



General Assembly

Substitute Bill No. 5575

February Session, 2018



**AN ACT CONCERNING THE APPOINTMENT OF A QUALIFIED,
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 from a qualified, licensed
4 health care provider, the court shall permit the parent to select a
5 qualified, licensed health care provider to provide such treatment.

6 (b) In a family relations matter, as defined in section 46b-1 of the
7 general statutes, if a court orders that a child undergo treatment from a
8 qualified, licensed health care provider, the court shall permit the
9 parent or legal guardian of such child to select a qualified, licensed
10 health care provider to provide such treatment. Except in a case where
11 one of the parents has been awarded sole custody, if both parents do
12 not agree on the selection of a qualified, licensed health care provider
13 to provide such treatment to a child, the court shall continue the matter
14 for two weeks to allow the parents an opportunity to jointly select a
15 qualified, licensed health care provider. If after the two-week period,
16 the parents have not reached an agreement on the selection of a
17 qualified, licensed health care provider, the court shall select such

18 provider after giving due consideration to the health insurance
19 coverage and financial resources available to such parents.

20 (c) (1) In a family relations matter, as defined in section 46b-1 of the
21 general statutes, if the parties agree or if a court orders that a parent or
22 child undergo an evaluation from a qualified, licensed health care
23 provider, the court shall first make a finding that the parties have the
24 financial resources to pay for such evaluation.

25 (2) If the court has determined that an evaluation can be undertaken
26 and a qualified, licensed health care provider has been selected to
27 perform the evaluation, the court's order for an evaluation shall
28 contain the name of each provider who is to undertake the evaluation,
29 the estimated cost of the evaluation, each party's responsibility for the
30 cost of the evaluation, the professional credentials of each provider
31 and the estimated deadline by which such evaluation shall be
32 completed and submitted to the court.

33 (3) Not later than thirty days after the date of completion of such
34 evaluation, the provider shall report the results of the evaluation to the
35 clerk of the court, who shall seal such report.

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

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

In Section 1(c), "Not later than thirty days after the date of completion of such evaluation, the provider shall report the results of the evaluation to the clerk of the court, who shall seal such report." was moved from Section 1(c)(1) to Section 1(c)(3) for clarity; and in Section 1(c)(2), "a private evaluation" was changed to "an evaluation" for consistency.

JUD *Joint Favorable Subst.*