



General Assembly

February Session, 2018

Raised Bill No. 315

LCO No. 1152



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

***AN ACT CONCERNING MINOR REVISIONS TO THE STATUTES OF
THE DEPARTMENT OF CHILDREN AND FAMILIES.***

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

1 Section 1. Subsection (h) of section 17a-22bb of the 2018 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective July 1, 2018*):

4 (h) On or before [July] October 1, 2018, the Department of Children
5 and Families, in collaboration with the Children's Mental, Emotional
6 and Behavioral Health Plan Implementation Advisory Board,
7 established pursuant to section 17a-22f, shall submit recommendations
8 for addressing any unmet mental, emotional and behavioral health
9 needs of children that are attributed to an increased risk of
10 involvement in the juvenile and criminal justice systems, in accordance
11 with section 11-4a, to the Governor and the joint standing committees
12 of the General Assembly having cognizance of matters relating to
13 children and appropriations.

14 Sec. 2. Subsection (f) of section 17a-22ff of the 2018 supplement to

15 the general statutes is repealed and the following is substituted in lieu
16 thereof (*Effective July 1, 2018*):

17 (f) Not later than [September 15, 2016] October 1, 2018, and annually
18 thereafter, the board shall submit a report, in accordance with the
19 provisions of section 11-4a, to the joint standing committee of the
20 General Assembly having cognizance of matters relating to children.
21 Such report shall detail (1) the status of the execution of the
22 implementation plan, (2) the level of collaboration among the agencies
23 and stakeholders involved in the execution of the implementation
24 plan, (3) any recommendations for improvements in the execution of
25 the implementation plan or the collaboration among such agencies and
26 stakeholders, and (4) any additional information the board deems
27 necessary and relevant to prevent or reduce the long-term negative
28 impact of mental, emotional and behavioral health issues on children.

29 Sec. 3. Section 17a-58 of the general statutes is repealed and the
30 following is substituted in lieu thereof (*Effective July 1, 2018*):

31 (a) An employee designated pursuant to section 17a-57 shall take
32 physical custody of any infant thirty days or younger if the parent or
33 lawful agent of the parent voluntarily surrenders physical custody of
34 the infant to such designated employee unless the parent or agent
35 clearly expresses an intent to return for the infant.

36 (b) If the mother of an infant wishes to voluntarily surrender
37 physical custody of the infant while the mother is in the hospital to
38 give birth to the infant, the mother shall provide notice that she wishes
39 to surrender physical custody of the infant [, in writing, on a form
40 prescribed by the Commissioner of Children and Families, and deliver
41 such notice] to any health care provider who is licensed by the
42 Department of Public Health and who provides health care services on
43 behalf of the hospital. Upon receipt of such notice, such health care
44 provider shall notify the designated employee pursuant to section 17a-
45 57, who shall immediately take physical custody of the infant. [The
46 hospital shall retain the written notice provided by the mother in a file

47 separate from the mother's medical records.] No hospital employee or
48 health care provider shall disclose [the contents of the written notice,
49 including] the name of the mother [,] to the Department of Children
50 and Families or any person or organization without the mother's
51 permission.

52 (c) The designated employee may request the parent or agent to
53 provide (1) the name of the parent or agent, (2) information on the
54 medical history of the infant and parents, and (3) the infant's name and
55 date of birth if the infant's birth has been registered in the state vital
56 records system prior to the surrender of the infant. Notwithstanding
57 such a request from the designated employee, the parent or agent is
58 not required to provide such name or information. The designated
59 employee may provide the parent or agent with a numbered
60 identification bracelet to link the parent or agent to the infant. The
61 bracelet shall be used for identification only and shall not be construed
62 to authorize the person who possesses the bracelet to take custody of
63 the infant on demand. The designated employee shall provide the
64 parent or agent with a pamphlet describing the process established
65 under sections 17a-57 to 17a-60, inclusive, and sections 17a-61, 53-21
66 and 53-23.

67 Sec. 4. Subsection (a) of section 17a-101b of the general statutes is
68 repealed and the following is substituted in lieu thereof (*Effective July*
69 *1, 2018*):

70 (a) An oral or electronic report shall be made by a mandated
71 reporter as soon as practicable but not later than twelve hours after the
72 mandated reporter has reasonable cause to suspect or believe that a
73 child has been abused or neglected or placed in imminent risk of
74 serious harm. [,] An oral report made pursuant to this subsection shall
75 be made by telephone or in person to the Commissioner of Children
76 and Families or a law enforcement agency. If a law enforcement
77 agency receives an oral report, it shall immediately notify the
78 [Commissioner of Children and Families] commissioner. An electronic
79 report made pursuant to this subsection shall be made in a manner

80 prescribed by the commissioner. A mandated reporter who makes an
81 electronic report pursuant to this section shall respond to further
82 inquiries from the commissioner or the commissioner's designee made
83 within twenty-four hours of such report.

84 Sec. 5. Section 17a-101c of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective July 1, 2018*):

86 Not later than forty-eight hours after making an oral report, a
87 mandated reporter shall submit a written or electronic report to the
88 Commissioner of Children and Families or the commissioner's
89 designee. Such reports shall be made in a manner prescribed by the
90 commissioner. When a mandated reporter is a member of the staff of a
91 public or private institution or facility that provides care for such child
92 or public or private school the reporter shall also submit a copy of the
93 written or electronic report to the person in charge of such institution,
94 school or facility or the person's designee. In the case of a report
95 concerning a school employee holding a certificate, authorization or
96 permit issued by the State Board of Education under the provisions of
97 sections 10-144o to 10-146b, inclusive, and 10-149, a copy of the written
98 or electronic report shall also be sent by the Commissioner of Children
99 and Families or the commissioner's designee to the Commissioner of
100 Education or the commissioner's designee. In the case of an employee
101 of a facility or institution that provides care for a child which is
102 licensed by the state, a copy of the written or electronic report shall
103 also be sent by the Commissioner of Children and Families to the
104 executive head of the state licensing agency.

