



## Acts Affecting Children

By: Jessica Callahan, Associate Analyst  
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## Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting children enacted during the 2022 legislative session. OLR's other Acts Affecting reports, including Acts Affecting Education, are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden.

Complete summaries of public acts are, or will soon be, available on OLR's website:

<https://www.cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

A number of new laws affect schools and students, including early childhood education. Please refer to OLR's Acts Affecting Education report for these new laws.

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## **Child Behavioral and Mental Health**

### ***Behavioral and Mental Health Policy and Oversight Committee***

A new law establishes, within the Legislative Department, a Behavioral and Mental Health Policy and Oversight Committee. The committee must evaluate and report on various matters related to the mental health system for children and develop a related strategic plan. The committee's first report is due January 1, 2023; it must report the strategic plan by August 1, 2023 ([PA 22-47](#), § 70, effective upon passage).

### ***Child and Adolescent Psychiatrist Grant Program***

A new law requires the Department of Public Health (DPH), by January 1, 2023, to establish and administer a grant program to incentivize employers of child and adolescent psychiatrists to recruit and hire new psychiatrists and retain those whom they employ. Starting by January 1, 2024, the commissioner must annually report on the program to the Public Health Committee ([PA 22-47](#), § 38, effective upon passage).

### ***Child and Adolescent Psychiatry Working Group***

New legislation creates a working group to develop a plan to increase the number of psychiatry residency and child and adolescent psychiatry fellowship placements in the state. The group must report its findings and recommendations to the Public Health Committee by January 1, 2023 ([PA 22-47](#), § 68, effective July 1, 2022).

### ***Children's Mental Health Advisory Board***

This session, the legislature changed the composition of the Children's Mental, Emotional, and Behavioral Health Plan Implementation Advisory Board by (1) increasing its total membership from 34 to 45 and (2) specifying the required professional background for each of the Department of Children and Families (DCF) commissioner's appointees ([PA 22-47](#), § 7, effective July 1, 2022).

### ***DCF Grant Program for Certain Mental and Behavioral Health Treatment Costs***

A new law establishes a Mental and Behavioral Health Treatment Fund as a separate, nonlapsing General Fund account. The DCF commissioner must use the funds to help families with the cost of obtaining prescription drugs or certain treatment and intensive services for children to treat a mental or behavioral health condition if insurance or Medicaid does not cover the cost. The DCF commissioner must (1) establish eligibility criteria for families to receive the assistance and (2) start accepting grant applications by January 1, 2023 ([PA 22-47](#), § 32, effective upon passage).

## ***DCF Regional Behavioral Health Consultation and Care Coordination Program***

A new law expands DCF's regional behavioral health consultation and care coordination program. Among other things, it requires that the program refer the pediatric patient of a primary care provider for no more than three follow-up telehealth or in-person appointments with a mental or behavioral health care provider (1) if the appointments are determined to be medically necessary by the primary care provider and (2) after the primary care provider has utilized the program on the patient's behalf and the patient has been prescribed medication to treat a mental or behavioral health condition ([PA 22-47](#), § 10, effective upon passage).

## ***DPH Grant to Children's Hospital for Consultation Program***

A new law allows DPH, within available resources, to award a \$150,000 grant in FY 23 to an in-state children's hospital for coordinating a mental and behavioral health training and consultation program in 2023 and 2024. The program's purpose is to help pediatricians gain the necessary knowledge, experience, and confidence to effectively treat pediatric mental and behavioral health issues ([PA 22-47](#), § 69, effective July 1, 2022).

## ***DPH Pilot Program Expanding Behavioral Health Care for Children by Pediatric Care Providers***

By July 1, 2023, a new law requires the DPH commissioner, in consultation with the Department of Social Services (DSS) commissioner, to establish a pilot grant program to expand behavioral health care offered to children by pediatric care providers in private practices. Among other things, DPH must establish the grant program within available appropriations and provide the pediatric care providers a 50% match for the cost associated with paying the salaries of licensed social workers providing counseling and other services to children receiving primary health care from the providers ([PA 22-81](#), § 17, effective July 1, 2022).

## ***Health Insurance Coverage for DCF Urgent Crisis Centers***

A new law broadly expands health insurance coverage and emergency access to DCF-licensed urgent crisis centers. These centers treat children's urgent mental or behavioral health needs. Among other things, the act prohibits insurers from balance billing or requiring prior authorization for these services. The act also establishes the maximum allowable billable and reimbursable amounts for out-of-network services provided at an urgent crisis center. Finally, the act requires health carriers to ensure covered people have access to urgent crisis center services 24 hours per day, seven days per week, to the extent they are available ([PA 22-47](#), §§ 49-54, effective January 1, 2023).

This act also prohibits certain individual and group health insurance policies that cover acute inpatient psychiatric services from requiring prior authorization if, among other things, these services are provided at a DCF-licensed urgent crisis center ([PA 22-47](#), §§ 55 & 56, effective January 1, 2023).

### ***Health Insurance Coverage for Treatments for Pediatric Mental or Nervous Conditions***

A new law extends coverage under some fully insured health insurance policies for certain treatments for pediatric mental or nervous conditions. Specifically, the act requires that these policies cover (1) intensive or evidence-based services to treat a child’s mental or nervous condition, instead of only intensive home-based services and (2) adolescents and children, rather than only children ([PA 22-47](#), §§ 43 & 44, effective January 1, 2023).

