



General Assembly

**Substitute Bill No. 7002**

January Session, 2019



**AN ACT CONCERNING THE INCLUSION OF CAMERA, COMPUTER AND CELLULAR MOBILE TELEPHONE REPAIR PERSONNEL AS MANDATED REPORTERS.**

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

1 Section 1. Section 17a-101 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 (a) The public policy of this state is: To protect children whose  
4 health and welfare may be adversely affected through injury and  
5 neglect; to strengthen the family and to make the home safe for  
6 children by enhancing the parental capacity for good child care; to  
7 provide a temporary or permanent nurturing and safe environment for  
8 children when necessary; and for these purposes to require the  
9 reporting of suspected child abuse or neglect, investigation of such  
10 reports by a social agency, and provision of services, where needed, to  
11 such child and family.

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

19 issued a coaching permit by the State Board of Education, is a coach of  
20 intramural or interscholastic athletics and is eighteen years of age or  
21 older, (12) any individual who is employed as a coach or director of  
22 youth athletics and is eighteen years of age or older, (13) any  
23 individual who is employed as a coach or director of a private youth  
24 sports organization, league or team and is eighteen years of age or  
25 older, (14) any paid administrator, faculty, staff, athletic director,  
26 athletic coach or athletic trainer employed by a public or private  
27 institution of higher education who is eighteen years of age or older,  
28 excluding student employees, (15) any police officer, (16) any juvenile  
29 or adult probation officer, (17) any juvenile or adult parole officer, (18)  
30 any member of the clergy, (19) any pharmacist, (20) any physical  
31 therapist, (21) any optometrist, (22) any chiropractor, (23) any  
32 podiatrist, (24) any mental health professional, (25) any physician  
33 assistant, (26) any person who is a licensed or certified emergency  
34 medical services provider, (27) any person who is a licensed or  
35 certified alcohol and drug counselor, (28) any person who is a licensed  
36 marital and family therapist, (29) any person who is a sexual assault  
37 counselor or a domestic violence counselor, as defined in section 52-  
38 146k, (30) any person who is a licensed professional counselor, (31) any  
39 person who is a licensed foster parent, (32) any person paid to care for  
40 a child in any public or private facility, child care center, group child  
41 care home or family child care home licensed by the state, (33) any  
42 employee of the Department of Children and Families, (34) any  
43 employee of the Department of Public Health, (35) any employee of the  
44 Office of Early Childhood who is responsible for the licensing of child  
45 care centers, group child care homes, family child care homes or youth  
46 camps, (36) any paid youth camp director or assistant director, (37) the  
47 Child Advocate and any employee of the Office of the Child Advocate,  
48 (38) any person who is a licensed behavior analyst, [and] (39) any  
49 family relations counselor, family relations counselor trainee or family  
50 services supervisor employed by the Judicial Department, and (40) any  
51 person who is employed to repair a camera, computer, as defined in  
52 section 53-451, cellular mobile telephone or other mobile electronic  
53 device, as defined in section 14-296aa, and is eighteen years of age or

54 older.

55 (c) The Commissioner of Children and Families shall develop an  
56 educational training program and refresher training program for the  
57 accurate and prompt identification and reporting of child abuse and  
58 neglect. Such training program and refresher training program shall be  
59 made available to all persons mandated to report child abuse and  
60 neglect at various times and locations throughout the state as  
61 determined by the Commissioner of Children and Families. Such  
62 training program and refresher training program shall be provided in  
63 accordance with the provisions of subsection (g) of section 17a-101i to  
64 each school employee, as defined in section 53a-65, within available  
65 appropriations.

66 (d) On or before October 1, 2011, the Department of Children and  
67 Families, in consultation with the Department of Education, shall  
68 develop a model mandated reporting policy for use by local and  
69 regional boards of education. Such policy shall state applicable state  
70 law regarding mandated reporting and any relevant information that  
71 may assist school districts in the performance of mandated reporting.  
72 Such policy shall include, but not be limited to, the following  
73 information: (1) Those persons employed by the local or regional board  
74 of education who are required pursuant to this section to be mandated  
75 reporters, (2) the type of information that is to be reported, (3) the time  
76 frame for both written and verbal mandated reports, (4) a statement  
77 that the school district may conduct its own investigation into an  
78 allegation of abuse or neglect by a school employee, provided such  
79 investigation does not impede an investigation by the Department of  
80 Children and Families, and (5) a statement that retaliation against  
81 mandated reporters is prohibited. Such policy shall be updated and  
82 revised as necessary.

