



Agency Legislative Proposal – 2025 Session

Document Name: DCF – Emergency Placement for Background Checks

Document Name	DCF – Emergency Placement for Background Checks
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Legislative Liaison	Michael Carone, Legislative Program Director
Division Requesting This Proposal	Safety and Security
Drafter	Vincent Russo, Chief of Government Relations and Policy

Title of Proposal	An Act Concerning Background Checks For Emergency Placements
Statutory Reference, if any	17a-114
Brief Summary and Statement of Purpose	These changes in statute ensure that the FBI fingerprinting process will continue for emergency placements of children with relatives and fictive kin.
How does this proposal relate to the agency's mission?	DCF is committed to the safety of children and youth. When a child cannot return home safely, DCF makes every effort to place a child with a relative or someone they know. This change will ensure the agency's ability to continue that practice.



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SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 amends 17a-114(a) to include the definition of “emergency placement” and the home of a relative or fictive kin caregiver because of the sudden unavailability of the child's primary caretaker.

Section 2 amends 17a-114(b) to remove "Any person licensed by the department may be a prospective adoptive parent" and include "For purposes of this section, any prospective adoptive parent shall be licensed by the department".

Section 3 amends 17a-114(c) to include emergency basis, emergency and the relative or fictive kin caregiver throughout the section where appropriate.

BACKGROUND

Origin of Proposal

New Proposal

Resubmission

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Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	Yes, changes were made at the federal level impacting the FBI and how their information is accessed by states for multiple purposes, including background checks conducted by DCF. Also, the DCF agency bill last year (PA 24-79) streamlined the emergency placement process for relative and fictive kin caregivers.
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<p>Has this proposal or a similar proposal been implemented in other states? If yes, to what result?</p>	<p>Yes. To successfully comply with new federal FBI standards for background checks.</p>
<p>Have certain constituencies called for this proposal?</p>	<p>Department of Emergency Services and Public Protection (DESPP) via the FBI and our Safety and Security division.</p>

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

<p>1. Agency Name</p>	<p>Department of Emergency Services and Public Protection</p>
<p>Agency Contact (name, title)</p>	<p>Versi Jones, Law Enforcement Systems Analyst Nicole Lake, Chief of Staff</p>
<p>Date Contacted</p>	<p>On-going</p>
<p>Status</p>	<p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing</p>
<p>Open Issues, if any</p>	



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FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[X] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

INSERT FULLY DRAFTED BILL HERE

Section 1. Section 17a-114 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) As used in this section, (1) "approval" or "approved" means that a person has been approved to adopt or provide foster care by a child-placing agency licensed pursuant to section 17a-149, (2) "licensed" means a person holds a license to provide foster care issued by the Department of Children and Families, **[and]** (3) "fictive kin caregiver" means a person who is twenty-one years of age or older and who is unrelated to a child by birth, adoption or marriage but who has an emotionally significant relationship with such child or such child's family amounting to a familial relationship~~[.]~~, and "emergency placement" means the placement of a child by the Department of Children and Families in the home of a relative or fictive kin caregiver as a result of the sudden unavailability of the child's primary caretaker.

(b) (1) No child in the custody of the Commissioner of Children and Families shall be placed in foster care with any person, unless (A) (i) such person is licensed for that purpose by the department or the Department of Developmental Services pursuant to the provisions of section 17a-227, (ii) such person's home is approved by a child placing agency licensed by the commissioner pursuant to section 17a-149, or (iii) such person has received approval as provided in this section, and (B) on and after January 1, 2017, for a child twelve years of age or older, such child has received a foster family profile in accordance with the provisions of section 17a-114e. **[Any person licensed by the department may be a prospective adoptive parent] For purposes of this section, any prospective adoptive parent shall be licensed by the department.** The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to establish the licensing procedures and standards.



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(2) (A) Except as provided in subparagraph (B) of this subdivision, the commissioner shall require each applicant for licensure or approval pursuant to this section and any person eighteen years of age or older living in the household of such applicant to submit to state and national criminal history records checks prior to issuing a license or approval to such applicant to accept placement of a child for purposes of foster care or adoption. Such criminal history records checks shall be conducted in accordance with section 29-17a. The commissioner shall check the (i) state child abuse and neglect registry established pursuant to section 17a-101k for the name of such applicant and for the name of any person eighteen years of age or older living in the household of such applicant, and (ii) child abuse and neglect registry in any state in which such applicant or person resided in the preceding five years for the name of such applicant or person.

