
Department of Children and Families



Legislative Summary 2019

Department of Children and Families

Summary of Legislation

The following is a compilation of legislation of interest to the Department of Children and Families that passed during the 2019 Regular Session of the General Assembly. These summaries are based largely upon the bill analysis prepared by the General Assembly's Office of Legislative Research. Click on the Act Number below to review the statutory language of the Public Act. Please contact Vincent Russo or Ken Mysogland with any questions.

Contents

	PAGE
Special Act 19-9 – H.B. 5779 – An Act Extending the Reporting Deadline of the Task Force to Study Voluntary Admission to the Department of Children and Families	1
Special Act 19-16 – S.B. 886 – An Act Concerning the Licensure of the Albert J. Solnit Children's Center	1
Special Act 19-19 – S.B. 892 – An Act Concerning the Provision of Certain Information Pertaining to Congregate Care Facilities Licensed or Administered by the Department of Children and Families	1
Public Act 19-44 – H.B. 6403 – An Act Concerning a Children-in-Care Bill of Rights and Expectations and the Sibling Bill of Rights	1
Public Act 19-47 – H.B. 7130 – An Act Concerning Probate Court Operations	4
Public Act 19-96 – S.B. 884 – An Act Concerning the Administration of Epinephrine at the Department of Children and Families Wilderness School	4
Public Act 19-109 – H.B. 6540 – An Act Concerning the Prevention of the Human Immunodeficiency Virus	5
Public Act 19-110 – S.B. 504 – An Act Concerning the Suspension of Delinquency Proceedings for Treatment or other Services in Motor Vehicle Theft or Misuse Cases and Concerning Detention of Juveniles	6

Public Act 19-117 – H.B. 7424 – An Act Concerning the Budget for the Biennium Ending June 30, 2021 and Making Appropriations Therefor, and Implementing Provisions of the Budget	7
Public Act 19-120–S.B. 929 – An Act Concerning the Inclusion of Additional Mandated Reporters, the Duration of Child Abuse and Neglect Investigations and the Repeal of Certain Reporting Requirements of DCF	11
Public Act 19-135 – H.B. 5575 – An Act Concerning the Suspension of Delinquency Proceedings for Fire Starting Behavior Treatment	11
Public Act 19-164 – H.B. 7198 – An Act Concerning Social Workers	12
Public Act 19-187 – H.B. 7389 – An Act Concerning Confidentiality in the Case of a Discretionary Transfer of a Juvenile’s Case to the Regular Criminal Docket and Implementing the Recommendations of the Juvenile Justice Policy and Oversight Committee	13

Special Act 19-9 - H.B. 5779 - AN ACT EXTENDING THE REPORTING DEADLINE OF THE TASK FORCE TO STUDY VOLUNTARY ADMISSION TO THE DEPARTMENT OF CHILDREN AND FAMILIES

This act extends the deadline for the task force to issue its report to the General Assembly from January 1, 2019 to June 1, 2020. [Special Act 17-6](#) originally established this task force to study the voluntary services program operated by the Department of Children and Families.

EFFECTIVE DATE: Upon passage

Special Act 19-16 - S.B. 886 - AN ACT CONCERNING THE LICENSURE OF THE ALBERT J. SOLNIT CHILDREN'S CENTER

This act requires DCF, in consultation with the Departments of Social Services and Public Health and the Office of the Child Advocate to submit a report to the Children's Committee not later than December 31, 2019 recommending legislation concerning licensure of Solnit North and South by the Department of Public Health.

EFFECTIVE DATE: Upon passage

Special Act 19-19 S.B. 892 - AN ACT CONCERNING THE PROVISION OF CERTAIN INFORMATION PERTAINING TO CONGREGATE CARE FACILITIES LICENSED OR ADMINISTERED BY THE DEPARTMENT OF CHILDREN AND FAMILIES.

This act calls for DCF, in consultation with the Office of the Child Advocate and DCF's children's services provider network, develop a framework for publishing critical safety and quality information regarding all child-serving treatment facilities online. The act also ensures that parents and guardians are notified when the state takes an action with regard to a facility as a result of concerns regarding children's health or safety. In this way, parents, consumers, the public and legislators can access critical and timely information about the efficacy and safety of child-serving treatment programs in the state.