83 Sec. 2. Section 17a-101a of the general statutes is repealed and the  
84 following is substituted in lieu thereof (*Effective October 1, 2020*):

85 (a) (1) Any mandated reporter, as described in section 17a-101, as

86 amended by this act, who in the ordinary course of such person's  
87 employment or profession has reasonable cause to suspect or believe  
88 that any child under the age of eighteen years (A) has been abused or  
89 neglected, as described in section 46b-120, (B) has had nonaccidental  
90 physical injury, or injury which is at variance with the history given of  
91 such injury, inflicted upon such child, or (C) is placed at imminent risk  
92 of serious harm, or (2) any school employee, as defined in section 53a-  
93 65, who in the ordinary course of such person's employment or  
94 profession has reasonable cause to suspect or believe that any person  
95 who is being educated by the Technical Education and Career System  
96 or a local or regional board of education, other than as part of an adult  
97 education program, is a victim under the provisions of section 53a-70,  
98 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, and the perpetrator is a  
99 school employee shall report or cause a report to be made in  
100 accordance with the provisions of sections 17a-101b to 17a-101d,  
101 inclusive.

102 (b) (1) [Any] Except as provided in subdivision (4) of this  
103 subsection, any person required to report under the provisions of this  
104 section who fails to make such report or fails to make such report  
105 within the time period prescribed in sections 17a-101b to 17a-101d,  
106 inclusive, and section 17a-103 shall be guilty of a class A misdemeanor,  
107 except that such person shall be guilty of a class E felony if (A) such  
108 violation is a subsequent violation, (B) such violation was wilful or  
109 intentional or due to gross negligence, or (C) such person had actual  
110 knowledge that (i) a child was abused or neglected, as described in  
111 section 46b-120, or (ii) a person was a victim described in subdivision  
112 (2) of subsection (a) of this section.

113 (2) Any person who intentionally and unreasonably interferes with  
114 or prevents the making of a report pursuant to this section, or attempts  
115 or conspires to do so, shall be guilty of a class D felony. The provisions  
116 of this subdivision shall not apply to any child under the age of  
117 eighteen years or any person who is being educated by the Technical  
118 Education and Career System or a local or regional board of education,

119 other than as part of an adult education program.

120 (3) Any person found guilty under the provisions of this subsection  
121 shall be required to participate in an educational and training  
122 program. The program may be provided by one or more private  
123 organizations approved by the commissioner, provided the entire cost  
124 of the program shall be paid from fees charged to the participants, the  
125 amount of which shall be subject to the approval of the commissioner.

126 (4) Any mandated reporter described in subdivision (40) of  
127 subsection (b) of section 17a-101, as amended by this act, who makes a  
128 report pursuant to 18 USC 2258A in lieu of making a report under the  
129 provisions of this section, shall not be found guilty under subdivision  
130 (1) of this subsection.

131 (c) The Commissioner of Children and Families, or the  
132 commissioner's designee, shall promptly notify the Chief State's  
133 Attorney when there is reason to believe that any such person has  
134 failed to make a report in accordance with this section.

135 (d) For purposes of this section and section 17a-101b, a mandated  
136 reporter's suspicion or belief may be based on factors including, but  
137 not limited to, observations, allegations, facts or statements by a child,  
138 victim, as described in subdivision (2) of subsection (a) of this section,  
139 or third party. Such suspicion or belief does not require certainty or  
140 probable cause.

141 Sec. 3. (*Effective from passage*) Not later than April 1, 2020, the  
142 Secretary of the State shall notify each domestic corporation required  
143 to file an annual report, pursuant to section 33-953 of the general  
144 statutes, that on and after October 1, 2020, any person who is  
145 employed to repair a camera, computer, as defined in section 53-451 of  
146 the general statutes, cellular mobile telephone or other mobile  
147 electronic device, as defined in section 14-296aa of the general statutes,  
148 and is eighteen years of age or older, is a mandated reporter pursuant  
149 to section 17a-101 of the general statutes, as amended by this act. Such

150 notification may be provided by electronic mail.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	17a-101
Sec. 2	<i>October 1, 2020</i>	17a-101a
Sec. 3	<i>from passage</i>	New section

**Statement of Legislative Commissioners:**

In Section 2(b)(4), "liable" was replaced with "found guilty" for consistency.

**KID**      *Joint Favorable Subst.*