(B) If an applicant for licensure or approval or any person eighteen years of age or older living in the household of such applicant has submitted to the state and national criminal history records checks described in subsection (c) of this section within the previous twelve-month period, the commissioner shall not require such applicant or person to submit to the state and national criminal history records checks described in subparagraph (A) of this subdivision in connection with the issuance of a license or approval.

(3) The commissioner shall require each individual licensed or approved pursuant to this section and any person eighteen years of age or older living in the household of such individual to submit to state and national criminal history records checks prior to renewing a license or approval for any individual providing foster care or adopting. Such criminal history records checks shall be conducted in accordance with section 29-17a. Prior to such renewal, the commissioner shall check the (A) state child abuse and neglect registry established pursuant to section 17a-101k for the name of such applicant and for the name of any person eighteen years of age or older living in the household of such applicant, and (B) child abuse and neglect registry in any state in which such applicant or person resided in the preceding five years for the name of such applicant or person.

(4) The commissioner shall comply with any request to check the child abuse and neglect registry established pursuant to section 17a-101k made by the child welfare agency of another state.

(c) (1) Notwithstanding the requirements of subsection (b) of this section, the commissioner may place a child with a relative or fictive kin caregiver who has not been issued a license or approval [on an emergency basis](#), when such [emergency](#) placement is in the best interests of the



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child, provided a satisfactory home visit is conducted and a basic assessment of the family is completed. When the commissioner makes such [\[a\] an emergency](#) placement, the commissioner shall (A) request a criminal justice agency to perform a federal name-based criminal history search of [the relative or fictive kin caregiver and](#) each person eighteen years of age or older residing in the home, and (B) check the state child abuse and neglect registry established pursuant to section 17a-101k for the name of each person eighteen years of age or older residing in the home. The results of such name-based search shall be provided to the commissioner.

(2) Not later than ten calendar days after a name-based search is performed pursuant to subdivision (1) of this subsection, the commissioner shall request the State Police Bureau of Identification to perform a state and national criminal history records checks of [the relative or fictive kin caregiver and](#) each person eighteen years of age or older residing in the home, in accordance with section 29-17a. Such criminal history records checks shall be deemed as required by this section for the purposes of section 29-17a and the commissioner may request that such criminal history records checks be performed in accordance with subsection (c) of said section. The results of such criminal history records checks shall be provided to the commissioner. If any person refuses to provide fingerprints or other positive identifying information for the purposes of such criminal history records checks when requested, the commissioner shall immediately remove the child from the home.

(3) If the commissioner denies [\[a\] an emergency](#) placement with a relative or fictive kin caregiver or removes a child from such home based on the results of a federal name-based criminal history search performed pursuant to subdivision (1) of this subsection, the person whose name-based search was the basis for such denial or removal may contest such denial or removal by requesting that state and national criminal history records checks be performed pursuant to subdivision (2) of this subsection.

(4) Any such relative or fictive kin caregiver who accepts placement of a child shall be subject to licensure by the commissioner, pursuant to regulations adopted by the commissioner in accordance with the provisions of chapter 54 to implement the provisions of this section or approval by a child-placing agency licensed pursuant to section 17a-149. The commissioner may grant a waiver from such regulations, including any standard regarding separate bedrooms or room-sharing arrangements, for a child placed with a relative or fictive kin caregiver, on a case-by-case basis, if such placement is otherwise in the best interests of such child, provided no procedure or standard that is safety-related may be so waived. The commissioner shall document, in writing, the reason for granting any waiver from such regulations.



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(d) Any individual who has been licensed or approved to adopt or provide foster care and any relative or fictive kin caregiver with whom a child has been placed pursuant to subsection (c) of this section shall apply a reasonable and prudent parent standard, as defined in subsection (a) of section 17a-114d, on behalf of the child.



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Document Name: DCF – ICPC Update

Document Name	DCF – Interstate Compact on the Placement of Children (ICPC) Update
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Legislative Liaison	Vincent Russo, Chief of Government Relations and Policy Michael Carone, Legislative Program Director
Division Requesting This Proposal	Foster Care Division
Drafter	Michael Carone, Legislative Program Director

Title of Proposal	An Act Concerning Revisions to the Interstate Compact on the Placement of Children
Statutory Reference, if any	17a-175
Brief Summary and Statement of Purpose	These changes in statute would adopt the 2009 revisions of the Interstate Compact on the Placement of Children (ICPC). This would afford the State of CT an opportunity to be a part of the rulemaking process when 35 states have adopted these revisions.
How does this proposal relate to the agency's mission?	This proposal promotes the safety, permanency, and well-being of children and families both in and outside of the state in matters related to the placement of children with families from one state to another.