DCF must submit a report to the Children's Committee not later than December 31, 2019 describing the process developed for collecting and sharing information and notifying parents and guardians of incidents that occur at facilities and the timeline for implementing the suggested actions.

EFFECTIVE DATE: Upon passage

Public Act 19-44 - H.B. 6403 - AN ACT CONCERNING A CHILDREN IN CARE BILL OF RIGHTS AND EXPECTATIONS AND THE SIBLING BILL OF RIGHTS

This act establishes a bill of rights and expectations for children placed by DCF in out-of-home care pursuant to a temporary custody or commitment order. It ensures certain rights for such

children, absent extraordinary circumstances related to the child's health or safety or unless otherwise indicated in his or her case plan. It requires each child's caseworker, if the child is of an appropriate age, to meet with the child and provide and explain these rights annually and at any time the child is placed in a new out-of-home placement.

The act also requires the caseworker, when applicable and appropriate, to provide and explain the Sibling Bill of Rights annually and at any time the child is placed in a new out-of-home placement, beginning January 1, 2020. Caseworkers must certify their compliance with the act's requirements.

The DCF Sibling Bill of Rights was developed by DCF's Youth Advisory Board and lists ways to protect the relationships of siblings separated as a result of DCF intervention. This bill of rights, which is incorporated in DCF policy, gives siblings certain rights, absent extraordinary circumstances or certain exclusions in law. It includes the right to:

1. placement with siblings,
2. consistent and regular contact with siblings, and
3. notification of a sibling's change of placement.

Children in care bill of rights and expectations

The Children in Care Bill of Rights and Expectations gives children placed by DCF in out-of-home care certain rights and assigns certain responsibilities to their caretakers.

Children's Rights

The bill of rights gives these children the right to:

1. develop and maintain their own values, hopes, goals, religion, spirituality and identity, including racial, sexual and gender identity, in a safe and caring environment;
2. visitation or ongoing contact with their parents, siblings, extended family and friends, and assistance in connecting or reconnecting with their birth family, if desired;
3. placement in a safe environment in their home community and preplacement visits to such placement when possible;
4. meaningful participation in the development of their case and permanency plans, including the ability to select individuals to participate in meetings about those plans;
5. meaningful and regular in-person contact with their caseworker, who must respond to their phone calls and correspondence in a timely manner; and
6. stability and support in all aspects of their education.

Caretaker Responsibilities

The bill of rights requires caretakers of these children to:

1. emphasize trust, understanding, empathy and communication to maintain a healthy relationship with the child;
2. set appropriate boundaries with respect to curfews, homework and household responsibilities to provide a stable living environment;
3. assist the child in building life skills, including grocery shopping, cooking meals, personal financial management and washing laundry;
4. assist the child in obtaining legal documents and licenses, including a birth certificate, Social Security card, state identification card and driver's license;
5. assist the child in participating in extracurricular and enrichment activities and obtaining networking and employment skills;
6. apply the same age-appropriate household rules and provide the same opportunities to all children residing in the home, including participation in family activities and vacations;
7. participate in therapy sessions with the child upon request or when appropriate;
8. participate in additional foster parent training programs when possible; and
9. allow the child to have age-appropriate personal privacy and privacy with respect to personal items and communications, including journals, letters, emails, phone calls and text messages.

Caseworker responsibilities

During the meetings between a child and his or her caseworker required under the act, the caseworker must:

1. provide the child with a copy of the Children in Care Bill of Rights and Expectations and, starting January 1, 2020, the Sibling Bill of Rights, if applicable and appropriate;
2. review the rights with the child;
3. explain to the child that he or she may contact the caseworker, his or her attorney, the DCF regional or ombudsman's office, or the Office of the Child Advocate if the child feels that his or her rights have not been met or have been violated and provide the necessary contact information; and
4. explain to the child that he or she may dial or send a text message to 9-1-1 if he or she is in physical danger or experiences a medical emergency.

The caseworker must certify to the Commissioner on a form the Commissioner prescribes that the caseworker complied with the act's requirements. The form must include (1) an acknowledgement for the child to sign, if appropriate, that the caseworker provided the child with copies of the rights and reviewed the rights and (2) notice that if the child refuses to sign the acknowledgement, the caseworker must indicate that on the form.

