



# Senate

General Assembly

**File No. 139**

January Session, 2019

Substitute Senate Bill No. 929

*Senate, March 25, 2019*

The Committee on Children reported through SEN. SLAP of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE INCLUSION OF ADDITIONAL MANDATED REPORTERS, THE DURATION OF CHILD ABUSE AND NEGLECT INVESTIGATIONS AND THE REPEAL OF CERTAIN REPORTING REQUIREMENTS 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 (b) of section 17a-101 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2019*):

4 (b) The following persons shall be mandated reporters: (1) Any  
5 physician or surgeon licensed under the provisions of chapter 370, (2)  
6 any resident physician or intern in any hospital in this state, whether  
7 or not so licensed, (3) any registered nurse, (4) any licensed practical  
8 nurse, (5) any medical examiner, (6) any dentist, (7) any dental  
9 hygienist, (8) any psychologist, (9) any school employee, as defined in  
10 section 53a-65, (10) any social worker, (11) any person who holds or is  
11 issued a coaching permit by the State Board of Education, is a coach of

12 intramural or interscholastic athletics and is eighteen years of age or  
13 older, (12) any individual who is employed as a coach or director of  
14 youth athletics and is eighteen years of age or older, (13) any  
15 individual who is employed as a coach or director of a private youth  
16 sports organization, league or team and is eighteen years of age or  
17 older, (14) any paid administrator, faculty, staff, athletic director,  
18 athletic coach or athletic trainer employed by a public or private  
19 institution of higher education who is eighteen years of age or older,  
20 excluding student employees, (15) any police officer, (16) any juvenile  
21 or adult probation officer, (17) any juvenile or adult parole officer, (18)  
22 any member of the clergy, (19) any pharmacist, (20) any physical  
23 therapist, (21) any optometrist, (22) any chiropractor, (23) any  
24 podiatrist, (24) any mental health professional, (25) any physician  
25 assistant, (26) any person who is a licensed or certified emergency  
26 medical services provider, (27) any person who is a licensed or  
27 certified alcohol and drug counselor, (28) any person who is a licensed  
28 marital and family therapist, (29) any person who is a sexual assault  
29 counselor or a domestic violence counselor, as defined in section 52-  
30 146k, (30) any person who is a licensed professional counselor, (31) any  
31 person who is a licensed foster parent, (32) any person paid to care for  
32 a child in any public or private facility, child care center, group child  
33 care home or family child care home licensed by the state, (33) any  
34 employee of the Department of Children and Families or any person  
35 who, in the performance of such person's duties, has regular contact  
36 with and provides services to or on behalf of children pursuant to a  
37 contract with or credential issued by the Department of Children and  
38 Families, (34) any employee of the Department of Public Health, (35)  
39 any employee of the Office of Early Childhood who is responsible for  
40 the licensing of child care centers, group child care homes, family child  
41 care homes or youth camps, (36) any paid youth camp director or  
42 assistant director, (37) the Child Advocate and any employee of the  
43 Office of the Child Advocate, (38) any person who is a licensed  
44 behavior analyst, [and] (39) any family relations counselor, family  
45 relations counselor trainee or family services supervisor employed by  
46 the Judicial Department, (40) any victim services advocate employed

47 by the Office of Victim Services within the Judicial Department, and  
48 (41) any employee of a juvenile justice program operated by or  
49 pursuant to a contract with the Court Support Services Division of the  
50 Judicial Department.

51 Sec. 2. Subsection (a) of section 17a-101g of the general statutes is  
52 repealed and the following is substituted in lieu thereof (*Effective July*  
53 *1, 2019*):

54 (a) Upon receiving a report of child abuse or neglect, as provided in  
55 sections 17a-101a to 17a-101c, inclusive, or section 17a-103, in which  
56 the alleged perpetrator is (1) a person responsible for such child's  
57 health, welfare or care, (2) a person given access to such child by such  
58 responsible person, or (3) a person entrusted with the care of a child,  
59 the Commissioner of Children and Families, or the commissioner's  
60 designee, shall cause the report to be classified and evaluated  
61 immediately. If the report contains sufficient information to warrant an  
62 investigation, the commissioner shall make the commissioner's best  
63 efforts to commence an investigation of a report concerning an  
64 imminent risk of physical harm to a child or other emergency within  
65 two hours of receipt of the report and shall commence an investigation  
66 of all other reports within seventy-two hours of receipt of the report. A  
67 report classified by the commissioner, or the commissioner's designee,  
68 as lower risk may be referred for family assessment and services  
69 pursuant to subsection (g) of this section. Any such report may  
70 thereafter be referred for standard child protective services if safety  
71 concerns for the child become evident. A report referred for standard  
72 child protective services may be referred for family assessment and  
73 services at any time if the department determines there is a lower risk  
74 to the child. If the alleged perpetrator is a school employee, as defined  
75 in section 53a-65, or is employed by an institution or facility licensed or  
76 approved by the state to provide care for children, the department  
77 shall notify the Department of Education or the state agency that has  
78 issued such license or approval to the institution or facility of the  
79 report and the commencement of an investigation by the  
80 Commissioner of Children and Families. The department shall

81 complete any such investigation not later than [forty-five calendar]  
82 thirty-three business days after the date of receipt of the report. If the  
83 report is a report of child abuse or neglect in which the alleged  
84 perpetrator is not a person specified in subdivision (1), (2) or (3) of this  
85 subsection, the Commissioner of Children and Families shall refer the  
86 report to the appropriate local law enforcement authority for the town  
87 in which the child resides or in which the alleged abuse or neglect  
88 occurred.

