

House of Representatives, April 1, 1998. The Committee on Human Services reported through REP. KEELEY, 125th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING DISCLOSURE OF CERTAIN INFORMATION BY THE DEPARTMENT OF SOCIAL SERVICES.

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

1 Section 1. Section 17b-90 of the general
2 statutes, as amended by sections 37 and 124 of
3 public act 97-2 of the June 18 special session,
4 section 8 of public act 97-7 of the June 18
5 special session and section 19 of public act 97-8
6 of the June 18 special session, is repealed and
7 the following is substituted in lieu thereof:
8 (a) The commissioner shall adopt regulations,
9 in accordance with chapter 54, necessary to enable
10 him to carry out the programs the Department of
11 Social Services is designated to administer
12 pursuant to section 17b-2, including any
13 regulations necessary for receiving grants from
14 the federal government to this state if the
15 absence of any such regulation would result in the
16 loss of such grants and regulations governing the
17 custody and use of the records, papers, files and
18 communications concerning persons applying for or
19 receiving assistance under said sections. When
20 names and addresses of recipients of such
21 assistance are required by law to be furnished to
22 or held by any other government agency, such

23 agency shall adopt regulations to prevent the
24 publication of lists thereof or their use for
25 purposes not directly connected with the
26 administration of said programs.

27 (b) No person shall, except for purposes
28 directly connected with the administration of
29 programs of the Department of Social Services and
30 in accordance with the regulations of the
31 commissioner, solicit, disclose, receive or make
32 use of, or authorize, knowingly permit,
33 participate in or acquiesce in the use of, any
34 list of the names of, or any information
35 concerning, persons applying for or receiving
36 assistance from the Department of Social Services
37 or persons participating in a program administered
38 by said department, directly or indirectly derived
39 from the records, papers, files or communications
40 of the state or its subdivisions or agencies, or
41 acquired in the course of the performance of
42 official duties. However, the Commissioner of
43 Social Services shall disclose (1) to any
44 authorized representative of the Labor
45 Commissioner such information directly related to
46 unemployment compensation, administered pursuant
47 to chapter 567 or information necessary for
48 implementation of sections 119 to 122, inclusive,
49 of [this act] PUBLIC ACT 97-2 OF THE JUNE 18
50 SPECIAL SESSION, (2) to any authorized
51 representative of the Commissioner of Mental
52 Health and Addiction Services any information
53 necessary for the implementation and operation of
54 the basic needs supplement program OR FOR THE
55 MANAGEMENT OF AND PAYMENT FOR BEHAVIORAL HEALTH
56 SERVICES FOR APPLICANTS FOR AND RECIPIENTS OF
57 GENERAL ASSISTANCE, (3) to any authorized
58 representative of the Commissioner of
59 Administrative Services, or the Commissioner of
60 Public Safety such information as the state
61 Commissioner of Social Services determines is
62 directly related to and necessary for the
63 Department of Administrative Services or the
64 Department of Public Safety for purposes of
65 performing their functions of collecting social
66 services recoveries and overpayments or amounts
67 due as support in social services cases,
68 investigating social services fraud or locating
69 absent parents of public assistance recipients, [
70 (2)] (4) to any authorized representative of the

71 Commissioner of Children and Families (A)
72 necessary information concerning [(A) the
73 evaluation of the temporary assistance for needy
74 families program or (B)] a child or the immediate
75 family of a child receiving services from the
76 Department of Social Services if the Commissioner
77 of Children and Families has determined that
78 imminent danger to such child's health, safety or
79 welfare exists, [;] OR (B) INFORMATION DEEMED
80 NECESSARY BY SAID COMMISSIONERS CONCERNING
81 FAMILIES THAT QUALIFY FOR SAFETY NET SERVICES TO
82 TARGET THE SERVICES OF THE FAMILY SERVICES
83 PROGRAMS ADMINISTERED BY THE DEPARTMENT OF
84 CHILDREN AND FAMILIES TO SUCH FAMILIES, (5) TO A
85 TOWN OFFICIAL OR OTHER CONTRACTOR OR AUTHORIZED
86 REPRESENTATIVE OF THE LABOR COMMISSIONER SUCH
87 INFORMATION CONCERNING AN APPLICANT FOR OR A
88 RECIPIENT OF FINANCIAL OR MEDICAL ASSISTANCE UNDER
89 GENERAL ASSISTANCE OR STATE-ADMINISTERED GENERAL
90 ASSISTANCE DEEMED NECESSARY BY SAID COMMISSIONERS
91 TO CARRY OUT THEIR RESPECTIVE RESPONSIBILITIES TO
92 SERVE SUCH PERSONS UNDER THE PROGRAMS ADMINISTERED
93 BY THE LABOR DEPARTMENT THAT ARE DESIGNED TO SERVE
94 APPLICANTS FOR OR RECIPIENTS OF GENERAL ASSISTANCE
95 OR STATE-ADMINISTERED GENERAL ASSISTANCE, or [(3)]
96 (6) to any authorized representative of the
97 Commissioner of Mental Health and Addiction
98 Services for the purposes of the behavioral health
99 managed care program established by section
100 17a-453. No such representative shall disclose any
101 information obtained pursuant to this section,
102 except as specified in this section. Any applicant
103 for assistance provided through said department
104 under the temporary family assistance program
105 shall be notified that, if and when such applicant
106 receives benefits, the department will be
107 providing law enforcement officials with the name
108 and address of such applicant upon the request of
109 any such official pursuant to section 125 of [this
110 act] PUBLIC ACT 97-2 OF THE JUNE 18 SPECIAL
111 SESSION.

