



General Assembly

February Session, 2020

Raised Bill No. 5218

LCO No. 1482



Referred to Committee on EDUCATION

Introduced by:
(ED)

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.

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

1 Section 1. Subsection (c) of section 19a-80 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2020*):

4 (c) The commissioner [, within available appropriations,] shall
5 require [each prospective employee of] any person who is eighteen
6 years of age or older and a prospective employee of a child care center
7 or group child care home [in] for a position [requiring] that requires the
8 provision of care to a child or involves unsupervised access to any child
9 in such child care center or group child care home, to submit to
10 comprehensive background checks, including state and national
11 criminal history records checks. The criminal history records checks
12 required pursuant to this subsection shall be conducted in accordance
13 with section 29-17a. The commissioner shall also request a check of the
14 state child abuse registry established pursuant to section 17a-101k. [The
15 Department of Social Services may agree to transfer funds appropriated

16 for criminal history records checks to the Office of Early Childhood.]
17 The Commissioner of Early Childhood shall notify each licensee of the
18 provisions of this subsection. No such prospective employee shall [have
19 unsupervised access to children in the child care center or group child
20 care home until such comprehensive background check is completed
21 and the Commissioner of Early Childhood permits such prospective
22 employee to work in such child care center or group child care home]
23 begin working in such child care center or group child care home until
24 the provisions of 45 CFR 98.43(d)(4), as amended from time to time, have
25 been satisfied.

26 Sec. 2. Subsection (c) of section 19a-87b of the 2020 supplement to the
27 general statutes is repealed and the following is substituted in lieu
28 thereof (*Effective October 1, 2020*):

29 (c) The commissioner [, within available appropriations,] shall
30 require each initial applicant or prospective employee of a family child
31 care home in a position requiring the provision of care to a child,
32 including an assistant or substitute staff member and each household
33 member who is [sixteen] eighteen years of age or older, to submit to
34 comprehensive background checks, including state and national
35 criminal history records checks. The criminal history records checks
36 required pursuant to this subsection shall be conducted in accordance
37 with section 29-17a. The commissioner shall also request a check of the
38 state child abuse registry established pursuant to section 17a-101k. The
39 commissioner shall notify each licensee of the provisions of this
40 subsection. For purposes of this subsection, "household member" means
41 any person, other than the person who is licensed to conduct, operate or
42 maintain a family child care home, who resides in the family child care
43 home, such as the licensee's spouse or children, tenants and any other
44 occupant.

45 Sec. 3. Section 10-530 of the 2020 supplement to the general statutes
46 is repealed and the following is substituted in lieu thereof (*Effective*
47 *October 1, 2020*):

48 (a) As used in this section:

49 (1) "Child care facility" means a "child care center", "group child care
50 home" or "family child care home" that provides "child care services",
51 each as described in section 19a-77, or any provider of child care services
52 under the child care subsidy program established pursuant to section
53 17b-749;

54 (2) "Child care services provider or staff member" means any person
55 who is (A) a licensee, employee, volunteer or alternate staff, assistant,
56 substitute or household member of a child care facility, (B) a family child
57 care provider, or (C) any other person who provides child care services
58 under the child care subsidy program established pursuant to section
59 17b-749 but does not include a person who is providing child care
60 services under the child care subsidy program (i) exclusively to children
61 with whom such person is related, and (ii) without being issued a license
62 to provide child care services by the Office of Early Childhood; and

63 (3) "Family child care provider" means any person who provides
64 child care services under the child care subsidy program established
65 pursuant to section 17b-749 (A) in a family child care home, as [defined]
66 described in section 19a-77, or (B) in a home not requiring a license
67 pursuant to subdivision (4) of subsection (b) of section 19a-77.

68 (b) The comprehensive background checks required pursuant to
69 subsection (c) of section 19a-80, as amended by this act, subsection (c) of
70 section 19a-87b, as amended by this act, [and] subsection (a) of section
71 17b-749k, and subsection (b) of section 19a-421 shall be conducted at
72 least once every five years for each child care services provider or staff
73 member in accordance with the provisions of 45 CFR 98.43, as amended
74 from time to time.

75 (c) Any person who applies for a position at a child care facility in the
76 state shall not be required to submit to such comprehensive background
77 checks if such person (1) is an employee of a child care facility in the
78 state, or has not been separated from employment as a child care
79 services provider or staff member in the state for a period of more than

80 one hundred eighty days, and (2) has successfully completed such
81 comprehensive background checks in the previous five years. Nothing
82 in this section prohibits the Commissioner of Early Childhood from
83 requiring that a person applying for a position as a child care services
84 provider or staff member submit to comprehensive background checks
85 more than once during a five-year period.

