Offered by:
SEN. SLAP, 5th Dist.
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To: Subst. Senate Bill No. 929 File No. 139 Cal. No. 90

"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."

1 Strike section 3 in its entirety and substitute the following in lieu thereof:

"Sec. 3. Subsection (b) of section 17a-6a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(b) The Commissioner of Children and Families shall require each vendor or contractor of the department and each employee of such vendor or contractor [who] that provides direct services to children or youths in the care and custody of the department or [who] that has access to the department's records to submit to state and national criminal history records checks, in accordance with section 29-17a. The commissioner shall [also] check the (1) state child abuse and neglect..."
registry established pursuant to section 17a-101k for the name of such vendor or contractor and each employee of such vendor or contractor [who] that provides direct services to children or youths in the care and custody of the department or has access to records [or clients] of the department, and (2) child abuse and neglect registry in any state in which a vendor or contractor or employee of a vendor or contractor that provides direct services to children or youths in the care and custody of the department or has access to records of the department has resided in the preceding five years for the name of such vendor or contractor or employee. The commissioner shall comply with any request to check the child abuse and neglect registry established pursuant to section 17a-101k made by the child welfare agency of another state.

Sec. 4. Section 17a-114 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(a) As used in this section, (1) "approval" or "approved" means that a person has been approved to adopt or provide foster care by a child-placing agency licensed pursuant to section 17a-149, (2) "licensed" means a person holds a license to provide foster care issued by the Department of Children and Families, (3) "fictive kin caregiver" means a person who is twenty-one years of age or older and who is unrelated to a child by birth, adoption or marriage but who has an emotionally significant relationship with such child or such child's family amounting to a familial relationship, and (4) "regular unsupervised access" means periodic interaction with a child in the home for purposes of unsupervised child care, medical or other services to the child.

(b) (1) No child in the custody of the Commissioner of Children and Families shall be placed in foster care with any person, unless (A) (i) such person is licensed for that purpose by the department or the Department of Developmental Services pursuant to the provisions of section 17a-227, or (ii) such person's home is approved by a child placing agency licensed by the commissioner pursuant to section 17a-
149, or (iii) such person has received approval as provided in this
section, and (B) on and after January 1, 2017, for a child twelve years of
age or older, such child has received a foster family profile in
accordance with the provisions of section 17a-14e. Any person
licensed by the department may be a prospective adoptive parent. The
commissioner shall adopt regulations, in accordance with the
provisions of chapter 54, to establish the licensing procedures and
standards.

(2) The commissioner shall require each applicant for licensure or
approval pursuant to this section and any person sixteen years of age
or older living in the household of such applicant to submit to state
and national criminal history records checks prior to issuing a license
or approval to such applicant to accept placement of a child for
purposes of foster care or adoption. Such criminal history records
checks shall be conducted in accordance with section 29-17a. The
commissioner shall [also] check the (A) state child abuse and neglect
registry established pursuant to section 17a-101k for the name of such
applicant and for the name of any person sixteen years of age or older
living in the household of such applicant, and (B) child abuse and
neglect registry in any state in which such applicant or person resided
in the preceding five years for the name of such applicant or person.

(3) The commissioner shall require each individual licensed or
approved pursuant to this section and any person sixteen years of age
or older living in the household of such individual to submit to state
and national criminal history records checks prior to renewing a
license or approval for any individual providing foster care or
adopter. Such criminal history records checks shall be conducted in
accordance with section 29-17a. [The] Prior to such renewal, the
commissioner shall [also] check the (A) state child abuse and neglect
registry established pursuant to section 17a-101k for the name of such
applicant and for the name of any person sixteen years of age or older
living in the household of such applicant, [prior to such renewal] and
(B) child abuse and neglect registry in any state in which such
applicant or person resided in the preceding five years for the name of
such applicant or person.

(4) The commissioner shall comply with any request to check the child abuse and neglect registry established pursuant to section 17a-101k made by the child welfare agency of another state.