89 Sec. 3. Section 18-87j of the general statutes is repealed and the  
90 following is substituted in lieu thereof (*Effective from passage*):

91 There is established a Criminal Justice Policy Advisory Commission  
92 which shall be within the Office of Policy and Management for  
93 administrative purposes only. The commission shall consist of the  
94 undersecretary of the Criminal Justice Policy and Planning Division  
95 within the Office of Policy and Management, the Chief Court  
96 Administrator, the Commissioner of Correction, the Commissioner of  
97 Emergency Services and Public Protection, the Chief State's Attorney,  
98 the Chief Public Defender, the Commissioner of Mental Health and  
99 Addiction Services and the chairperson of the Board of Pardons and  
100 Paroles, or their designees, the executive director of the Court Support  
101 Services Division or other designee of the Chief Court Administrator  
102 and the following members, each of whom shall be appointed by the  
103 Governor: Three government officials, a police chief, three persons  
104 representing offender and victim services within the private  
105 community and two public members. In addition, the Labor  
106 Commissioner and the Commissioner of Social Services, or their  
107 designees, shall be members of the commission with authority to  
108 deliberate and vote on matters concerning employment and  
109 entitlement programs available to adult and juvenile offenders who  
110 are reentering the community, the [Commissioner of Children and  
111 Families and the] Commissioner of Education, or [their designees] the  
112 commissioner's designee, shall be [members] a member of the  
113 commission with authority to participate and vote on matters  
114 concerning juvenile justice and the Commissioner of Veterans Affairs,

115 or [his or her] the commissioner's designee, shall be a member of the  
 116 commission with authority to deliberate and vote on matters  
 117 concerning veterans within the criminal justice system including the  
 118 reentry needs of incarcerated veterans. The undersecretary of the  
 119 Criminal Justice Policy and Planning Division shall serve as  
 120 chairperson of the commission. The commission shall meet at such  
 121 times as it deems necessary.

122 Sec. 4. Sections 17a-62 and 17a-103c of the general statutes are  
 123 repealed. (*Effective July 1, 2019*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	17a-101(b)
Sec. 2	<i>July 1, 2019</i>	17a-101g(a)
Sec. 3	<i>from passage</i>	18-87j
Sec. 4	<i>July 1, 2019</i>	Repealer section

**KID**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill expands the list of mandated reporters and is not anticipated to result in a fiscal impact. In FY 18, one charge resulted in a dismissal and no fine revenue was collected.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sSB 929*****AN ACT CONCERNING THE INCLUSION OF ADDITIONAL MANDATED REPORTERS, THE DURATION OF CHILD ABUSE AND NEGLECT INVESTIGATIONS AND THE REPEAL OF CERTAIN REPORTING REQUIREMENTS OF THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY**

This bill adds to the statutory list of mandated reporters of suspected child abuse and neglect (1) individuals who have regular contact with and provide services to or on behalf of children through a contract with or credential from the Department of Children and Families (DCF), (2) victim services advocates employed by the Judicial Department's Office of Victim Services, and (3) employees of a Court Support Services Division-operated or -contracted juvenile justice program.

The bill modifies, from 45 calendar days to 33 business days, the time DCF has to complete a child abuse or neglect investigation.

The bill removes the DCF commissioner or her designee from the Criminal Justice Policy Advisory Commission.

The bill also repeals a law requiring DCF to (1) annually report to the Children's Committee on certain at-risk children and youth in its care, including the number and age of children who are living in psychiatric hospitals, runaways, or homeless, and (2) conduct case and service reviews for such children.

Lastly, the bill repeals a law requiring DCF to provide written notification to the guardian and attorney of a child committed to DCF care as a delinquent (1) within 10 days of the receipt of a report of suspected abuse or neglect of such child, and (2) within 10 days of the

conclusion of a DCF investigation substantiating abuse or neglect.

EFFECTIVE DATE: July 1, 2019, except that the mandated reporter provision takes effect October 1, 2019, and the advisory commission provision takes effect upon passage.

**BACKGROUND**

***Related Bills***

sSB 891, reported favorably by the Children’s Committee, makes several changes to the statutes related to the failure to report suspected child abuse and neglect. Among other things, it requires DCF to expand its policy for the investigation of delayed mandated reports to include the failure of mandated reporters to make reports within the required time period.

sHB 6998, reported favorably by the Children’s Committee, expands existing DCF child abuse and neglect investigation notification requirements to include notifying public and private schools when an employee of a school contractor is the subject of an abuse and neglect complaint.

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 14 Nay 0 (03/07/2019)