86 (d) Any person required to submit to comprehensive background
87 checks pursuant to subsection (c) of section 19a-80, as amended by this
88 act, subsection (c) of section 19a-87b, as amended by this act, subsection
89 (a) of section 17b-749k and subsection (b) of section 19a-421, may make
90 a request, in writing, to the Commissioner of Early Childhood for a
91 waiver of the requirement to submit fingerprints. Such written waiver
92 request shall include such person's name and date of birth, and evidence
93 that such person is unable to satisfy such fingerprints requirement due
94 to a medical condition, including, but not limited to, a birth defect,
95 physical deformity, skin condition or psychiatric condition. Upon
96 granting a waiver to a person under this subsection, the Office of Early
97 Childhood shall conduct a state criminal history records check of such
98 person based on the name and date of birth of such person that is
99 included in the written waiver request.

100 Sec. 4. Section 17b-751b of the general statutes is repealed and the
101 following is substituted in lieu thereof (*Effective July 1, 2020*):

102 (a) The Commissioner of Early Childhood shall establish the
103 structure for a state-wide [system for a Nurturing Families Network]
104 Connecticut Home Visiting System, which demonstrates the benefits of
105 preventive services by significantly reducing the abuse and neglect of
106 infants and young children, and by enhancing parent-child
107 relationships through [hospital-based] community-based assessment
108 with home outreach follow-up on infants and their families within
109 families identified as high risk.

110 (b) The commissioner shall: (1) [Develop the comprehensive risk
111 assessment to be used by the Nurturing Families Network's providers;

112 (2) develop the training program, standards, and protocols for the pilot
113 programs;] Ensure that all home visiting programs are evidence-based
114 home visiting models that meet the criteria for evidence of effectiveness
115 of the United States Department of Health and Human Services; (2)
116 provide oversight to home visiting programs to ensure model fidelity;
117 and (3) develop, issue and evaluate requests for proposals to procure
118 the services required by this section. In evaluating the proposals, the
119 commissioner shall take into consideration the most effective and
120 consistent service delivery system allowing for the continuation of
121 current public and private programs.

122 (c) The commissioner shall establish a data system to enable the
123 programs to document the following information in a standard manner:
124 (1) The level of screening and assessment; (2) profiles of risk and family
125 demographics; (3) the incidence of child abuse and neglect; (4) rates of
126 child development; and (5) any other information the commissioner
127 deems appropriate.

128 (d) The commissioner shall report to the General Assembly, in
129 accordance with the provisions of section 11-4a, on the establishment,
130 implementation and progress of the [Nurturing Families Network,]
131 Connecticut Home Visiting System, on July 1, 2021, and on July first of
132 each year thereafter.

133 (e) The commissioner may expend an amount not to exceed two per
134 cent of the amount appropriated for purposes of this section in a manner
135 consistent with the provisions of section 10-509, as amended by this act.

136 Sec. 5. Section 17b-751d of the general statutes is repealed and the
137 following is substituted in lieu thereof (*Effective July 1, 2020*):

138 The Office of Early Childhood shall be the lead state agency for
139 community-based, prevention-focused programs and activities
140 designed to strengthen and support families to prevent child abuse and
141 neglect. The responsibilities of the office shall include, but not be limited
142 to, collaborating with state agencies, hospitals, clinics, schools and
143 community service organizations, to: (1) Initiate programs to support

144 families at risk for child abuse or neglect; (2) assist organizations to
145 recognize child abuse and neglect; (3) encourage community safety; (4)
146 increase broad-based efforts to prevent child abuse and neglect; (5)
147 create a network of agencies to advance child abuse and neglect
148 prevention; and (6) increase public awareness of child abuse and neglect
149 issues. The office, subject to available state, federal and private funding,
150 shall be responsible for implementing and maintaining programs and
151 services, including, but not limited to: (A) The [Nurturing Families
152 Network] Connecticut Home Visiting System, established pursuant to
153 subsection (a) of section 17b-751b, as amended by this act; (B) [Family
154 Empowerment Initiative programs; (C)] Help Me Grow; [(D) Family
155 School Connection; (E) support services for residents of a respite group
156 home for girls; (F) volunteer services; (G)] (C) family development
157 training; [(H)] (D) shaken baby syndrome prevention; and [(I)] (E) child
158 sexual abuse prevention.