(c) Notwithstanding the requirements of subsection (b) of this section, the commissioner may place a child with a relative or fictive kin caregiver who has not been issued a license or approval, when such placement is in the best interests of the child, provided a satisfactory home visit is conducted, a basic assessment of the family is completed and such relative or fictive kin caregiver attests that such relative or fictive kin caregiver and any adult living within the household has not been convicted of a crime or arrested for a felony against a person, for injury or risk of injury to or impairing the morals of a child, or for the possession, use or sale of a controlled substance. Any such relative or fictive kin caregiver who accepts placement of a child shall be subject to licensure by the commissioner, pursuant to regulations adopted by the commissioner in accordance with the provisions of chapter 54 to implement the provisions of this section or approval by a child-placing agency licensed pursuant to section 17a-149. The commissioner may grant a waiver from such regulations, including any standard regarding separate bedrooms or room-sharing arrangements, for a child placed with a relative or fictive kin caregiver, on a case-by-case basis, if such placement is otherwise in the best interests of such child, provided no procedure or standard that is safety-related may be so waived. The commissioner shall document, in writing, the reason for granting any waiver from such regulations.

(d) Any individual who has been licensed or approved to adopt or provide foster care and any relative or fictive kin caregiver shall apply a reasonable and prudent parent standard, as defined in subsection (a) of section 17a-114d, on behalf of the child.

Sec. 5. Subsection (a) of section 17a-151 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July
(a) The Commissioner of Children and Families shall investigate the conditions stated in each application made under the provisions of sections 17a-145 and 17a-149 and shall require any person identified on the application under said sections and any individual eighteen years of age or older who is employed by a child care facility licensed pursuant to section 17a-145 to submit to (1) state and national criminal history records checks, (2) a check of the state child abuse and neglect registry established pursuant to section 17a-101k, and (3) a check of the child abuse and neglect registry in any state in which such person or individual resided in the preceding five years. The commissioner shall comply with any request to check the child abuse and neglect registry established pursuant to section 17a-101k made by the child welfare agency of another state. The commissioner shall investigate the conditions in each application under the provisions of sections 17a-145 and 17a-149 and, if the commissioner finds such conditions suitable for the proper care of children, or for the placing out of children, under such standards for the promotion of the health, safety, morality and well-being of such children as the commissioner prescribes, shall issue such license as is required as promptly as possible, without expense to the licensee. If, after such investigation, the commissioner finds that the applicant, notwithstanding good faith efforts, is not able to fully comply with all the requirements the commissioner prescribes, but compliance can be achieved with minimal efforts, the commissioner may issue a provisional license for a period not to exceed sixty days. The provisional license may be renewed for additional sixty-day periods, but in no event shall the total of such periods be for longer than one year. Before issuing any license, the commissioner shall give to the selectmen of the town wherein such licensee proposes to carry on the licensed activity ten days' notice in writing that the issuance of such license is proposed, but such notice shall not be required in case of intention to issue such license to any corporation incorporated for the purpose of caring for or placing such children. Each license so issued shall specify whether it is granted for child-caring or child-
placing purposes, shall state the number of children who may be cared
for, shall be in force twenty-four months from date of issue, and shall
be renewed for the ensuing twenty-four months, if conditions continue
to be satisfactory to the commissioner. The commissioner shall [also]
provide such periodical inspections and review as shall safeguard the
well-being, health and morality of all children cared for or placed
under a license issued by the commissioner under this section and
shall visit and consult with each such child and with the licensee as
often as the commissioner deems necessary but at intervals of not more
than ninety days. Each licensee under the provisions of this section
shall file annually with the commissioner a report containing such
information concerning its functions, services and operation, including
financial data, as the commissioner requires. Any license issued under
this section may be revoked, suspended or limited by the
commissioner for cause, after notice given to the person or entity
concerned and after opportunity for a hearing thereon. Any party
whose application is denied or whose license is revoked, suspended or
limited by the commissioner may appeal from such adverse decision in
accordance with the provisions of section 4-183. Appeals under this
section shall be privileged in respect to the order of trial assignment."

In line 122, strike "4." and insert "6." in lieu thereof