### ***Information on Children’s Mental Health and Domestic Violence***

Starting January 1, 2023, a new law requires certain first responders to maintain or distribute information on mental health and domestic violence resources—specifically, the (1) DCF children’s behavioral and mental health resources document and (2) judicial branch’s Office of Victim Services (OVS) domestic violence victim resources document. The new law requires:

1. state and municipal police officers and emergency medical technicians, including medical responders, to keep copies of these documents in any vehicle they use to carry out their duties and allows them to provide copies to anyone they think may benefit from the resources; and
2. requires peace officers at the scene of a family violence incident to provide victims with the OVS victim resource document and, if there is a child at the scene, a copy of the DCF children’s resources document ([PA 22-47](#), §§ 62-64, effective July 1, 2022).

### ***Mobile Psychiatric Services Data Repository***

A new law requires DCF, by January 1, 2023, to establish and administer a data repository for (1) emergency mobile psychiatric services personnel to share best practices and experiences while providing emergency mobile psychiatric services to children in the field and (2) the department and these personnel, when available and appropriate, to collect outcome data on children who received these services ([PA 22-47](#), § 8, effective July 1, 2022).



## ***Office of Healthcare Advocate***

Under a new law, the state’s healthcare advocate must designate an Office of Healthcare Advocate employee to be responsible for (1) performing the office’s duties for minors and (2) coordinating statewide efforts to ensure minors have coverage for, and access to, services for behavioral and mental health conditions and substance use disorders ([PA 22-47](#), § 11, effective July 1, 2022).

## ***Pediatric Mental Health Screening Tool***

A new law requires DPH, by January 1, 2023, to develop or procure a screening tool to help pediatricians and emergency room doctors diagnose mental health, behavioral health, or substance use disorders in children. Pediatricians must provide the screening tool to each patient annually, and emergency department physicians must (1) provide the screening tool to each emergency department patient under age 18 and at least the minimum department-determined age, or the parents or guardian, before the child’s discharge from the emergency department and (2) send a copy of it to the child’s pediatrician or primary care provider to the extent possible and as soon as practicable ([PA 22-47](#), § 33, effective upon passage).

## ***Protocols for EMS Transport to DCF-Licensed Urgent Crisis Centers***

Under a new law, DPH’s Office of Emergency Medical Services, by January 1, 2024, must develop protocols for emergency medical services organizations or providers to transport pediatric patients with mental or behavioral health needs by ambulance to DCF-licensed urgent crisis centers ([PA 22-47](#), § 46, effective October 1, 2022).

## ***Social Determinants of Mental Health Fund***

The legislature established a “Social Determinants of Mental Health Fund” as a separate, nonlapsing General Fund account. The DCF commissioner must use the funds to help families with the costs of mental health services and treatment for their children, and set eligibility criteria for families to receive assistance based on social determinants of mental health which include, among other things, income and educational inequality ([PA 22-81](#), § 2, effective July 1, 2022).

## ***Suicide Advisory Board***

A new law codifies existing practice by expanding the scope of DCF’s Youth Suicide Advisory Board to address suicide prevention across a person’s lifespan. It correspondingly renames the board as the Connecticut Suicide Advisory Board, reflecting existing practice. The act also revises the board’s membership and procedures in several respects ([PA 22-58](#), §§ 64 & 66, effective July 1, 2022).

## ***Waiver for Licensure Requirements for Certain Mental or Behavioral Health Providers***

A new law requires DPH, in consultation with DCF, to develop and implement a plan to waive licensure requirements, under certain conditions, for mental or behavioral health care providers licensed in other states, with priority given to children's providers. By January 1, 2023, DPH must implement and report on the plan ([PA 22-47](#), § 1, effective upon passage).

## ***Waterbury FQHC Pilot Program***

This year, the legislature established a pilot program in Waterbury that allows a federally qualified health center (FQHC) to administer intensive outpatient services for adolescents with mental or behavioral health issues. The FQHC must administer these services, which must include an extended day treatment program, to at least 144 adolescents annually for no less than five years. If the FQHC stops administering the services before October 1, 2027, it must reimburse the state for funds allocated to the pilot program in a prorated amount proportionate to the period in which services were provided ([PA 22-47](#), § 9, effective October 1, 2022).

## **Child Health and Safety**

### ***Clean School Buses***

A new law requires that all school buses be zero-emission school buses by (1) January 1, 2030, in school districts entirely within or containing an environmental justice community as of July 1, 2022, and (2) January 1, 2040, in the remaining districts. It also sets an interim requirement for school districts that are not located entirely within, or do not contain, an environmental justice community, requiring that 100% of buses in these districts be zero-emission school buses or alternative fuel school buses (i.e., powered by natural gas, hydrogen, propane, or biofuels) by January 1, 2035 ([PA 22-25](#), § 13, effective July 1, 2022).

### ***HIV Testing***

A new law generally requires primary care providers or their designees (starting January 1, 2023) and hospital emergency department employees or staff members (starting January 1, 2024) to offer HIV testing to patients age 13 or older. The act provides various exceptions, such as when the patient is being treated for a life-threatening emergency ([PA 22-58](#), §§ 68 & 69, effective October 1, 2022).

## ***Immunization Information System***

This year, the legislature replaced DPH's childhood immunization registry and tracking system ("CIRTS") with an immunization information system ("CT WiZ") that provides vaccine recipients of all ages, instead of only children under age six, with access to their immunization records.