159 Sec. 6. Subsection (a) of section 10-509 of the general statutes is
160 repealed and the following is substituted in lieu thereof (*Effective July 1,*
161 *2020*):

162 (a) As used in this subsection, "early care and education and
163 childhood development programs" includes the child care subsidy
164 program, established pursuant to section 17b-749, the school readiness
165 program, as defined in section 10-16p, the supplemental quality
166 enhancement grant program, established pursuant to section 17b-749c,
167 the [Nurturing Families Network] Connecticut Home Visiting System,
168 established pursuant to section 17b-751b, as amended by this act, and
169 the program for state financial assistance for neighborhood facilities,
170 including child care centers, pursuant to section 8-210.

171 Sec. 7. Subsection (a) of section 17b-261 of the 2020 supplement to the
172 general statutes is repealed and the following is substituted in lieu
173 thereof (*Effective July 1, 2020*):

174 (a) Medical assistance shall be provided for any otherwise eligible
175 person whose income, including any available support from legally

176 liable relatives and the income of the person's spouse or dependent
177 child, is not more than one hundred forty-three per cent, pending
178 approval of a federal waiver applied for pursuant to subsection (e) of
179 this section, of the benefit amount paid to a person with no income
180 under the temporary family assistance program in the appropriate
181 region of residence and if such person is an institutionalized individual
182 as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3),
183 and has not made an assignment or transfer or other disposition of
184 property for less than fair market value for the purpose of establishing
185 eligibility for benefits or assistance under this section. Any such
186 disposition shall be treated in accordance with Section 1917(c) of the
187 Social Security Act, 42 USC 1396p(c). Any disposition of property made
188 on behalf of an applicant or recipient or the spouse of an applicant or
189 recipient by a guardian, conservator, person authorized to make such
190 disposition pursuant to a power of attorney or other person so
191 authorized by law shall be attributed to such applicant, recipient or
192 spouse. A disposition of property ordered by a court shall be evaluated
193 in accordance with the standards applied to any other such disposition
194 for the purpose of determining eligibility. The commissioner shall
195 establish the standards for eligibility for medical assistance at one
196 hundred forty-three per cent of the benefit amount paid to a household
197 of equal size with no income under the temporary family assistance
198 program in the appropriate region of residence. In determining
199 eligibility, the commissioner shall not consider as income Aid and
200 Attendance pension benefits granted to a veteran, as defined in section
201 27-103, or the surviving spouse of such veteran. Except as provided in
202 section 17b-277 and section 17b-292, the medical assistance program
203 shall provide coverage to persons under the age of nineteen with
204 household income up to one hundred ninety-six per cent of the federal
205 poverty level without an asset limit and to persons under the age of
206 nineteen, who qualify for coverage under Section 1931 of the Social
207 Security Act, with household income not exceeding one hundred
208 ninety-six per cent of the federal poverty level without an asset limit,
209 and their parents and needy caretaker relatives, who qualify for
210 coverage under Section 1931 of the Social Security Act, with household

211 income not exceeding one hundred fifty-five per cent of the federal
212 poverty level without an asset limit. Such levels shall be based on the
213 regional differences in such benefit amount, if applicable, unless such
214 levels based on regional differences are not in conformance with federal
215 law. Any income in excess of the applicable amounts shall be applied as
216 may be required by said federal law, and assistance shall be granted for
217 the balance of the cost of authorized medical assistance. The
218 Commissioner of Social Services shall provide applicants for assistance
219 under this section, at the time of application, with a written statement
220 advising them of (1) the effect of an assignment or transfer or other
221 disposition of property on eligibility for benefits or assistance, (2) the
222 effect that having income that exceeds the limits prescribed in this
223 subsection will have with respect to program eligibility, and (3) the
224 availability of, and eligibility for, services provided by the [Nurturing
225 Families Network] Connecticut Home Visiting System, established
226 pursuant to section 17b-751b, as amended by this act. For coverage dates
227 on or after January 1, 2014, the department shall use the modified
228 adjusted gross income financial eligibility rules set forth in Section
229 1902(e)(14) of the Social Security Act and the implementing regulations
230 to determine eligibility for HUSKY A, HUSKY B and HUSKY D
231 applicants, as defined in section 17b-290. Persons who are determined
232 ineligible for assistance pursuant to this section shall be provided a
233 written statement notifying such persons of their ineligibility and
234 advising such persons of their potential eligibility for one of the other
235 insurance affordability programs as defined in 42 CFR 435.4.