EFFECTIVE DATE: The Children-in-Care Bill of Rights and Expectations section is effective July 1, 2019, the Sibling Bill of Rights section is effective January 1, 2020.

Public Act 19-47 - H.B. 7130 - AN ACT CONCERNING PROBATE COURT OPERATIONS**§ 2 — Notice of child abuse or neglect**

This bill is the annual legislative proposal offered by the Office of the Probate Court Administrator. **Section 2** of the bill requires the DCF Commissioner, after investigating and substantiating a child abuse or neglect allegation against someone who lives with a Probate Court-appointed guardian of a minor child, to notify the Probate Court of the findings. The law already provides this notice if an investigation substantiates an allegation of child abuse or neglect against a child's Probate Court-appointed guardian.

EFFECTIVE DATE: January 1, 2020

Public Act 19-96 - S.B. 884 - AN ACT CONCERNING THE ADMINISTRATION OF EPINEPHRINE AT THE DEPARTMENT OF CHILDREN AND FAMILIES WILDERNESS SCHOOL.

The DCF Wilderness School is a prevention, intervention and transition program for youth located in East Hartland, Connecticut and licensed as a youth camp by the Office of Early Childhood.

This act authorizes qualified, appropriately trained wilderness school employees to administer epinephrine by a premeasured commercially prepared auto-injector (e.g., EpiPen) for emergency first aid purposes to a youth who experiences a presumed allergic reaction and does not have a prescription from a qualified medical professional. The injector may only be used if a parent or guardian has previously provided written authorization.

The school director is required to keep injectors on the premises for emergency purposes. The director must also ensure that the injectors are stored and labeled, and records concerning injector use are maintained, in a manner consistent with youth camp regulations.

No qualified employee who administers an injector as permitted by the act may be held liable to the youth or the youth's parent or guardian for any personal injuries that result from acts or omissions that may constitute ordinary negligence in administering the injector. The immunity does not extend to acts or omissions that constitute gross, wilful or wanton negligence.

In order to be "appropriately trained" for the act's purposes, an employee must successfully complete:

1. youth camp staff member training requirements, as prescribed by OEC youth camp regulations on administering medication to a student attending camp, and
2. training within the last 12 months conducted by a pharmacist, physician, physician assistant, advanced practice registered nurse, or registered nurse.

The training must cover:

1. how to identify the common cause of allergic reactions,
2. signs and symptoms of mild and severe allergic reactions,
3. the ways anaphylaxis differs from other medical conditions, and
4. appropriate follow-up and reporting procedures after a child has experienced a presumed allergic reaction.

EFFECTIVE DATE: Upon passage

Public Act 19-109 - H.B. 6540 - AN ACT CONCERNING THE PREVENTION OF THE HUMAN IMMUNODEFICIENCY VIRUS

Under certain conditions, existing law allows physicians and advanced practice registered nurses (APRNs) to examine and treat a minor for HIV or AIDS without the consent of a minor's parent or guardian. This act additionally allows physicians and APRNs to provide prophylaxis to minors for HIV without parental or guardian consent, under the same conditions.

As under existing law for HIV treatment, the act allows a physician or APRN to provide such prophylaxis without parental or guardian consent only after determining that (1) notifying them would result in denial of such prophylaxis or (2) the minor will not pursue or continue the prophylaxis if the parents or guardian are notified.

Under existing law, the provision of HIV or AIDS treatment to a minor under these circumstances must be kept confidential and not divulged unless the minor consents. The act extends this to HIV prophylaxis, but provides two exceptions to these confidentiality provisions:

1. If the minor is age 12 or younger and receiving such prophylaxis or treatment without parental or guardian consent, the physician or APRN is required to report the minor's name, age, and address to DCF for an investigation of possible abuse or neglect.
2. Physicians or APRNs treating a minor for HIV or AIDS under these circumstances may report to the Department of Public Health and local health department as required by the law on DPH's list of reportable diseases.

Lastly, the act extends to HIV prophylaxis existing law's provisions that require the doctor or APRN to document their reasons for treating the minor in the minor's medical record and that the minor be liable for costs.