Under the act, DPH must maintain the system, which must include information to accurately identify a vaccine recipient and assess the recipient's current immunization status. Vaccine recipients' participation in CT WiZ is voluntary, and health care providers must provide a vaccine recipient, or the recipient's legal guardian, conservator, or parent or guardian (if a minor), information on how to opt out of enrolling in the system. As under prior law, all personal information in CT WiZ is confidential and cannot be disclosed without the consent of the vaccine recipient or the recipient's representative ([PA 22-118](#), §§ 493-496, effective July 1, 2022).

## ***Information on Services for Deaf, Deafblind, and Hard of Hearing People***

Under a new law, the Department of Aging and Disability Services (ADS) must establish a webpage with information on services for deaf, deafblind, and hard of hearing people, including services it provides and those provided by certain executive branch agencies, including DCF. The act also requires DCF and other agencies to maintain on their websites information on services for people with disabilities and link to ADS's page on services for deaf, deafblind, and hard of hearing people ([PA 22-31](#), effective October 1, 2022).

## ***Lead Poisoning Prevention and Treatment***

New legislation generally lowers the threshold for blood lead levels in individuals at which DPH and local health departments must take certain actions, such as conducting on-site inspections and remediations for children with lead poisoning. Among other things, the acts require (1) primary care providers to conduct annual lead testing for certain high-risk children ages 36 to 72 months; (2) DSS to seek federal approval to amend the state Medicaid plan to add services to address the health impacts of high childhood blood lead levels in Medicaid-eligible children; and (3) the DPH commissioner to convene a working group to recommend necessary legislative changes on various lead poisoning prevention and treatment issues ([PA 22-49](#) and [PA 22-118](#), §§ 149-153, most provisions effective January 1, 2023).

## ***Licensure by Reciprocity for Speech and Language Pathologists or Occupational Therapists***

A new law requires DPH, in consultation with the Office of Early Childhood (OEC), to develop and implement a plan to establish licensure by reciprocity or endorsement for speech and language pathologists or occupational therapists licensed elsewhere and who intend to provide services under the Birth-to-Three program. By January 1, 2023, the DPH commissioner must implement and report on the plan to the Public Health and Children's committees, including recommendations for any necessary related legislation ([PA 22-81](#), § 26, effective upon passage).

## ***Pharmacists Administering the Flu Vaccine to Minors***

A new law grants licensed pharmacists the authority under state law to administer the flu vaccine, with parental or guardian consent, to minors age 12 years or older. Under specified conditions, federal law currently protects pharmacists from liability under federal or state law for administering approved vaccines, including the flu vaccine, to children age three and older ([PA 22-92](#), § 24, effective July 1, 2022).

## **Child Protection and Welfare**

### ***Address Confidentiality Program Expansion***

The legislature expanded the state's address confidentiality program by allowing victims of kidnapping, trafficking, or substantiated child abuse or children who are subjects of parental termination orders to participate ([PA 22-87](#), §§ 9-11, effective July 1, 2022).

### ***DCF Cost Offset and Benefit Payment Policy***

New legislation prohibits DCF from using a child's Social Security disability benefits to offset the cost of their care while in DCF care and custody and requires DCF, by January 1, 2023, to establish a policy to manage these benefits. Among other things, the policy must (1) require that benefit payments be deposited into a trust account maintained for that purpose and (2) include guidelines on the management and oversight of the account ([PA 22-81](#), § 16, effective July 1, 2022).

### ***DCF In-Home Respite Care Services Program***

A new law requires the DCF commissioner, by January 1, 2023, to set up an in-home respite care services program to help parents and guardians of children with behavioral health needs and creates a General Fund account dedicated to the program. The law also allows the DCF commissioner to adopt regulations to carry out these provisions, including establishing eligibility criteria for participating in the program ([PA 22-47](#), § 37, effective July 1, 2022).

## ***DCF Records Disclosure***

With certain exceptions, existing law generally requires DCF to obtain consent from the subject of a record before disclosing information created or obtained in connection with its child protection activities, activities of a child while in DCF care or custody, or the department's abuse and neglect registry.

A new law creates additional exceptions for disclosures to the following entities:

1. OEC to determine a person's suitability to (a) care for children in an OEC-licensed youth camp or (b) provide child care services to a child and to receive a child care subsidy;
2. any DCF-licensed child placing agency to determine a person's suitability (a) for employment or (b) to adopt and provide foster care; and
3. the Department of Administrative Services (DAS) to determine whether an applicant for state employment, who would have contact with children in the course of his or her employment, is on the child abuse or neglect registry ([PA 22-42](#), § 1, effective July 1, 2022).

## ***Family Support Services***

This session, the legislature repealed laws (1) requiring the Department of Developmental Services (DDS) to, among other things, coordinate family support services for children with disabilities and (2) establishing the Family Support Council, which was charged with providing assistance to DDS and other state agencies that administered or funded family support services (in practice, the council had not met in several years ([PA 22-140](#), §§ 5, 6 & 12, effective October 1, 2022)).

## ***Indian Child Welfare***

A new law ensures that any action or proceeding under the state's child welfare laws or probate laws involving an Indian child's custody or placement in a foster or adoptive home, or the termination of the child's parents' parental rights, is conducted in accordance with the federal Indian Child Welfare Act (ICWA). Among other things, ICWA clarifies that tribes have sovereignty and exclusive jurisdiction over their members who reside on tribal land and establishes a process for transferring cases to tribal court in other cases. Under the act and ICWA, an "Indian child" is an unmarried person who is under age 18 and either is: (1) a member or citizen of an Indian tribe or (2) eligible for membership or citizenship in an Indian tribe and is the biological child of an Indian tribe member or citizen ([PA 22-60](#), effective upon passage).

