



Department of Children and Families **LEGISLATIVE UPDATE**

February 20, 2018

Update 2018-5

NEW BILLS OF INTEREST

Proposed [S.B. No. 146](#) SEN. HWANG, 28th DIST. 'AN ACT INCREASING FINANCIAL ASSISTANCE FOR GRANDPARENTS AND OTHER NONPARENT RELATIVES RAISING NEEDY CHILDREN', to provide financial assistance to grandparents and nonparent relatives raising children affected by poverty or the opioid crisis. **REF. AGING**

[S.B. No. 152](#) (RAISED) AGING. 'AN ACT INCREASING FINANCIAL ASSISTANCE FOR GRANDPARENTS AND OTHER NONPARENT RELATIVES WHO ARE RAISING CHILDREN', to provide additional financial assistance to grandparents and other nonparent caretaker relatives who are raising children. **REF. AGING**

[S.B. No. 164](#) (RAISED) PUBLIC HEALTH. 'AN ACT RAISING THE LEGAL AGE TO PURCHASE TOBACCO TO TWENTY-ONE', to raise the legal age to purchase tobacco to twenty-one. **REF. PUBLIC HEALTH**

[S.B. No. 168](#) (RAISED) PUBLIC HEALTH. 'AN ACT CONCERNING THE DEPARTMENT OF DEVELOPMENTAL SERVICES' RECOMMENDATIONS REGARDING GROUP HOME LICENSING VISITS', to implement the recommendations of the Department of Developmental Services regarding group home licensing visits. **REF. PUBLIC HEALTH**

[H.B. No. 5149](#) (RAISED) PUBLIC HEALTH. 'AN ACT CONCERNING SOBER LIVING HOMES', to permit sober living homes to register with the Department of Mental Health and Addiction Services. **REF. PUBLIC HEALTH**

[H.B. No. 5152](#) (RAISED) PUBLIC HEALTH. 'AN ACT CONCERNING THE PRESCRIBING OF CONTROLLED SUBSTANCES USED IN MEDICATION-ASSISTED TREATMENT OF SUBSTANCE USE DISORDERS THROUGH THE USE OF TELEHEALTH', to permit the prescribing of controlled substances used in medication-assisted treatment of substance use disorders through the use of telehealth services. **REF. PUBLIC HEALTH**

[H.B. No. 5153](#) (RAISED) PUBLIC HEALTH. 'AN ACT CONCERNING THE DEPARTMENT OF DEVELOPMENTAL SERVICES' RECOMMENDATIONS REGARDING GUARDIANSHIP ASSESSMENTS', to implement the recommendations of the Department of Developmental Services regarding guardianship assessments. **REF. PUBLIC HEALTH**

[H.B. No. 5155](#) (RAISED) PUBLIC HEALTH. 'AN ACT CONCERNING THE DEPARTMENT OF DEVELOPMENTAL SERVICES' RECOMMENDATION REGARDING WAIVER OF LICENSING FEES FOR PRIVATE PROVIDERS', to implement the recommendations of the Department of Developmental Services regarding waiver of licensing fees for private providers. **REF. PUBLIC HEALTH**

[H.B. No. 5156](#) (RAISED) PUBLIC HEALTH. 'AN ACT IMPLEMENTING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING ACCESS TO A COPY OF AN ACKNOWLEDGMENT OF PATERNITY', to implement the recommendations of the Department of Public Health regarding access to a copy of an acknowledgment of paternity form. **REF. PUBLIC HEALTH**

DCF LEGISLATIVE PROPOSALS

DCF has submitted the following proposals to the Committee on Children from consideration this session:

PROTECTING THE SAFETY OF CHILD PROTECTIVE SERVICES WORKERS

This proposal includes threats made against a child protective services worker in statutes related to Threatening in the First Degree and Threatening in the Second Degree.

MEDICAL CARE FOR CHILDREN IN THE CUSTODY OF DCF

This proposal provide explicit legal authority for the DCF Commissioner to vaccinate children and to provide necessary medical treatment for children in the legal custody of the Department.

ADMINISTRATION OF EPINEPHRINE AT THE DCF WILDERNESS SCHOOL

This proposal will permit staff at the DCF Wilderness School to administer epinephrine for the purpose of emergency first aid to participants who experience a presumed allergic reaction and who do not have prior written order of an authorized prescriber. The Wilderness School is a prevention, intervention, and transition program for adolescents from Connecticut. The Wilderness School offers high impact wilderness programs intended to foster positive youth development. Participants in Wilderness School programs are often in remote areas without immediate access to emergency medical care. Staff are trained in wilderness first aid.

REVISIONS TO CERTAIN STATUTES OF THE DEPARTMENT OF CHILDREN AND FAMILIES

This proposal makes the following revisions to DCF statutes:

Electronic Reporting of Reports of Child Abuse or Neglect

This would allow the electronic filing of DCF 136's by Mandated Reporters to the DCF Careline for incidents of abuse or neglect.

CAPTA Requirements

The language of this section is intended to be a non-punitive, public-health oriented language which seeks to codify certain sections of the federal Child Abuse Prevention and Treatment Act (CAPTA), as amended by the Comprehensive Addiction and Recovery Act (CARA), that requires states to have policies and procedures in place to address the needs of infants born with and identified as being affected by substance use, withdrawal symptoms or Fetal Alcohol Spectrum Disorder, including a requirement that healthcare providers involved in the delivery or care of such infant notify the child protection services system. This proposal formalizes a uniform, collaborative response protocol for the development of a Plan of Safe Care for infants with prenatal substance exposure and their affected family or caregivers.