EFFECTIVE DATE: July 1, 2019

Public Act 19-110 - S.B. 504 - AN ACT CONCERNING THE SUSPENSION OF DELINQUENCY PROCEEDINGS FOR TREATMENT OR OTHER SERVICES IN MOTOR VEHICLE THEFT OR MISUSE CASES AND CONCERNING DETENTION OF JUVENILES

This act allows a child charged with a delinquency offense involving a motor vehicle to request a suspension of the delinquency proceedings for up to six months, during which time the child must participate in services to address any condition or behavior directly related to the offense. A child who wishes to request a suspension of delinquency proceedings must file a motion with the court within 10 days after entering a plea, unless this deadline is waived by the court or pursuant to an agreement by the parties.

The court may grant the request if it finds (1) the child is likely to benefit from supervision and participation in the recommended services and (2) the suspension advances the interests of justice. A child is ineligible for this opportunity if the child (1) was previously granted a suspended prosecution under the bill or (2) is charged with a serious juvenile offense.

During the suspension period, the child is supervised by a juvenile probation officer who monitor's the child's compliance and progress. As a condition of eligibility for the suspension, the child must agree to:

1. cooperate with an assessment to determine if he or she would benefit from supervision and services,
2. participate in and satisfactorily complete the recommended services, and
3. comply with any court orders.

At any time during the suspension, but no later than one month before it ends, a juvenile probation officer must notify the court of the impending conclusion and submit a report on whether the child completed the treatment or other services and complied with the other court-ordered suspension conditions and, if not, whether the suspension should be extended to allow additional time for the child to complete the recommended services.

If the court finds that the child successfully completed the treatment or other services and complied with the other suspension order conditions, it may dismiss the suspended delinquency charges. The court may extend the suspension for up to six additional months if it finds that the child has not completed the treatment or other services, has not complied with all other suspension conditions, and additional time is needed to complete the treatment or other services. If it denies the motion and terminates the suspension, the prosecutor may proceed with the case.

The act additionally requires the judicial branch to:

1. collect and annually examine data relating to the suspended delinquency proceedings under the bill;
2. disaggregate the data by the demographics of the children, offense characteristics and

- treatment and service outcomes; and
3. report the data upon request.

Under existing law, the court may only order a child to be detained after he or she is arrested for an alleged crime on certain grounds, including probable cause to believe that the level of risk that the child poses to public safety if released to the community cannot be managed in a less restrictive setting. New provisions in **Section 2** of the act specifies that a court may determine that a child poses a risk to public safety for these purposes if the child:

1. has previously been adjudicated delinquent for or convicted of or pled guilty or nolo contendere to two or more felony offenses;
2. has had two or more prior probation dispositions; and
3. is charged with committing 1st , 2nd, or 3rd degree larceny involving a motor vehicle.

EFFECTIVE DATE: October 1, 2019, except the section on determining when a child poses a risk to public safety is effective July 1, 2019.

Public Act 19-117 - H.B. 7424 - AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE THIRTIETH, 2021, AND MAKING APPROPRIATIONS THEREFOR, AND IMPLEMENTING PROVISIONS OF THE BUDGET.

This act implements the biennium budget from July 1, 2019 through June 30, 2021. This summary focusses on the sections affecting DCF. All sections are effective July 1, 2019 unless otherwise indicated.

§ 1 — Agency Appropriations

This section establishes the funding for state agencies. Below is the appropriation for DCF.

DEPARTMENT OF CHILDREN AND FAMILIES	FY 2020	FY 2021
Personal Services	269,468,513	279,496,655
Other Expenses	28,964,687	29,160,237
Workers' Compensation Claims	10,470,082	10,158,413
Family Support Services	946,451	946,451
Differential Response System	13,120,002	15,812,975
Regional Behavioral Health Consultation	1,646,024	1,646,024
Health Assessment and Consultation	1,415,723	1,415,723
Grants for Psychiatric Clinics for Children	16,182,464	16,182,464
Day Treatment Centers for Children	7,275,589	7,275,589
Child Abuse and Neglect Intervention	9,874,101	9,874,101
Community Based Prevention Programs	7,527,785	7,527,785
Family Violence Outreach and Counseling	3,745,395	3,745,395