## ***Mandated Reporters***

A new law expands the list of mandated reporters to include paid youth camp staff members age 21 or older. Paid youth camp directors and paid assistant directors are already mandated reporters under existing law ([PA 22-87](#), § 4, effective October 1, 2022).

## ***Medical Assistance and Immigration Status***

This session, the legislature expanded a program that requires DSS to provide state-funded medical assistance, within available appropriations, to children regardless of their immigration status. The act expands the program by raising the age of children eligible for the coverage from 8 to 12 years old and allowing eligible children to continue to receive the assistance until they are 19 years old. By law, and under the act, the requirement begins January 1, 2023 ([PA 22-118](#), §§ 232 & 233, effective upon passage).

## ***Office of the Child Advocate (OCA) Advisory Committee***

The General Assembly passed legislation requiring the child advocate to report at least three times each year to the OCA advisory committee on the office's goals and projects, within available appropriations, that are consistent with the child advocate's responsibilities. The act also requires the OCA advisory committee to (1) meet at least three times each year with the child advocate and her staff to receive her reports and (2) annually evaluate OCA's effectiveness ([PA 22-135](#), §§ 1 & 4, effective July 1, 2022).

## ***Office of the Child Advocate Rights and Responsibilities***

Recent legislation allows the child advocate to disclose confidential information to a child's legal representative if the disclosure is necessary to enable the child advocate to perform her responsibilities or to identify, prevent, or treat a child's abuse or neglect. Previously, the child advocate could only disclose this information to the appropriate agency responsible for the child's welfare.

The act also requires records requested by the child advocate to carry out her responsibilities to be provided to her within 14 days of the request. By law, the child advocate may issue a subpoena for records she is denied access to ([PA 22-135](#), §§ 2 & 3, effective July 1, 2022).

## ***Peer-to-Peer Support Program for Caregivers***

New legislation requires the DCF-contracted peer-to-peer support program for parents and caregivers of children with behavioral health needs to use allocated state funds to provide services to those who are not covered for these services under HUSKY Health or a health insurance policy ([PA 22-47](#), § 40, effective upon passage).

## ***Safe Storage of Prescription Drugs and Cannabis***

A new law requires (1) Department of Consumer Protection (DCP), by December 1, 2022, to develop documents on the safe storage and disposal of prescription drugs and cannabis and cannabis products and, by December 15, 2022, post the documents on the department's website; and (2) pharmacies, cannabis retailers, and hybrid retailers, by January 1, 2023, to post notices about the applicable documents on their premises. Among other things, the documents must include information on best practices for safely storing these substances in a way that makes them inaccessible to children ([PA 22-81](#), §§ 18-20, effective July 1, 2022).

## ***Task Force on Child Sexual Abuse and Exploitation***

A new law establishes a nine-member task force to study the sexual abuse and exploitation of children on the Internet or facilitated by in-state Internet users from 2019 through 2021. Among other things, the study must examine the types and frequency of this abuse and exploitation and grooming tactics used by adults to engage in this abuse and exploitation ([PA 22-87](#), § 8, effective upon passage).

## ***Task Force to Study Children's Needs***

PA 21-46, § 30, established a 25-member task force to study the (1) comprehensive needs of children in the state and (2) extent to which the needs are being met by educators, community members, and local and state agencies. The task force submitted its findings to the Children's Committee in December 2021 and terminated on January 1, 2022.

A new law reconvenes the task force to continue to study children's needs and tasks them with the same responsibilities as before, and additionally requires them to (1) provide recommendations to meet the demand for infant and toddler care in the state and (2) study the feasibility of adjusting school start times to improve students' mental and physical well-being ([PA 22-81](#), § 24, effective upon passage).



## ***Temporary Family Assistance (TFA) Standards***

Beginning in FY 23, a new law sets the income limit for the Temporary Family Assistance program at 55% of the federal poverty level (FPL) which also serves as the basis for program benefit amounts. In doing so, the act replaces regional variability in TFA program standards with one consistent statewide standard that will be adjusted annually based on the U.S. Department of Health and Human Services' annual calculation of the FPL. (In 2022, 55% of the FPL is \$10,071 for a family of two and \$12,667 for a family of three ([PA 22-118](#), §§ 236 & 237, effective July 1, 2022).)

## ***Victim Compensation Program Expansion***

Recent legislation expanded the Victim Compensation Program by extending eligibility to victims of child abuse substantiated by DCF, so long as the individual DCF determines is responsible is placed on its child abuse and neglect registry. The law also requires the DCF or children's advocacy center employee to whom the abuse was disclosed to notify the victim or the victim's parent, guardian, or legal representative, both verbally and in writing, about the (1) victim's potential eligibility for the program, (2) program application process, and (3) types and amounts of compensation that may be awarded ([PA 22-47](#), §§ 65 & 66, effective October 1, 2022).

## ***Youth Service Bureau (YSB) Grants***

By law, the DCF commissioner must establish a YSB grant program that, within available appropriations, awards \$14,000 grants to eligible bureaus that applied for grants during specific fiscal years. This year's budget implementer act allows YSBs that applied for a grant during FY 22 to be eligible for one through the program ([PA 22-118](#), § 253, effective July 1, 2022).

