



General Assembly

January Session, 2025

Raised Bill No. 7049

LCO No. 5121



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF THE CHILD ADVOCATE REGARDING OVERSIGHT OF CHILDREN'S AUTISM SPECTRUM DISORDER SERVICES AND THE INFANT MORTALITY REVIEW PROGRAM.

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

1 Section 1. Subsection (a) of section 20-185k of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2025*):

4 (a) The Commissioner of Public Health shall grant a license as a
5 behavior analyst to any applicant who (1) furnishes evidence
6 satisfactory to the commissioner that such applicant is certified as a
7 behavior analyst by the Behavior Analyst Certification Board, and (2) on
8 and after October 1, 2025, satisfies a comprehensive background check,
9 which shall include, but need not be limited to, (A) a criminal history
10 records check conducted in accordance with section 29-17a, and (B) a
11 search of the (i) state child abuse or neglect registry established pursuant
12 to section 17a-101k, (ii) registry established and maintained pursuant to
13 section 54-257, and (iii) National Sex Offender Registry Public Website
14 maintained by the United States Department of Justice. The

15 commissioner shall develop and provide application forms. The
16 application fee shall be three hundred fifty dollars.

17 Sec. 2. Subsection (b) of section 17a-101 of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective October*
19 *1, 2025*):

20 (b) The following persons shall be mandated reporters: (1) Any
21 physician or surgeon licensed under the provisions of chapter 370, (2)
22 any resident physician or intern in any hospital in this state, whether or
23 not so licensed, (3) any registered nurse, (4) any licensed practical nurse,
24 (5) any medical examiner, (6) any dentist, (7) any dental hygienist, (8)
25 any psychologist, (9) any school employee, as defined in section 53a-65,
26 (10) any social worker, (11) any person who holds or is issued a coaching
27 permit by the State Board of Education, is a coach of intramural or
28 interscholastic athletics and is eighteen years of age or older, (12) any
29 individual who is employed as a coach or director of youth athletics and
30 is eighteen years of age or older, (13) any individual who is employed
31 as a coach or director of a private youth sports organization, league or
32 team and is eighteen years of age or older, (14) any paid administrator,
33 faculty, staff, athletic director, athletic coach or athletic trainer employed
34 by a public or private institution of higher education who is eighteen
35 years of age or older, excluding student employees, (15) any police
36 officer, (16) any juvenile or adult probation officer, (17) any juvenile or
37 adult parole officer, (18) any member of the clergy, (19) any pharmacist,
38 (20) any physical therapist, (21) any optometrist, (22) any chiropractor,
39 (23) any podiatrist, (24) any mental health professional, (25) any
40 physician assistant, (26) any person who is a licensed or certified
41 emergency medical services provider, (27) any person who is a licensed
42 or certified alcohol and drug counselor, (28) any person who is a
43 licensed marital and family therapist, (29) any person who is a sexual
44 assault counselor or a domestic violence counselor, as defined in section
45 52-146k, (30) any person who is a licensed professional counselor, (31)
46 any person who is a licensed foster parent, (32) any person paid to care
47 for a child in any public or private facility, child care center, group child

48 care home or family child care home licensed by the state, (33) any
49 employee of the Department of Children and Families or any person
50 who, in the performance of such person's duties, has regular contact
51 with and provides services to or on behalf of children pursuant to a
52 contract with or credential issued by the Department of Children and
53 Families, (34) any employee of the Office of Early Childhood who is
54 responsible for the licensing of child care centers, group child care
55 homes, family child care homes or youth camps, (35) any paid youth
56 camp director, assistant director and staff member who is twenty-one
57 years of age or older, (36) the Child Advocate and any employee of the
58 Office of the Child Advocate, (37) any person who is (A) a licensed
59 behavior analyst, or (B) a person working under the clinical supervision
60 of a licensed behavior analyst, (38) any family relations counselor,
61 family relations counselor trainee or family services supervisor
62 employed by the Judicial Department, (39) any victim services advocate
63 employed by the Office of Victim Services within the Judicial
64 Department, (40) any employee of a juvenile justice program operated
65 by or pursuant to a contract with the Court Support Services Division of
66 the Judicial Department, and (41) any person employed, including any
67 person employed under contract and any independent ombudsperson,
68 to work at a juvenile detention facility or any other facility where
69 children under eighteen years of age are detained and who has direct
70 contact with children as part of such employment.