Strategies to Identify Racial and Ethnic Disproportionality and Disparities

This section amends statutes related to the powers and duties of the Department of Children and Families and the powers and duties of the Commissioner to incorporate strategies to identify racial and ethnic disproportionality and disparities within our child welfare practice and develop strategies to eliminate these disparities by applying a racial lens to our child welfare practice through data collection and monitoring of disparities in referrals, substantiations, removal, placements, and retention by race and ethnicity.

Information Sharing Related to the Investigation of Fraud in the Receipt of Benefits

This section amends § 17a-28 be amended to include mandatory disclosure of DCF records to law enforcement or any similar agency, whether state or federal, investigating fraud in the receipt of benefits, whether the benefits are public or private. This proposal was suggested by Office of the Inspector General of the Social Security Administration.

Safe Haven Revisions

This section revises §17a-58 to remove the requirement that a new mother provide written notice that she wishes to voluntarily surrender her new born in accordance with the Safe Haven Act. Other parents who wish to surrender their infant within 30 days of birth are not required to provide written notice of their intent. Requiring hospitals to use a form, proscribed by the Department (which is currently required, although there appears to be no form), could lead to further confusion about what

information is provided to the Department and could lead to more cases where the mother’s anonymity is comprised if the form is forwarded to the Department.

Definition of “Fictive Kin Caregiver”

This section amends § 17a-114 regarding the definition of “fictive kin caregiver” to include a person unrelated to a child or family.

Exempt DDS Continuous Residential Support Homes from DCF Licensure

This section exempts the Department of Developmental Services Continuous Residential Support (CRS) homes from DCF licensing. The CRS homes are overseen by DDS Quality Management but are not licensed by DDS. DCF currently licenses three CRS homes that serve youth under age 18. DDS has a review process which is equivalent or higher than the DCF licensing standard. This proposal emanated from work done in the off-session related to the Licensure and Certification Workgroup required by Section 1(d) of Special Act 17-21, which required a working group to review the licensure and certification process for certain nonprofit community providers.

Violations of a License Issued by DCF

Current 17a-153 speaks broadly about violations of the three sections (§ 17a-145, 17a-149 and 17a-152). This section amends § 17a-145 to be more specific by including the language “care for, board or place” since we are seeking a fine or injunction and believe that we need to be very clear on the activities that would lead to such an action. We have recently become aware of unlicensed educational boarding programs and the Department has limited enforcement powers.

Legal Clarification Related to a Claim of the Presumption of a Benefit for a Person Who Does Not Have Current Custody of a Child

This section addresses a recent issue that has come to the attention of the Office of the Attorney General.

Consolidation of Reporting Dates for the Children’s Mental, Emotional and Behavioral Health Plan

This section makes all reporting dates consistent for the Children’s Mental, Emotional and Behavioral Health Plan. Currently, most plan requirements are due on October 1st, however there are two isolated provisions with reporting dates of July 1 and September 15.

DCF Authority to Interview a Child

This section amends § 17a-101h to specify that DCF has the authority to interview a child without the consent of a parent when “neglect” by that parent or a member of the household is suspected. The existing statute only permits an interview without the consent of a parent when “abuse” is suspected or in situations when seeking such consent would place the child at imminent risk of physical harm.

UPCOMING MEETINGS AND HEARINGS

Wed., Feb. 21 – 10:00 AM	Appropriations Committee - DCF Budget Presentation	Room 2C
Wed., Feb. 21 – 11:00 AM	Judiciary Committee Meeting	Room 2B
Wed., Feb. 21 - 11:00 AM	Public Health Committee Meeting	Room 1D
Wed., Feb. 21 – 6:00 PM	Appropriations Committee Public Hearing re Governor's Proposed FY 17 Budget Adjustments	Room 2C
Thurs., Feb. 22 - 10:00 AM	Human Services Committee Meeting	Room 2A
Thurs., Feb. 22 - 10:00 AM	Education Committee Meeting	Room 1C
Thurs., Feb. 22 - 11:00 AM	Children's Committee Meeting	Room 1E
Fri., Feb. 23 – 10:00 AM	Judiciary Committee Meeting	Room 1E
Fri., Feb. 23 - 11:00 AM	Public Health Committee Meeting	Room 1D
Mon., Feb. 26 - 11:00 AM	Education Committee Public Hearing	Room 1E

Mon., Feb. 26 – 3:30 PM	Appropriations Humans Services Subcommittee - DCF Work Session	Room 1C
Tues., Feb. 27 - 10:00 AM	Children's Committee Public Hearing	Room 1D
Mon., Mar. 5 - 11:00 AM	Education Committee Public Hearing	Room 2E
Tues., Mar. 6 - 10:00 AM	Human Services Committee Public Hearing	Room 2A
Tues., Mar. 6 - 11:00 AM	Children's Committee Public Hearing	Room 1D

New additions in **Bold**

[GENERAL ASSEMBLY WEBSITE](#)

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<p>For additional information regarding legislative matters, contact Josh Howroyd, DCF Legislative Program Manager at 860-550-6329.</p>
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