236 Sec. 8. Section 17b-277a of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective July 1, 2020*):

238 The Commissioners of Public Health, Social Services and Mental
239 Health and Addiction Services shall jointly establish a program to
240 inform applicants to the Healthy Start program about the availability of,
241 and eligibility for, services provided by the [Nurturing Families
242 Network] Connecticut Home Visiting System, established pursuant to
243 section 17b-751b, as amended by this act.

244 Sec. 9. (NEW) (*Effective July 1, 2020*) Upon request of the director of
245 an early intervention service program participating in the birth-to-three
246 program, established pursuant to section 17a-248b of the general
247 statutes, the Commissioner of Education may permit any person who
248 holds an endorsement in the areas of comprehensive special education,
249 integrated early childhood and special education, partially sighted,
250 blind, and hard of hearing, to teach within the birth-to-three program.
251 Such permission shall be valid during the period of such person's
252 certificate, permit or authorization, and may be extended by the
253 commissioner, upon request of the birth-to-three service provider, upon
254 renewal of such person's certificate, permit or authorization by the
255 commissioner.

256 Sec. 10. Section 19a-425 of the general statutes is repealed and the
257 following is substituted in lieu thereof (*Effective from passage*):

258 (a) Any person or officer of an association, organization or
259 corporation who establishes, conducts or maintains a youth camp
260 without a license as required by this chapter for a first offense shall be
261 subject to a civil penalty of not more than one thousand dollars, and for
262 a second or subsequent offense shall be subject to a civil penalty of not
263 more than one thousand five hundred dollars, and each day during
264 which a youth camp is conducted or maintained without a license, after
265 notification to such person by the commissioner, shall constitute a
266 separate offense. The commissioner may apply to the superior court for
267 the judicial district of Hartford, or for the judicial district where the
268 defendant named in such application resides, for an injunction to
269 restrain the operation or maintenance of a youth camp by any person
270 other than a licensed operator. The application for such injunction or the
271 issuance of the same shall be in addition to and shall not relieve any
272 such person from the imposition of a civil penalty under this section. In
273 connection with any such application for an injunction, it shall not be
274 necessary to prove that an adequate remedy at law does not exist.

275 (b) If the Commissioner of Early Childhood has reason to believe that
276 a violation has occurred for which a civil penalty is authorized by

277 subsection (a) of this section, the commissioner may send to such person
 278 or officer by certified mail, return receipt requested or personally serve
 279 upon such person or officer, a notice that shall include: (1) A reference
 280 to the section or sections of the general statutes or regulations involved;
 281 (2) a short and plain statement of the matters asserted or charged; (3) a
 282 statement of the maximum civil penalty that may be imposed for such
 283 violation; and (4) a statement of the party's right to request a hearing.
 284 Such person or officer shall submit any request for a hearing in writing
 285 to the commissioner not later than thirty days after the notice is mailed
 286 or served.

287 (c) If such person or officer so requests, the commissioner shall cause
 288 a hearing to be held. The hearing shall be held in accordance with the
 289 provisions of chapter 54. If such person or officer fails to request a
 290 hearing or fails to appear at the hearing or if, after the hearing, the
 291 commissioner finds that the person or officer has committed such
 292 violation, the commissioner may, in his or her discretion, order that a
 293 civil penalty be imposed that is not greater than the penalty stated in the
 294 notice. The commissioner shall send a copy of any order issued pursuant
 295 to this subsection by certified mail, return receipt requested, to the
 296 person or officer named in such order.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	19a-80(c)
Sec. 2	<i>October 1, 2020</i>	19a-87b(c)
Sec. 3	<i>October 1, 2020</i>	10-530
Sec. 4	<i>July 1, 2020</i>	17b-751b
Sec. 5	<i>July 1, 2020</i>	17b-751d
Sec. 6	<i>July 1, 2020</i>	10-509(a)
Sec. 7	<i>July 1, 2020</i>	17b-261(a)
Sec. 8	<i>July 1, 2020</i>	17b-277a
Sec. 9	<i>July 1, 2020</i>	New section
Sec. 10	<i>from passage</i>	19a-425

Statement of Purpose:

To implement the recommendations of the Office of Early Childhood.

[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.]