71 Sec. 3. (NEW) (*Effective October 1, 2025*) (a) Notwithstanding any
72 provision of the general statutes, not later than five business days after
73 the Commissioner of Children and Families concludes an investigation,
74 conducted pursuant to section 17a-101g of the general statutes, of a
75 report of child abuse and neglect in which (1) the alleged perpetrator of
76 such abuse or neglect is a behavior analyst licensed pursuant to chapter
77 382a of the general statutes, or (2) the child is an alleged victim of a crime
78 described in section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a
79 of the general statutes, and the alleged perpetrator of such crime is a
80 behavior analyst licensed pursuant to chapter 382a of the general

81 statutes, the Commissioner of Children and Families shall notify the
82 Department of Public Health of the results of such investigation and
83 provide any records relating to such investigation to such department,
84 regardless of whether such records were created by the Department of
85 Children and Families. The Commissioner of Children and Families
86 shall provide such notification and records regardless of whether the
87 child was a patient of a behavior analyst. Upon receiving such
88 notification and any such records, the Department of Public Health shall
89 treat such notification as a complaint, conduct an investigation of the
90 behavior analyst and take any disciplinary action, in accordance with
91 sections 19a-17 and 20-185m of the general statutes, that the
92 Commissioner of Public Health deems appropriate. If, after such
93 investigation, the Commissioner of Public Health takes disciplinary
94 action against the behavior analyst or, if the disciplinary action is
95 resolved through voluntary surrender of a license or an agreement not
96 to renew or reinstate a license, the Commissioner of Public Health shall
97 notify the employer of the behavior analyst if such behavior analyst was
98 employed as a behavior analyst at the time of the complaint.

99 (b) If the Commissioner of Children and Families, based upon the
100 results of an investigation described in subsection (a) of this section, has
101 reasonable cause to believe that (1) (A) a child has been abused or
102 neglected, as such terms are defined in section 46b-120 of the general
103 statutes, by a behavior analyst, and (B) the Commissioner of Children
104 and Families recommends that such behavior analyst be placed on the
105 child abuse and neglect registry established pursuant to section 17a-
106 101k of the general statutes, or (2) the child is an alleged victim of a crime
107 described in section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a
108 of the general statutes, and the alleged perpetrator of such crime is a
109 behavior analyst licensed pursuant to chapter 382a of the general
110 statutes, the Commissioner of Children and Families shall notify the
111 Commissioner of Public Health, who shall, not later than seventy-two
112 hours after the receipt of such notification, suspend the behavior
113 analyst's license pending completion of an investigation and, if such

114 behavior analyst is currently employed as a behavior analyst, notify the
115 behavior analyst's employer of such suspension and investigation.
116 Upon completion of such investigation, the Commissioner of Public
117 Health shall notify the behavior analyst's employer, if such behavior
118 analyst was employed as a behavior analyst at the time of the complaint,
119 of the results of such investigation.

120 (c) If a behavior analyst is convicted of (1) a crime involving an act of
121 child abuse or neglect, as described in section 46-120, 53-21, 53a-71 or
122 53a-73a of the general statutes against any person, or (2) a crime, as
123 described in section 53a-70, 53a-70a, 53a-72a or 53a-72b of the general
124 statutes, against a victim, as described in subdivision (2) of subsection
125 (a) of section 17a-101a of the general statutes, the state's attorney of the
126 judicial district where such conviction occurred shall notify the
127 Commissioner of Public Health, in writing, of such conviction. Not later
128 than seventy-two hours after the receipt of such notification, the
129 Commissioner of Public Health shall suspend the behavior analyst's
130 license pending completion of an investigation and, if such behavior
131 analyst is currently employed as a behavior analyst at the time of the
132 complaint, notify the behavior analyst's employer of such suspension
133 and investigation. Upon completion of such investigation, the
134 Commissioner of Public Health shall notify the behavior analyst's
135 employer, if such behavior analyst was employed as a behavior analyst
136 at the time of the complaint, of the results of such investigation.

137 Sec. 4. (NEW) (*Effective October 1, 2025*) Each employer of a behavior
138 analyst, licensed pursuant to chapter 382a of the general statutes, shall
139 provide to each patient of a behavior analyst, or, if the patient is under
140 eighteen years of age, such patient's parents or legal guardians, (1) the
141 behavior analyst's license number, and (2) instructions regarding the
142 manner in which to report complaints regarding the conduct of the
143 behavior analyst to the Department of Public Health.

144 Sec. 5. (*Effective from passage*) (a) There is established a task force to
145 review the delivery of applied behavior analyses services to children

146 and make recommendations for a statutory and regulatory framework
147 for the delivery of such services. Such review shall include, but need not
148 be limited to, a review of (1) current legislative and regulatory oversight
149 applicable to such services, (2) potential statutory and regulatory
150 frameworks for oversight of such services, including the need for any
151 oversight structure to include expertise in the provision of child care and
152 applied behavioral analyses services to children with autism spectrum
153 disorder, (3) whether employees of any entity delivering child care or
154 applied behavioral analyses services to children should be mandated
155 reporters, and (4) whether employees of applied behavioral analyses
156 services providers should submit to comprehensive background checks.