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Document Name: DCF – ICPC Update

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 would repeal the existing ICPC compact and replace it with the revised ICPC compact once a total of 35 states have adopted the revised compact.

BACKGROUND

Origin of Proposal

New Proposal

Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	No.
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	To date, 16 states have passed the revised compact into law. However, until 35 states have adopted the Revised Compact, the rulemaking process will begin.



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Have certain constituencies called for this proposal?	The National Center for Interstate Compacts and a bipartisan group of federal and state officials, including governors and legislators.
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INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[X] Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[X] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be	



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found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

Key components of the revised ICPC include:

- Updates to the legal framework that addresses health and human service needs and infrastructure for servicing children and families in the 21st Century.
- Increases timely placements in other states.
- Clarification on the applicability of ICPC to non-custodial parents. Since non-custodial parents are often fathers, the revised ICPC reflects DCF's mission to enhance fathers' roles in the lives of their children. This is being realized with a shift in DCF practice and prioritizing this work.
- Opportunity/availability of an administrative review of denials in the receiving state.



- Enforcement strengthening.
- Flexibility for the rules to be changed more frequently and easily, so the Compact can remain current.

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PART III

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

Sec. 17a-175. (Formerly Sec. 17-81a) of the general statutes is repealed and the following substituted in lieu thereof (Effective October 1 of the year in which the total of 35 states have adopted the revised Interstate Compact on the Placement of Children into state law):

Compact. The Interstate Compact on the Placement of Children is hereby enacted into law and entered into with all other jurisdictions legally joining therein in form substantially as follows:

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

ARTICLE I. Purpose

The purpose of this Interstate Compact for the Placement of Children is to:

- (a) Provide a process through which children subject to this compact are placed in safe and suitable homes in a timely manner.
- (b) Facilitate ongoing supervision of a placement, the delivery of services, and communication between the states.
- (c) Provide operating procedures that will ensure that children are placed in safe and suitable homes in a timely manner.
- (d) Provide for the promulgation and enforcement of administrative rules implementing the provisions of this compact and regulating the covered activities of the member states.
- (e) Provide for uniform data collection and information sharing between member states under this compact.



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(f) Promote coordination between this compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance and other compacts affecting the placement of and which provide services to children otherwise subject to this compact.

(g) Provide for a state’s continuing legal jurisdiction and responsibility for placement and care of a child that it would have had if the placement were intrastate.

(h) Provide for the promulgation of guidelines, in collaboration with Indian tribes, for interstate cases involving Indian children as is or may be permitted by federal law.

ARTICLE II. Definitions

As used in this compact,

(a) “Approved placement” means the public child placing agency in the receiving state has determined that the placement is both safe and suitable for the child.

(b) "Assessment" means an evaluation of a prospective placement by a public child placing agency in the receiving state to determine if the placement meets the individualized needs of the child, including but not limited to the child's safety and stability, health and well-being, and mental, emotional, and physical development. An assessment is only applicable to a placement by a public child placing agency.

(c) “Child” means an individual who has not attained the age of eighteen (18).

(d) “Certification” means to attest, declare or swear to before a judge or notary public.

(e) “Default” means the failure of a member state to perform the obligations or responsibilities imposed upon it by this compact, the bylaws or rules of the Interstate Commission.

(f) “Home Study” means an evaluation of a home environment conducted in accordance with the applicable requirements of the state in which the home is located, and documents the preparation and the suitability of the placement resource for placement of a child in accordance with the laws and requirements of the state in which the home is located.

(g) “Indian tribe” means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for services provided to Indians by the Secretary of the Interior because of their status as Indians, including any Alaskan native village as defined in section 3 (c) of the Alaska Native Claims settlement Act at 43 USC §1602(c).

(h) “Interstate Commission for the Placement of Children” means the commission that is created under Article VIII of this compact and which is generally referred to as the Interstate Commission.



