



General Assembly

February Session, 2018

***Raised Bill No. 5575***

LCO No. 2944



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE APPOINTMENT OF A LICENSED HEALTH CARE PROFESSIONAL TO PROVIDE TREATMENT OR AN EVALUATION IN CONNECTION WITH A FAMILY RELATIONS MATTER.***

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

1 Section 1. (NEW) (*Effective October 1, 2018*) (a) In a family relations  
2 matter, as defined in section 46b-1 of the general statutes, if a court  
3 orders that a parent undergo treatment or an evaluation from a  
4 licensed health care provider, as defined in section 52-184e of the  
5 general statutes, the court shall permit the parent to select a qualified,  
6 licensed health care provider who is to provide such treatment or  
7 evaluation.

8 (b) In a family relations matter, as defined in section 46b-1 of the  
9 general statutes, if a court orders that a child undergo treatment or an  
10 evaluation from a licensed health care provider, as defined in section  
11 52-184e of the general statutes, the court shall permit the parent or  
12 legal guardian of such child to select a qualified, licensed health care  
13 provider who is to provide such treatment or evaluation. If two

14 parents do not agree on the selection of a licensed health care provider  
15 to provide such treatment or evaluation to a child, the court shall  
16 continue the matter for two weeks to allow the parents an opportunity  
17 to jointly select the licensed health care provider. If after the two-week  
18 period, the parents have not reached an agreement on the selection of a  
19 licensed health care provider, the court shall select such provider after  
20 giving due consideration to the health insurance coverage and  
21 financial resources available to such parents. Except in the case of a  
22 medical emergency, if two parents cannot agree on the selection of a  
23 licensed health care provider to provide medical treatment or an  
24 evaluation to the child, if a parent incurs expenses as a result of  
25 permitting the child to be treated or evaluated by such provider,  
26 without the express written consent of the other parent, the parent  
27 who permitted such treatment or evaluation to occur shall be solely  
28 responsible for the costs incurred for such treatment or evaluation.

29 (c) In a family relations matter, as defined in section 46b-1 of the  
30 general statutes, if a court orders that a parent or child undergo an  
31 evaluation from a licensed health care provider, as defined in section  
32 52-184e of the general statutes, the results of such evaluation shall be  
33 submitted to the court by such provider not later than thirty days after  
34 the date of completion of the evaluation.

35 Sec. 2. Section 46b-7 of the general statutes is repealed and the  
36 following is substituted in lieu thereof (*Effective October 1, 2018*):

37 Whenever, in any family relations matter, including appeals from  
38 the Superior Court, an investigation or evaluation has been ordered,  
39 the case shall not be disposed of until the report of the investigation or  
40 evaluation has been filed as hereinafter provided, and counsel and the  
41 parties have had a reasonable opportunity to examine it prior to the  
42 time the case is to be heard. Any report of an investigation or  
43 evaluation shall be filed with the clerk and mailed to counsel and self-  
44 represented parties of record.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	New section
Sec. 2	<i>October 1, 2018</i>	46b-7

***Statement of Purpose:***

To allow a party to a family relations matter to have greater input on the selection of a licensed health care professional who is to provide treatment or an evaluation in connection with such matter.

*[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.]*