157 (b) The task force shall consist of the following members:

158 (1) The chairpersons and ranking members of the joint standing
159 committee of the General Assembly having cognizance of matters
160 relating to public health;

161 (2) The Commissioner of Early Childhood, or the commissioner's
162 designee;

163 (3) The Commissioner of Public Health, or the commissioner's
164 designee;

165 (4) The Commissioner of Social Services, or the commissioner's
166 designee;

167 (5) The Commissioner of Children and Families, or the
168 commissioner's designee;

169 (6) The Commissioner of Developmental Services, or the
170 commissioner's designee;

171 (7) The Commissioner of Education, or the commissioner's designee;

172 (8) The Child Advocate, or the Child Advocate's designee;

173 (9) One appointed by the House chairperson of the joint standing
174 committee of the General Assembly having cognizance of matters
175 relating to public health, who shall be a parent of a child with autism
176 spectrum disorder;

177 (10) One appointed by the Senate chairperson of the joint standing
178 committee of the General Assembly having cognizance of matters
179 relating to public health, who shall be a representative of an
180 organization dedicated to advocacy for children with autism spectrum
181 disorder;

182 (11) One appointed by the House ranking member of the joint
183 standing committee of the General Assembly having cognizance of
184 matters relating to public health, who shall be a board certified behavior
185 analyst who provides services to children; and

186 (12) One appointed by the Senate ranking member of the joint
187 standing committee of the General Assembly having cognizance of
188 matters relating to public health, who shall be a psychiatrist with
189 expertise in the delivery of services to children with autism spectrum
190 disorder.

191 (c) Any member of the task force appointed under subdivision (9),
192 (10), (11) or (12) of subsection (b) of this section may be a member of the
193 General Assembly.

194 (d) All initial appointments to the task force shall be made not later
195 than thirty days after the effective date of this section. Any vacancy shall
196 be filled by the appointing authority.

197 (e) The chairpersons of the joint standing committee of the General
198 Assembly having cognizance of matters relating to public health shall
199 serve as the chairpersons of the task force, or may designate a member
200 of the task force to serve as the chairperson. Such chairpersons shall
201 schedule the first meeting of the task force, which shall be held not later
202 than sixty days after the effective date of this section.

203 (f) The administrative staff of the joint standing committee of the
204 General Assembly having cognizance of matters relating to public
205 health shall serve as administrative staff of the task force.

206 (g) Not later than November 1, 2025, the task force shall submit a
207 report on its findings and recommendations to the joint standing
208 committee of the General Assembly having cognizance of matters
209 relating to public health, in accordance with the provisions of section 11-
210 4a of the general statutes. The task force shall terminate on the date that
211 it submits such report or November 1, 2025, whichever is later.

212 Sec. 6. Subsection (f) of section 19a-59j of the general statutes is
213 repealed and the following is substituted in lieu thereof (*Effective October*
214 *1, 2025*):

215 (f) All information obtained by the commissioner, or the
216 commissioner's designee, for the infant mortality review program shall
217 be confidential pursuant to section 19a-25, except the commissioner may
218 disclose any information or data obtained for the infant mortality review
219 program to the Child Advocate, if the commissioner deems such
220 disclosure necessary for the Child Advocate to perform the duties set
221 forth in section 46a-13l. Any information or data disclosed to the Child
222 Advocate shall be confidential in accordance with section 46a-13n, as
223 amended by this act.

224 Sec. 7. Subsection (a) of section 46a-13n of the general statutes is
225 repealed and the following is substituted in lieu thereof (*Effective October*
226 *1, 2025*):

227 (a) The name, address and other personally identifiable information
228 of a person who makes a complaint to the Child Advocate as provided
229 in section 46a-13l, all information obtained or generated by the office in
230 the course of an investigation and all confidential records obtained by
231 the Child Advocate or a designee shall be confidential and shall not be
232 subject to disclosure under the Freedom of Information Act or
233 otherwise, except that such information and records, other than

234 confidential information concerning a pending law enforcement
 235 investigation or a pending prosecution, may be disclosed if the Child
 236 Advocate determines that disclosure is (1) in the general public interest
 237 or (2) necessary to enable the Child Advocate to perform his
 238 responsibilities under subsection (a) of section 46a-13l. If the Child
 239 Advocate determines that disclosure of confidential information is not
 240 in the public interest but is necessary to enable the Child Advocate to
 241 perform responsibilities under subsection (a) of section 46a-13l, or to
 242 identify, prevent or treat the abuse or neglect of a child, the Child
 243 Advocate may disclose such information to the appropriate agency
 244 responsible for the welfare of such child or the legal representative for
 245 such child. The Child Advocate may disclose information or data
 246 regarding fatalities of infants less than one year of age to the
 247 Commissioner of Public Health if the Child Advocate determines such
 248 disclosure is necessary for the purposes of the infant mortality review
 249 program established pursuant to section 19a-59j, as amended by this act.
 250 Any information or data disclosed to the Commissioner of Public Health
 251 shall be confidential in accordance with the provisions of section 19a-25.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	20-185k(a)
Sec. 2	<i>October 1, 2025</i>	17a-101(b)
Sec. 3	<i>October 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2025</i>	19a-59j(f)
Sec. 7	<i>October 1, 2025</i>	46a-13n(a)

Statement of Purpose:

To make various revisions concerning the practice of behavior analysts, including (1) requiring behavior analysts to submit to a comprehensive background check when applying for licensure, (2) designating persons working under the supervision of behavior analysts as mandated reporters, (3) establishing certain notification and disciplinary requirements relating to behavior analysts who abuse or neglect

children, (4) requiring employers of behavior analysts to notify patients regarding complaint procedures, (5) establishing a task force to study issues relating to behavior analysts, and (6) allowing the Commissioner of Public Health and Child Advocate to share information and data for the purposes of the infant mortality review program.

[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.]