## ***Youth Service Corps (YSC) Program and Grants***

A new law establishes a YSC grant program administered by the Department of Economic and Community Development to provide grants to municipalities with priority school districts for paid community-based service learning and academic and workforce development programs for eligible youth and young adults ([PA 22-47](#), §§ 60 & 61, effective July 1, 2022).

## **Courts and Criminal Law**

### ***Access to Juvenile Delinquency Records***

Starting in June 2023, a new law gives municipal employees and agents access to juvenile delinquency records if they are involved in the proceeding or delivery of related services. Police officers already have access to juvenile delinquency records for criminal investigations; the act specifically requires that they have electronic access to certain such records.



The act also requires the judicial branch's Court Support Services Division (CSSD) to report by March 1, 2023, on progress made toward implementing these provisions ([PA 22-115](#), §§ 5, 19 & 20, effective June 1, 2023, except the CSSD reporting provision takes effect upon passage).

### ***Children's Probate Courts***

A new act expands the types of children's matters that may be heard in regional children's probate courts to include, among other things, (1) certain additional parentage-related orders under the Parentage Act and (2) issuing marriage licenses to 16- and 17-year-olds ([PA 22-129](#), § 3, effective July 1, 2022).

### ***Connecticut Parentage Act and Probate Courts***

A new law makes certain changes in the Connecticut Parentage Act that (1) give the probate court, rather than the Superior Court's family division, jurisdiction over petitions to determine parentage of a child born to an unvalidated genetic surrogacy agreement and (2) eliminate a prior provision that allowed the parties to agree to waive service of process in a parentage proceeding pursuant to a gestational surrogacy agreement ([PA 22-129](#), §§ 5-7, effective July 1, 2022).

### ***Jurisdiction Over Offenses Committed by Minors on Federal Military Installations***

The Department of Defense (DOD) cannot prosecute individuals who are not subject to the Uniform Code of Military Justice, such as minors. As a result, any prosecutions of minors for crimes they commit on military installations over which the federal government has exclusive jurisdiction generally must occur under federal law.

In response to concerns about minors being prosecuted in this manner, the legislature passed a law requiring the state to exercise concurrent jurisdiction with the United States in matters where (1) a minor has violated federal law while on a DOD military installation, (2) the installation is located on land that the state previously ceded exclusive jurisdiction over to the federal government, and (3) the U.S. Attorney or U.S. District Court for the state waives exclusive jurisdiction over that matter ([PA 22-63](#), effective October 1, 2022).

## **Early Childhood and Child Care Programs**

### ***Child Care Center Tax Abatement***

The legislature recently authorized municipalities to establish a property tax abatement for property or part of a property (1) used for operating a child care center, group child care home, or family child care home and (2) owned by the person, persons, association, organization, corporation,

institution, or agency holding the child care license. The law allows municipalities to abate up to 100% of property taxes due on the property for up to five tax years.

Municipalities may establish the program by vote of their legislative bodies, or board of selectmen where the town meeting is the legislative body ([PA 22-81](#), § 13, effective October 1, 2022, and applicable to assessment years beginning on or after that date).

### ***Child Care Tax Credit Study***

A new law requires the Department of Revenue Services commissioner to conduct a study to identify options for establishing a personal income tax credit for taxpayers with dependent children enrolled in child care. By January 1, 2023, the commissioner must report on the study's findings and any recommendations to the Children's Committee ([PA 22-81](#), § 22, effective upon passage).

### ***Early Childhood Cabinet Members***

A new law increases the Early Childhood Cabinet membership from 25 to 27. It adds (1) an individual who is a licensed family child care home provider and member of a staffed family child care network identified by the OEC commissioner and (2) a parent recommended by an OEC-appointed parent advisory group. It also specifies that the cabinet's appointed parent or guardian members may be compensated for their time at and travel to cabinet meetings ([PA 22-100](#), § 1, effective July 1, 2022).

### ***Enrollment Requirements and Grants for State-Contracted Child Care Centers and Homes***

Beginning July 1, 2022, a new law requires any contracts that OEC enters into for financial assistance for child care centers and homes for disadvantaged children to include a provision requiring that at least 60% of the children enrolled are from families that are below 75% of state median income ([PA 22-116](#), § 5, effective July 1, 2022).

Another new law creates an alternative per-child grant under this program for enrolled children age three and younger in toddler or infant care. It also requires excess funding under one of the three grant options for these centers in existing law to be used for educators' salary increases. Lastly, it requires the OEC commissioner to enter into contracts to expand spaces at these centers for infants and toddlers in FY 23 ([PA 22-80](#), § 2, effective July 1, 2022).

## ***Family Child Care Staffing and Enrollment***

A new law maintains the family child care home base maximum number of enrolled children at six throughout the year, including the provider's own children who are not enrolled in school full time, in situations where the provider does not employ an OEC-approved assistant or substitute. But if an assistant or substitute is employed, the law allows for up to nine children to be cared for, even if none of the children attend school full time ([PA 22-81](#), § 7, effective July 1, 2022).

## ***OEC Early Childhood Development Initiative***

A new law requires OEC to establish and administer the Start Early–Early Child Development Initiative and allows OEC to use funds the state received through the American Rescue Plan Act to administer it. Among other things, the new law requires OEC to develop funding priorities for the initiative for early education and support services through a grant program for research and early education service providers to support the enhancement of a system of high-quality early childhood care and education and support services ([PA 22-118](#), § 459, effective July 1, 2022).