Supportive Housing	19,886,064	19,886,064
No Nexus Special Education	1,904,652	1,952,268
Family Preservation Services	6,593,987	6,593,987
Substance Abuse Treatment	8,629,640	8,629,640
Child Welfare Support Services	2,560,026	2,560,026
Board and Care for Children - Adoption	102,078,733	104,750,134
Board and Care for Children - Foster	136,196,712	135,981,796
Board and Care for Children - Short-term and Residential	89,246,759	88,983,554
Individualized Family Supports	5,885,205	5,885,205
Community Kidcare	44,221,621	44,103,938
Covenant to Care	161,412	161,412
Juvenile Review Boards	1,315,147	1,315,147
Youth Transition and Success Programs	450,000	450,000
Youth Service Bureau Enhancement	1,093,973	1,093,973
Youth Service Bureaus	2,626,772	2,626,772
AGENCY TOTAL	793,487,519	808,215,728

§ 37 — Housing report

On or before December 15, 2019, and on or before December 15, 2020, the Department of Housing, in collaboration with the Department of Children and Families, shall submit a report to the Appropriations Committee detailing in each report:

1. the number of Department of Children and Families-involved families who were accepted into the Department of Housing's rental assistance program from the program's waitlist,
2. the services provided to such families as part of the program,
3. the average cost of such services per family,
4. the average number of days that families participated in the program, and
5. the outcome for such families six months after leaving the program.

§ 59 — FY 2019 deficiency adjustment

This section provides additional funding for agencies that experience a deficiency in their FY 2019 budget appropriation. Below is DCF's portion.

DEPARTMENT OF CHILDREN AND FAMILIES	FY 2019
Board and Care for Children - Foster	4,500,000

§ 104 — Agency procurement plans (*Effective October 1, 2019*)

Not later than January 1, 2020, and every three years thereafter, each state agency must

submit an agency procurement plan to the Office of Policy and Management for approval. The plan must include a list of all services and programs the agency intends to contract for over the three-year period next succeeding such report and a planned schedule of procurements indicating whether such procurements shall be based on competitive negotiation or competitive quotations, or whether the state agency has determined that a sole source purchase of services is required and the agency intends to apply to the secretary for a waiver.

§§ 157 - 159 — Background checks

In order to be eligible for federal reimbursement under the federal Family First Prevention and Services Act (FFPSA), the U.S Department of Health and Human Services requires more stringent background checks for employees and contractors of state run and licensed facilities that provide services to children. These sections expand requirements for DCF operated and licensed facilities to check the state child abuse and neglect registry for individuals employed by such facilities. It also requires such facilities to (1) check the child abuse and neglect registry in any state in which individuals resided in the previous five years and (2) comply with any request from a child welfare agency of another state to check the child abuse and neglect registry.

Existing law requires DCF vendors and contractors to check the state child abuse and neglect registry for the names of their employees who have access to DCF records or clients. The act specifies that this requirement applies to all employees of such vendors and contractors. It additionally requires such vendors and contractors to check the child abuse and neglect registry in any state in which any such vendor, contractor or employee resided in the previous five years. Existing law already requires these vendors, contractor and employees to submit to state and national criminal history records checks.

The act requires DCF to check any person applying for licensure or approval to accept placement of a child for foster care or adoption, and for any person 16 or older living in the applicant's household, the child abuse and neglect registry in any state in which the applicant or person resided in the previous five years. Existing law requires (1) any such applicant and any person 16 or older living in the household of such applicant to submit to a state and national criminal history records check, and (2) DCF to check the state child abuse and neglect registry for the name of these individuals. The act specifies that any person a licensed child placing agency approves to adopt are subject to the same requirements as those approved to provide foster care.

Under existing law, DCF must require applicants for DCF-licensed child care facilities and child placing agencies to submit to state and national criminal history records checks. The act extends this requirement to employees age 18 or older of DCF-licensed child care facilities. The act additionally requires DCF to check, for any such person, the child abuse and neglect registry in any state in which the person resided in the previous five years.

§§ 251 - 256 — Youth Service Bureaus

These sections of the act name DCF as a successor agency to the Department of Education for the purposes of administering the Youth Service Bureaus (YSB). The act makes additional conforming changes to statutes concerning the YSB's. Section 259 permits an increase in the grants when funds are appropriated for such purposes. The budget includes approximately \$1 million each fiscal year to enhance the YSB grant program.

