



House of Representatives

File No. 795

General Assembly

January Session, 2023

(Reprint of File No. 28)

House Bill No. 6645
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 19, 2023

**AN ACT REQUIRING PARENTAL NOTIFICATION OF CERTAIN
EVENTS BY FACILITIES PROVIDING INPATIENT PSYCHIATRIC,
BEHAVIORAL HEALTH AND SUBSTANCE ABUSE TREATMENT
SERVICES TO CHILDREN.**

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

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) For the purposes of this
2 section:

3 (1) "Facility" means a facility, hospital or psychiatric residential
4 treatment facility licensed by the Department of Children and Families
5 or the Department of Public Health that provides inpatient psychiatric,
6 behavioral health or substance abuse treatment services to one or more
7 children; and

8 (2) "Notice event" means the (A) commencement or adjudication of
9 an investigation by a facility, the Department of Children and Families
10 or the Department of Public Health into circumstances or an event
11 having or potentially having an adverse effect on the health, safety or

12 wellness of one or more children receiving inpatient psychiatric,
13 behavioral health or substance use treatment services in such facility, (B)
14 commencement of a disciplinary action against such facility by the
15 Department of Children and Families or the Department of Public
16 Health, (C) death by suicide of a child receiving such services in such
17 facility, or (D) arrest of an employee of such facility, if such employee (i)
18 has contact with one or more children receiving such services in such
19 facility in the course of such employee's duties, and (ii) is charged with
20 a felony or an offense or crime that is violent or sexual in nature or
21 concerns a child.

22 (b) On and after January 1, 2024, each facility shall notify the parent
23 or guardian of each child receiving inpatient psychiatric, behavioral
24 health or substance use treatment services in such facility of a notice
25 event in, or concerning, such facility. Such notice shall consist of a
26 description of such notice event and any related actions undertaken or
27 planned by such facility to ensure the health, safety or wellness of the
28 children receiving such services in such facility. Such notice shall be
29 made not later than twenty-four hours after such notice event by (1)
30 telephone or electronic mail, if such parent or guardian's telephone
31 number or electronic mail address are known to such facility at the time
32 of such notice event, or (2) by mail, if such parent or guardian's
33 telephone number or electronic mail address are not known to such
34 facility at the time of such notice event, but such parent or guardian's
35 mailing address is known at such time. If such parent or guardian's
36 telephone number, electronic mail address and mailing address are not
37 known to such facility at the time of such notice event, such notice shall
38 be provided by any such method not later than the next business day
39 following such notice event. No personally identifying information
40 concerning any individual involved in a notice event shall be included
41 in any such notification.

42 (c) Not later than seven days after the occurrence of a notice event in
43 any such facility, the director, chief executive officer or equivalent of
44 such facility, or such individual's designee, shall submit a written
45 statement to the Department of Children and Families or the

46 Department of Public Health, as applicable, describing such notice event
47 and confirming compliance with the requirements set forth in
48 subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section

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

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill as amended requires a Department of Children and Families (DCF) or a Department of Public Health (DPH) licensed inpatient psychiatric or behavioral health treatment facility ("facility") to notify the parent or guardian of each child it treats of a notice event within 24 hours after it occurred by telephone or electronic mail, which is not anticipated to result in a fiscal impact to the State or municipalities.

It also requires facilities, within seven days after the notice, event to submit a written statement to DCF or DPH, as applicable, describing the notice event and confirming compliance with the notice requirement. This provision is not anticipated to result in a fiscal impact to the State or municipalities.

House "A" struck the language of the underlying bill, replacing it with the language that is not anticipated to result in a fiscal impact to the State or municipalities.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6645 (as amended by House "A")******AN ACT REQUIRING PARENTAL NOTIFICATION OF CERTAIN EVENTS BY INPATIENT PSYCHIATRIC AND BEHAVIORAL HEALTH TREATMENT FACILITIES SERVING CHILDREN.*****SUMMARY**

Starting January 1, 2024, this bill requires any facility, hospital, or psychiatric residential treatment facility that (1) is licensed by the Department of Children and Families (DCF) or Department of Public Health (DPH) and (2) provides inpatient psychiatric, behavioral health, or substance abuse treatment services to one or more children ("facility") to notify parents or guardians when a notice event occurs at the facility. Under the bill, a "notice event" includes events like any child's death by suicide at the facility, a disciplinary action against the facility, or certain DCF or DPH investigations into the facility.

The bill requires the facility to notify the parent or guardian within 24 hours after the notice event or by the next business day, depending on the facility's knowledge of the recipient's contact information.

The bill also requires the facility's director, chief executive officer, or equivalent, or that person's designee, within seven days after the notice event, to submit a written statement to DCF or DPH, as applicable. The statement must describe the notice event and confirm compliance with the notice requirement.

*House Amendment "A" strikes the underlying bill and replaces it with similar provisions. In doing so it (1) specifies that its provisions apply to licensed hospitals and other licensed facilities that provide inpatient psychiatric, behavioral health, or substance abuse treatment

services to one or more children and (2) reduces the time following a notice event within which a facility must notify a parent or guardian from seven days to 24 hours if contact information is available or by the next business day if no contact information is available.

EFFECTIVE DATE: July 1, 2023

NOTICE EVENT

Under the bill, a “notice event” means the following:

1. start or adjudication of an investigation by a facility, DCF, or DPH into circumstances or an event having or potentially having an adverse effect on the health, safety, or wellness of one or more children receiving the facility’s inpatient psychiatric, behavioral health, or substance use treatment services;
2. start of a DCF or DPH disciplinary action against the facility;
3. suicide of any child receiving these services from the facility; or
4. arrest of a facility’s employee who (a) during employment duties has contact with one or more children receiving such services from the facility and (b) is charged with a felony or an offense or crime that is violent, sexual, or concerns a child.

NOTICE TO PARENT OR GUARDIAN

Notice Timing and Mode

After a notice event, the bill requires the facility to notify parents and guardians as follows:

1. within 24 hours by telephone or email if the facility knows the recipient’s telephone number or email address;
2. within 24 hours by mail if the facility knows the recipient’s mailing address but not the telephone number or email address;
or
3. by the next business day by any method if the facility has no

telephone number, email, or mailing information for the parents or guardians at the time of the notice event.

Notice Content

Under the bill, the parent or guardian notice must describe the notice event and any related actions the facility has taken or plans to take to ensure the health, safety, or wellness of the children receiving the specified services from the facility. The bill prohibits the inclusion of personally identifying information of anyone involved in the notice event.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 19 Nay 0 (02/24/2023)