## ***OEC Emergency Stabilization Grant Program***

This year's budget implementer act requires OEC, in FYs 23 and 24, to administer an emergency stabilization grant program for certain school readiness programs and child care centers receiving state financial assistance. OEC must provide grants to eligible applicants for their programmatic or administrative needs ([PA 22-118](#), § 259, effective July 1, 2022).

## ***OEC Parental Notification Regulations***

A new law requires the OEC commissioner to adopt regulations requiring child care centers, group child care homes, and family child care homes to notify an enrolled child's parent or guardian if the child exhibits or develops an illness or is injured while in the care of the center or home. The center or home must create a specific written record of the illness or injury and include, among other things, a description of the illness or injury and the date, time, and location of the incident.

Under the law, the OEC's regulations must require child care centers to:

1. provide the written record of an illness or injury to the child's parent or guardian by the next business day;
2. keep the written record for at least two years, and make it available immediately upon OEC's request; and

3. maintain any video recordings created at the center or home for at least 30 days and make the recordings immediately available upon OEC's request ([PA 22-81](#), §§ 14 & 15, effective July 1, 2022).

### ***Payment to Early Intervention Services Providers***

New legislation requires the OEC commissioner, for FYs 23 and 24, to make a \$200 general administrative payment to early intervention service providers for each child with an individualized family service plan that accounts for less than nine service hours during the billing month ([PA 22-81](#), § 12, effective July 1, 2022).

### ***Small Business Child Care Incentive Program***

A new law requires the Department of Economic and Community Development commissioner, in consultation with OEC and the Connecticut Health and Educational Facilities Authority, to (1) identify the economic barriers to opening child care centers, group child care homes, and family child care homes and (2) develop a plan to address them. The commissioner must report on the plan to the Commerce Committee by January 1, 2023 ([SA 22-5](#), effective upon passage).

### ***Wage Supplement and Child Care Program Enhancement Grant***

A new law requires OEC to create and administer a wage supplement and child care program enhancement grant program for FY 23. These grants may be used by eligible early childhood program operators and child care services providers to (1) supplement their employees' salaries and (2) address program or administrative needs ([PA 22-80](#), § 1, effective July 1, 2022).

### ***Year-Round Child Care Program***

A new law reduces the number of weeks a child care program must operate to be a "year-round" program, lowering the threshold from 50 to 48 weeks per year. This new definition broadens the potential number of (1) school readiness programs that must use the excess portion of their per-pupil school readiness grant for salary staff increases and (2) child care programs to which the commissioner must give preference when (a) purchasing services and (b) awarding a supplemental quality enhancement grant ([PA 22-100](#), § 4, effective July 1, 2022).

## **Juvenile Justice**

### ***Education in Juvenile Justice Facilities***

PA 21-174 required DCF to create and implement a plan for an educational unit within the department to educate children who are incarcerated or in a juvenile justice facility.

New legislation requires DCF to establish an administrative unit to oversee these children's education, rather than directly provide it. Among other things, it eliminates the commissioner's power to employ and dismiss teachers or contract with local or regional boards of education or educational service providers to provide educational services to these children ([PA 22-42](#), § 2, effective October 1, 2022).

### ***Juvenile Arrest, Detention, and Related Procedures***

A new law makes various changes to procedures when a juvenile is arrested after an alleged delinquent act, such as (1) generally requiring an arrested child to be brought before a judge within five business days after the arrest; (2) allowing the court to order electronic monitoring if a child was charged with a second or subsequent motor vehicle or property theft offense; and (3) in certain circumstances, increasing the maximum period, from six to eight hours, that a child may be held in a community correctional center or lockup without a judge's detention order.

Among other related provisions, the act also requires the following: (1) the chief state's attorney to develop and implement a training program on the juvenile detention application process for prosecutors and most peace officers; (2) the official court detention form to instruct judges who decline to order detention to articulate their reasons why; and (3) the police and prosecutors, not just the judicial branch, to compile and categorize data on detention order requests ([PA 22-115](#), §§ 1, 6, 7 & 21, most provisions effective October 1, 2022).

### ***Juvenile Justice-Related Reports***

New legislation requires DCF and CSSD to report on the transfer of juvenile delinquency services from DCF to the judicial branch under PA 18-31. It also requires CSSD to review and report on certain juvenile justice issues, such as the effectiveness of pretrial diversionary programs. Each report must be submitted to the Judiciary Committee by December 31, 2022 ([PA 22-115](#), §§ 11 & 12, effective upon passage).

### ***Juvenile Offenders***

A new law expands the circumstances under which juvenile delinquency and youthful offender records may be disclosed by allowing disclosure to law enforcement officials and prosecutors seeking an order to detain a child. It also (1) makes records for juveniles transferred to the adult criminal docket public; (2) requires next-day arraignment for children arrested for firearms or motor vehicle offenses; and (3) changes the frequency of the Judicial Branch's Court Support Services Division's report on the use of chemical agents and prone restraints on juveniles to within 30 days after such an instance occurred, rather than monthly ([PA 22-26](#), §§ 9-12 & 30, various effective dates).

## ***Reporting on Youth Confinement Conditions***

A new law expands the age range of children, from 20 to 21, for which the child advocate must report on the conditions of confinement for children held in secure detention or correctional confinement in any state operated facility, including the facilities' compliance with the law limiting the use of restraint and seclusion. Under existing law and unchanged by the act, the child advocate must submit the report biennially to the Children's Committee ([PA 22-135](#), § 1, effective July 1, 2022).