105 Sec. 6. Section 17a-101d of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective July 1, 2018*):

107 All [oral and written] reports required [in] pursuant to sections 17a-
108 101a to 17a-101c, inclusive, as amended by this act, and section 17a-
109 103, as amended by this act, shall contain, if known: (1) The names and
110 addresses of the child and his or her parents or other person
111 responsible for his or her care; (2) the age of the child; (3) the gender of

112 the child; (4) the nature and extent of the child's injury or injuries,
113 maltreatment or neglect; (5) the approximate date and time the injury
114 or injuries, maltreatment or neglect occurred; (6) information
115 concerning any previous injury or injuries to, or maltreatment or
116 neglect of, the child or his or her siblings; (7) the circumstances in
117 which the injury or injuries, maltreatment or neglect came to be known
118 to the reporter; (8) the name of the person or persons suspected to be
119 responsible for causing such injury or injuries, maltreatment or
120 neglect; (9) the reasons such person or persons are suspected of
121 causing such injury or injuries, maltreatment or neglect; (10) any
122 information concerning any prior cases in which such person or
123 persons have been suspected of causing an injury, maltreatment or
124 neglect of a child; and (11) whatever action, if any, was taken to treat,
125 provide shelter or otherwise assist the child. For purposes of this
126 section, "child" includes any victim described in subdivision (2) of
127 subsection (a) of section 17a-101a.

128 Sec. 7. Section 17a-103 of the general statutes is repealed and the
129 following is substituted in lieu thereof (*Effective July 1, 2018*):

130 (a) Any mandated reporter acting outside his or her professional
131 capacity and any other person having reasonable cause to suspect or
132 believe that any child under the age of eighteen is in danger of being
133 abused, or has been abused or neglected, as defined in section 46b-120,
134 may cause a written, [or] oral or electronic report to be made to the
135 Commissioner of Children and Families or the commissioner's
136 [representative] designee or a law enforcement agency. An electronic
137 report made pursuant to this subsection shall be made in a manner
138 prescribed by the commissioner. The [Commissioner of Children and
139 Families] commissioner or the commissioner's [representative]
140 designee shall use his or her best efforts to obtain the name and
141 address of a person who causes a report to be made pursuant to this
142 section. In the case of an oral report, such report shall be recorded on
143 tape and the commissioner or the commissioner's [representative]
144 designee shall announce to the person making such report that such
145 report is being recorded and shall state the penalty for knowingly

146 making a false report of child abuse or neglect under subsection (d) of
147 section 17a-101e.

148 (b) Notwithstanding the provisions of section 17a-101k, if the
149 identity of any such person who made a report pursuant to subsection
150 (a) of this section is known, and the commissioner or the
151 commissioner's [representative] designee suspects or knows that such
152 person has knowingly made a false report, such identity shall be
153 disclosed to the appropriate law enforcement agency and to the
154 perpetrator of the alleged abuse.

155 (c) If the [Commissioner of Children and Families] commissioner, or
156 the commissioner's designee, receives a report alleging sexual abuse or
157 serious physical abuse, including, but not limited to, a report that: (1)
158 A child has died; (2) a child has been sexually assaulted; (3) a child has
159 suffered brain damage, loss or serious impairment of a bodily function
160 or organ; (4) a child has been sexually exploited; or (5) a child has
161 suffered serious nonaccidental physical injury, he or she shall, within
162 twenty-four hours of receipt of such report, notify the appropriate law
163 enforcement agency.

164 Sec. 8. Subdivision (1) of subsection (j) of section 46b-129 of the 2018
165 supplement to the general statutes is repealed and the following is
166 substituted in lieu thereof (*Effective July 1, 2018*):

167 (j) (1) For the purposes of this subsection and subsection (k) of this
168 section, (A) "permanent legal guardianship" means a permanent
169 guardianship, as defined in section 45a-604, and (B) "caregiver" means
170 (i) a fictive kin caregiver, as defined in section 17a-114, who is caring
171 for a child, (ii) a relative caregiver, as defined in section 17a-126, who is
172 caring for a child, or (iii) a person who is licensed or approved to
173 provide foster care pursuant to section 17a-114, who is caring for a
174 child.

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| <p>This act shall take effect as follows and shall amend the following sections:</p> |
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| Section 1 | <i>July 1, 2018</i> | 17a-22bb(h) |
| Sec. 2 | <i>July 1, 2018</i> | 17a-22ff(f) |
| Sec. 3 | <i>July 1, 2018</i> | 17a-58 |
| Sec. 4 | <i>July 1, 2018</i> | 17a-101b(a) |
| Sec. 5 | <i>July 1, 2018</i> | 17a-101c |
| Sec. 6 | <i>July 1, 2018</i> | 17a-101d |
| Sec. 7 | <i>July 1, 2018</i> | 17a-103 |
| Sec. 8 | <i>July 1, 2018</i> | 46b-129(j)(1) |

Statement of Purpose:

To make minor revisions to the statutes of the Department of Children and Families.

[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.]