The Juvenile Review Boards will also be administered by DCF.

Additional budget provisions

While the following provisions are not contained in the budget act's legislative language, they are approved budget options offered by DCF as a means to reduce costs and provide better service.

Central transportation unit

Currently, DCF contracts with private transportation services or requires social workers to transport children for a various reasons, such as visits, therapy or school of origin. Starting in 2020, DCF will establish a Central Transportation Unit (CTU) to replace these existing services. The program calls for the hiring of 60 drivers, 3 supervisors and 3 office assistants to staff the CTU. The CTU will use dispatching software and existing vehicles from fleet services to manage the transportation of children state wide.

Voluntary Services and intensive care coordination

The budget authorizes an improved model for providing treatment services to the voluntarily served population and intensive case coordination (ICC) services to families that come to the attention of the child welfare system. These two changes in service provision will allow families to work directly with a provider having expertise in targeted case management and care coordination.

Funding is proposed to procure targeted case management services for families involved with the voluntary services program. Structurally, it eliminates the need for families to come through a child protection door. Inquiries for voluntary services would be made directly to a provider to work collaboratively through a family centered, community based approach. The family would have the benefit of a care coordinator to help navigate Connecticut's system of care for both formal and informal supports customized to meet the needs of the child and their family.

The budget also affords DCF the opportunity to add another track for differential response for families needing ICC services but not necessarily continued DCF involvement. This has been found to improve outcomes for families and will result in net savings in the second year of the biennium.

Public Act 19-120 - S.B. 929 - ACT CONCERNING THE INCLUSION OF ADDITIONAL MANDATED REPORTERS, THE DURATION OF CHILD ABUSE AND NEGLECT INVESTIGATIONS AND THE REPEAL OF CERTAIN REPORTING REQUIREMENTS OF THE DEPARTMENT OF CHILDREN AND FAMILIES.

§1 — Mandated reporters

This act adds to the statutory list of mandated reporters of suspected child abuse and neglect:

1. individuals who have regular contact with and provide services to or on behalf of children through a contract with or credential from DCF,
2. victim services advocates employed by the Judicial Department's Office of Victim Services, and
3. employees of a Court Support Services Division (CSSD)-operated or -contracted juvenile justice program.

§2 — Timeline for investigations

The act modifies, from 45 calendar days to 33 business days, the time DCF has to complete a child abuse or neglect investigation.

§§ 3 - 5 — FFPSA background check compliance

Please refer to section 157 through 159 of Public Act 19-117 on page 9. The provisions in those sections are identical to these sections.

§6 — Report repealer

The act also repeals two obsolete reports.

EFFECTIVE DATE: July 1, 2019, except that the mandated reporter provision takes effect October 1, 2019

Public Act 19-135 - H.B. 5575 – AN ACT CONCERNING THE SUSPENSION OF DELINQUENCY PROCEEDINGS FOR FIRE STARTING BEHAVIOR TREATMENT

This act allows a child charged with a delinquency offense involving an act of fire starting to request a suspension of the delinquency proceedings for up to one year, during which time the child must participate in services to address any condition or behavior directly related to the offense. A child who wishes to request a suspension of delinquency proceedings must file a motion with the court within 10 days after entering a plea, unless this deadline is waived by the court or pursuant to an agreement by the parties.

The court may grant the request if, after an evaluation, it finds (1) the child is likely to benefit

from supervision and participation in the recommended services and (2) the suspension advances the interests of justice. A child is ineligible for this opportunity if the child (1) was previously granted a suspended prosecution under the act or (2) is charged with a serious juvenile offense.

During the suspension period, the child is supervised by a juvenile probation officer who monitor's the child's compliance and progress. As a condition of eligibility for the suspension, the child must agree to:

1. cooperate with an assessment to determine if he or she would benefit from supervision and services,
2. participate in and satisfactorily complete the recommended services, and
3. comply with any court orders.

At any time during the suspension, but no later than one month before it ends, the juvenile probation officer must notify the court of the impending conclusion and submit a report on whether the child completed the treatment or other services and complied with the other court-ordered suspension conditions.

If the court finds that the child successfully completed the treatment or other services and complied with the other suspension order conditions, it may dismiss the suspended delinquency charges. If it denies the motion and terminates the suspension, the prosecutor may proceed with the case.