## ***Serious Homicide, Firearm, or Sexual Offender Juvenile Prosecutions***

Existing law allows a prosecutor to ask the court to designate a proceeding as a "serious sexual offender prosecution" when a juvenile is referred for a sexually related crime and the case is not transferred to adult court. The sentencing for juveniles convicted under this designation must include certain components beyond standard sentencing, including at least five years of "special juvenile probation."

This year, the legislature expanded this law to include certain homicide or firearm related crimes and renames the designation as a "serious homicide, firearm, or sexual offender prosecution." The act makes various other changes affecting these cases, such as allowing the juvenile portion of the sentence to be extended for up to 60 months ([PA 22-115](#), § 2, effective October 1, 2022).

## **Schools and Education**

### ***Adult Sexual Misconduct Against Students***

A new law creates a mechanism by which adult sexual misconduct can be identified by requiring DPH, starting with the 2022-2023 school year, to biennially administer the Connecticut School Health Survey to randomly selected high schools.

Starting July 1, 2023, it also requires school employees to complete training every three years on the (1) prevention and identification of, and response to, child sexual abuse and assault and (2) DCF's bystander and appropriate interaction with children training programs ([PA 22-87](#), §§ 1 & 2, effective July 1, 2022).

### ***Children's Mental Health Day***

A new law requires (1) the governor to proclaim May twenty-sixth of each year to be "Get Outside and Play for Children's Mental Health Day" and, (2) starting with the 2022-2023 school year, the State Department of Education (SDE) to provide annual notice about the day to school boards, including any suggestions or materials for suitable exercises that may be held to observe it ([PA 22-](#)

[81](#), §§ 10 & 11, effective October 1, 2022, and the SDE notice requirement is effective July 1, 2022).

### ***Family Care Coordinators***

New legislation requires each local and regional board of education, beginning in the 2022-2023 school year, to hire or designate an existing employee to serve as the district's family care coordinator. This coordinator will work with school social workers, school psychologists, and school counselors under the board's jurisdiction and serve as the school system's liaison with mental health providers to (1) provide students with access to mental health resources in the community and (2) bring mental health services to students in school ([PA 22-81](#), § 8, effective July 1, 2022).

### ***Indoor Air Quality in Public Schools***

The legislature passed several initiatives this session to improve schools' indoor air quality in the wake of the COVID-19 pandemic. First, the budget implementer act requires DAS to administer a grant program beginning in FY 23 to reimburse boards of education or regional education service centers for costs associated with the installation, replacement, or upgrade of heating, ventilation, and air conditioning (HVAC) systems or other air quality improvements. The budget makes \$150 million available for the program (\$75 million in American Rescue Plan Act funds and \$75 million in general obligation bonds) ([PA 22-118](#), §§ 360 & 367, effective July 1, 2022).

Additionally, the act requires boards of education to conduct a uniform inspection and evaluation of the HVAC system in each school building under its jurisdiction every five years and take any necessary corrective actions. It also establishes a working group to study and make recommendations related to indoor air quality within schools ([PA 22-118](#), §§ 369 & 370, effective July 1, 2022, except upon passage for the working group).

### ***Mental Health Plan for Student Athletes***

A new law requires SDE to establish a mental health plan for student athletes in collaboration with the intramural and interscholastic athletics governing authority. The plan must be made available to local and regional boards of education to raise awareness about available mental health resources for student athletes, and all boards of education must implement the plan beginning in the 2023-2024 school year ([PA 22-81](#), §§ 3 & 4, effective July 1, 2022).



## ***Opioid Antagonists in Schools***

A new law generally allows school nurses and qualified school employees to maintain and administer opioid antagonists to students who do not have prior written authorization to receive the medication and requires SDE to develop related guidelines by October 1, 2022.

The act also authorizes certain prescribers and pharmacists to enter into agreements with school boards to distribute and administer opioid antagonists and requires DCP to provide school boards with information on how to acquire the medication from manufacturers ([PA 22-80](#), §§ 7-9, various effective dates).

## ***Paraeducators at PPT Meetings***

This year, the legislature passed a law requiring school districts to (1) provide advance notice to a paraeducator of a parent invitation to a planning and placement team (PPT) meeting and (2) training on his or her role at the meeting upon request. The law also requires that the paraeducator attending the meeting, or any other paraeducator serving the student, be allowed to view the individual education program (IEP) that results from the meeting ([PA 22-116](#), § 9, effective July 1, 2022).

## ***Peer-to-Peer Mental Health Support Program***

New legislation requires DCF, in collaboration with SDE and by January 1, 2023, to develop a peer-to-peer mental health support program that provides services to help students in grades 6 through 12 with problem solving, decision making, conflict resolution, and stress management. The new law also authorizes local and regional boards of education and certain other entities, including youth service bureaus and municipal social service agencies, to administer the program beginning with the 2023-2024 school year or after July 1, 2023, as applicable ([PA 22-47](#), §§ 34-36, effective July 1, 2022).

## ***Provision of Free Menstrual Products***

A new law requires certain agencies and organizations to start providing free menstrual products without stigmatizing the individuals requesting the products, in accordance with guidelines DPH must develop.

