental disabilities.

Susan Kelley, Director, Alliance for Children's Mental Health

ACMH supports this bill which would require collaboration between the Department of Children and Families, Departments of Early Childhood, Development Services, and Social Services for the development of investigation, assessment and case-planning procedures that are responsive to the needs of children with intellectual and developmental disabilities, and other co-occurring disorders including mental health challenges. These procedures are necessary to address deficiencies outlined in the report by the OCA concerning the case of Matthew Tirado, and to prevent further tragedies from occurring.

Stephanie Luczak, Policy Intern, Connecticut Voices for Children

It is imperative that the Departments of Children and Families, Early Childhood, Developmental Services, and Social Services work in conjunction with one another to develop specific and clear guidelines of how to work with children with disabilities in the child welfare system. Developing procedures that are responsive to the needs of children with intellectual and developmental disabilities will only increase protection and outcomes for some of the most vulnerable children in our state.

NATURE AND SOURCES OF OPPOSITION:

See response from administration/agency.

Reported by: Joyce Turner

Date: 3/26/18