EFFECTIVE DATE: July 1, 2019

Public Act 19-164 - H.B. 7198 - AN ACT CONCERNING SOCIAL WORKERS

This act generally prohibits anyone from using the title "social worker," or any associated initials, or advertising services as a social worker unless he or she (1) has a bachelor's or master's degree in social work from a program accredited by the Council on Social Work Education (CSWE); (2) a doctorate in social work; or (3) if educated outside of the U.S. or its territories, completed an education program CSWE deems equivalent.

The act exempts (1) state employees with the title social worker and (2) municipal employees with this title hired before July 1, 2019.

Starting October 1, 2019, the act requires the state, on any posting for a job in the social work series of classified service that does not require a social work license, to specify that the preferred qualification is a bachelor's or master's degree in social work from a CSWE-accredited program or a doctorate in social work.

EFFECTIVE DATE: October 1, 2019

Public Act 19-187 - H.B. 7389 - AN ACT CONCERNING CONFIDENTIALITY IN THE CASE OF A DISCRETIONARY TRANSFER OF A JUVENILE'S CASE TO THE REGULAR CRIMINAL DOCKET AND IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE

This act makes various changes in the juvenile justice laws. This summary focuses on the sections affecting DCF.

§§ 3 & 4 — DOC and CSSD requirements

The act requires the DOC commissioner and the CSSD executive director, by July 1, 2020, and in consultation with the DCF commissioner, to develop a best practices policy in juvenile detention centers and correctional facilities where individuals age 17 and under are detained. The practices must address:

1. suicidal and self-harming behaviors, including developing a screening tool to determine which detained individuals are at risk for those behaviors;
2. negative impacts of solitary confinement;
3. harmful effects of using chemical agents and prone restraints on detained individuals, including limiting and documenting the use of such agents and limiting the use of prone restraints; and
4. programming and services for detained individuals, including (a) implementing behavior intervention plans for those whose behavior interferes with other detained individuals' safety or rehabilitation and (b) providing trauma-responsive rehabilitative, pro-social, and clinical services in their schedule.

The policy must additionally provide developmentally healthy and appropriate activities and recreational opportunities for the detained individuals and their families during visitation periods that are designed to strengthen family bonds and minimize separation trauma. The visitations must include contact visits, unless such a visit creates a risk of harm to anyone.

The DOC commissioner and CSSD executive director must implement the above policy by July 1, 2021, in juvenile detention centers and correctional facilities they oversee or operate where individuals age 17 and under are detained.

§§ 6 & 7 — independent ombudsperson and mandated reporters

The act requires the DOC commissioner and CSSD executive director to ensure that independent ombudsperson services are provided and available at any juvenile detention center or correctional facility they operate or oversee where individuals age 17 and younger are detained.

Under the act, "independent ombudsperson services" include:

1. receiving complaints from individuals detained in such centers or facilities, and their parents or guardians, regarding the center's or facility's decisions, actions and omissions, policies, procedures, rules and regulations;
2. touring each such center or facility;
3. investigating each of the above complaints, rendering a decision on the complaint's merits and communicating the decision to the complainant;
4. recommending to the agency head who oversees or operates the center or facility a resolution of any complaint with merit; and
5. recommending policy revisions to the head of the center or facility.

Mandated Reporters

The act adds to the list of professionals who are mandated reporters of child abuse and neglect the above ombudspersons and any person who (1) is employed or contracted at juvenile detention facilities or other facilities where children younger than age 18 are detained and (2) has direct contact with children as part of such employment.

As mandated reporters, they must report to DCF when, in the ordinary course of their employment or profession, they have reasonable cause to believe or suspect that a child younger than age 18 has been abused, neglected or placed in imminent risk of serious harm.

EFFECTIVE DATE: July 1, 2020

§§ 8-10 — Family with service needs (FWSN) petitions

The act postpones by one year, from June 30, 2019, to June 30, 2020, the deadline by which a party (e.g., a parent or police officer) may file a FWSN petition with the juvenile court for a child who (1) commits certain status offenses, such as running away from home, or (2) is out of the control of his or her parent or guardian. It also makes related conforming changes.

EFFECTIVE DATE: July 1, 2019