Under the new law, the following entities, among others, must do so as follows:

1. local and regional boards of education, starting September 1, 2023, in women's restrooms, all-gender restrooms, and at least one men's restroom, that are accessible to students in grades three through 12 in each school; and



2. school districts acting by the Department of Correction (DOC) commissioner, starting July 1, 2023, to individuals confined in any DOC institution and attending a school within the district, upon request and as soon as practicable, in a quantity appropriate to the person's health needs ([PA 22-118](#), §§ 82-89, effective July 1, 2022).

### ***Recess as a Form of Student Discipline***

Recent legislation requires each local and regional board of education to adopt a policy it deems appropriate concerning the circumstances when, as a form of discipline, a school employee may prevent or otherwise restrict a student from participating in the entire time devoted to physical exercise (i.e., recess) in the regular school day. The policy must allow school employees to prevent or restrict recess under certain circumstances, including when a student poses a danger to the health or safety of other students or school personnel ([PA 22-81](#), § 9, effective upon passage).

### ***School-Based Health Center Grant Expansion Program***

A new law requires DPH to administer a school-based health center (SBHC) grant expansion program in FY 23 to provide grants to certain SBHC operators to expand the centers and services they provide.

Applicants are eligible for a program grant if they operate a SBHC for any of the (1) 36 sites recommended for expanded mental health services in the School-Based Health Center Expansion Working Group's final report or (2) 124 schools recommended for expanded SBHC medical and mental health services in the final report ([PA 22-80](#), § 12, effective July 1, 2022).

### ***UConn Social Media and Telephone Impact Study***

A new law requires UConn's Neag School of Education to (1) study and evaluate the impact of social media and mobile telephone usage on a student's mental health from kindergarten through grade 12, and (2) by January 1, 2024, report its findings and any recommendations to the Children and Public Health committees. The study must include how it impacts the student's educational experience and the school's climate ([PA 22-81](#), § 6, effective July 1, 2022).

## **Miscellaneous**

### ***Baby Bond Trust Program***

A new law delays the establishment of the Connecticut Baby Bond Trust to July 1, 2023. It limits the program's designated beneficiaries to babies born on or after that date, rather than July 1, 2021, whose births were covered under HUSKY. The act also delays the program's bond authorization schedule by two years, from FY 23 to FY 25 ([PA 22-118](#), §§ 327-329, effective upon passage).

## ***Child Tax Rebate***

The legislature authorized a one-time rebate for qualifying, domiciled taxpayers equal to \$250 per child (i.e., an individual who is age 18 or under as of December 31, 2021). Taxpayers may claim the rebate for up to three children whom they validly claimed as dependents on their 2021 federal income tax return. To qualify for a full rebate, a taxpayer's federal adjusted gross income must be below (1) \$100,000 for single filers or married people filing separately, (2) \$160,000 for heads of household, and (3) \$200,000 for joint filers. For taxpayers with incomes exceeding those thresholds, the rebate phases out at a rate of 10% for every \$1,000, or fraction of \$1,000, of AGI exceeding the threshold. Taxpayers must electronically apply by July 31, 2022, to receive a rebate ([PA 21-118](#), § 411, effective upon passage).

## ***Connecticut Fatherhood Initiative***

A new law repeals the John S. Martinez Fatherhood Initiative and replaces it with the "Connecticut Fatherhood Initiative" with the same or similar purposes and objectives. It also establishes a (1) council to provide general oversight of the initiative, generally codifying existing practice, and (2) dedicated office within DSS for administrative support ([PA 22-138](#), effective upon passage).

## ***Consumer Data Privacy***

This session, the legislature passed a law that establishes a framework for controlling and processing personal data. Among other things, it prohibits data controllers (those that determine the purpose and means of processing personal data) from processing a consumer's personal data for targeted advertising or selling the data without the consumer's consent, where a controller has actual knowledge of, and willfully disregards, that the consumer is ages 13-15.

The law's requirements generally apply to individuals and entities that do business in Connecticut or produce products or services targeting Connecticut residents. More specifically, it applies to those that, during the preceding year, controlled or processed personal data of at least (1) 100,000 consumers, excluding personal data controlled or processed solely for completing a payment transaction, or (2) 25,000 consumers and derived more than 25% of their gross revenue from selling personal data. It exempts various entities (e.g., state and local governments) and specified information and data (e.g., certain health records) ([PA 22-15](#), most provisions effective July 1, 2023).

## ***Cremation Certificate Fee Exemption for Minors***

A new law exempts a decedent's estate from having to pay the \$150 cremation certificate fee for cremating the body of a person under the age of eighteen ([PA 22-99](#), effective July 1, 2022).

### ***E 9-1-1 Commission and DESPP Coordinating Advisory Board***

A new law increases the size of the E 9-1-1 Commission and Department of Emergency Services and Public Protection (DESPP) Coordinating Advisory Board by adding the DCF commissioner and others as members. The commission generally advises DESPP on planning, designing, implementing, and coordinating the statewide emergency 9-1-1 telephone system and the public safety data network. The advisory board advises DESPP on ways to improve emergency response communications and related issues ([PA 22-47](#), §§ 23 & 24, effective October 1, 2022).

### ***Income Tax Credit for Stillbirths***

A new law establishes a \$2,500 personal income tax credit for the birth of a stillborn child if the child would have been claimed as the taxpayer's dependent on his or her federal income tax return. Taxpayers may claim the credit for the tax year for which DPH's State Vital Records Office issued a stillbirth certificate ([PA 22-118](#), § 412, effective July 1, 2022, and applicable to tax years beginning on or after January 1, 2022).

JC:kl