112 (c) In IV-D support cases, as defined in
113 subdivision (13) of subsection (b) of section
114 46b-231, in addition to the prohibitions of
115 subsection (b) of this section, no information
116 shall be released concerning the whereabouts of
117 one party to another party (1) against whom a
118 protective order, a restraining order or a

119 standing criminal restraining order with respect
120 to the former party is in effect, or (2) if the
121 department has reason to believe that the release
122 of the information may result in physical or
123 emotional harm to the former party.

124 (d) The Commissioner of Social Services shall
125 provide written notice to a person applying for or
126 receiving assistance from the Department of Social
127 Services or a person participating in a program
128 administered by said department that such person's
129 address and telephone number may be provided to
130 the Department of Children and Families pursuant
131 to subdivision (2) of subsection (b) of this
132 section.

133 (e) Penalties prescribed by subsection (b) of
134 section 17b-97 shall apply to violations of this
135 section.

136 Sec. 2. Not later than January 1, 2000, the
137 child advocate shall submit a report on the
138 effectiveness of the disclosure requirements
139 specified in subdivision (4) of subsection (b) of
140 section 17b-90 of the general statutes, as amended
141 by section 1 of this act, to the joint standing
142 committee of the General Assembly having
143 cognizance of matters relating to human services.

144 HS COMMITTEE VOTE: YEA 16 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5459

STATE IMPACT	None, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Departments of Social Services, Mental Health and Addiction Services, Children and Families, and Labor

EXPLANATION OF ESTIMATES:

This bill requires the Commissioner of Social Services to disclose certain information about individuals participating in departmental programs to the Departments of Mental Health and Addiction Services, Children and Families, and Labor. It is expected that the departments can handle these responsibilities within anticipated budgeted resources.

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OLR BILL ANALYSIS

SHB 5459

AN ACT CONCERNING DISCLOSURE OF CERTAIN INFORMATION BY THE DEPARTMENT OF SOCIAL SERVICES

SUMMARY: Under current law, the Department of Social Services (DSS) commissioner must disclose to specified agencies certain information about people applying for or receiving DSS-administered benefits. This bill expands the information the commissioner must provide by requiring her to disclose to:

1. the Department of Mental Health and Addiction Services any information necessary to manage and pay for behavioral health services for General Assistance (GA) applicants and recipients;
2. the Department of Children and Families (DCF) information the DSS and DCF commissioners deem necessary about families who are eligible for DSS safety net services so that DCF can offer its services to them; and
3. an authorized Department of Labor (DOL) representative or contractor State Administered GA or GA applicant and recipient information the DSS and DOL commissioners deem necessary to serve those who participate in DOL-administered programs.

The bill eliminates the requirement that DSS give DCF any necessary information about the evaluation of the Temporary Assistance for Needy Families Program.

By January 1, 2000, the bill requires the child advocate to report to the Human Services Committee on the effectiveness of the new disclosure to DCF.

EFFECTIVE DATE: October 1, 1998

BACKGROUND

DSS Safety Net Services

By law, DSS must provide safety net services to families that have lost or are at risk of losing cash assistance. The safety net must be available to a family even if it is ineligible for a six-month extension of cash assistance because it received two sanctions from DSS during the 21-month limit or failed to make a good faith effort to find and keep a job.

Safety net services may include (1) food, shelter, clothing, and employment assistance; (2) eviction prevention; (3) intensive case management; (4) continuous monitoring for child abuse or neglect; and (5) for TFA families at risk of losing benefits, individual performance contracts requiring job training and searching, volunteer work, participation in parent

education programs or counseling, or any other requirements the commissioner deems necessary.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute
Yea 16 Nay 0