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- (i) “Jurisdiction” means the power and authority of a court to hear and decide matters.
- (j) “Legal Risk Placement” (“Legal Risk Adoption”) means a placement made preliminary to an adoption where the prospective adoptive parents acknowledge in writing that a child can be ordered returned to the sending state or the birth mother’s state of residence, if different from the sending state, and a final decree of adoption shall not be entered in any jurisdiction until all required consents are obtained 1 or are dispensed with in accordance with applicable law.
- (k) “Member state” means a state that has enacted this compact.
- (l) “Non-custodial parent” means a person who, at the time of the commencement of court proceedings in the sending state, does not have sole legal custody of the child or has joint legal custody of a child, and who is not the subject of allegations or findings of child abuse or neglect.
- (m) “Non-member state” means a state which has not enacted this compact.
- (n) “Notice of residential placement” means information regarding a placement into a residential facility provided to the receiving state including, but not limited to the name, date and place of birth of the child, the identity and address of the parent or legal guardian, evidence of authority to make the placement, and the name and address of the facility in which the child will be placed. Notice of residential placement shall also include information regarding a discharge and any unauthorized absence from the facility.
- (o) “Placement” means the act by a public or private child placing agency intended to arrange for the care or custody of a child in another state.
- (p) “Private child placing agency” means any private corporation, agency, foundation, institution, or charitable organization, or any private person or attorney that facilitates, causes, or is involved in the placement of a child from one state to another and that is not an instrumentality of the state or acting under color of state law.
- (q) “Provisional placement” means a determination made by the public child placing agency in the receiving state that the proposed placement is safe and suitable, and, to the extent allowable, the receiving state has temporarily waived its standards or requirements otherwise applicable to prospective foster or adoptive parents so as to not delay the placement. Completion of the receiving state requirements regarding training for prospective foster or adoptive parents shall not delay an otherwise safe and suitable placement.



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- (r) “Public child placing agency” means any government child welfare agency or child protection agency or a private entity under contract with such an agency, regardless of whether they act on behalf of a state, county, municipality or other governmental unit and which facilitates, causes, or is involved in the placement of a child from one state to another.
- (s) “Receiving state” means the state to which a child is sent, brought, or caused to be sent or brought.
- (t) “Relative” means someone who is related to the child as a parent, step parent, sibling by half or whole blood or by adoption, grandparent, aunt, uncle, or first cousin or a non-relative with such significant ties to the child that they may be regarded as relatives as determined by the court in the sending state.
- (u) “Residential Facility” means a facility providing a level 1 of care that is sufficient to substitute for parental responsibility or foster care, and is beyond what is needed for assessment or treatment of an acute condition. For purposes of the compact, residential facilities do not include institutions primarily educational in character, hospitals or other medical facilities.
- (v) “Rule” means a written directive, mandate, standard or principle issued by the Interstate Commission promulgated pursuant to Article XI of this compact that is of general applicability and that implements, interprets or prescribes a policy or provision of the compact. “Rule” has the force and effect of an administrative rule in a member state, and includes the amendment, repeal, or suspension of an existing rule.
- (w) “Sending state” means the state from which the placement of a child is initiated.
- (x) “Service member’s permanent duty station” means the military installation where an active duty Armed Services member is currently assigned and is physically located under competent orders that do not specify the duty as temporary.
- (y) “Service member’s state of legal residence” means the state in which the active duty Armed Services member is considered a resident for tax and voting purposes.
- (z) “State” means a state of the United States, the District 1 of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other territory of the United States.
- (aa) “State court” means a judicial body of a state that is vested by law with responsibility for adjudicating cases involving abuse, neglect, deprivation, delinquency or status offenses of individuals who have not attained the age of eighteen (18).



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(bb) “Supervision” means monitoring provided by the receiving state once a child has been placed in a receiving state pursuant to this compact.

ARTICLE III. Applicability

(a) Except as otherwise provided in Article III, Section B, this compact shall apply to:

(1) The interstate placement of a child subject to ongoing court jurisdiction in the sending state, due to allegations or findings that the child has been abused, neglected, or deprived as defined by the laws of the sending state, provided, however, that the placement of such a child into a residential facility shall only require notice of residential placement to the receiving state prior to placement.

(2) The interstate placement of a child adjudicated delinquent or unmanageable based on the laws of the sending state and subject to ongoing court jurisdiction of the sending state if:

(A) the child is being placed in a residential facility in another member state and is not covered under another compact; or

(B) the child is being placed in another member state and the determination of safety and suitability of the placement and services required is not provided through another compact.

(3) The interstate placement of any child by a public child placing agency or private child placing agency as defined in this compact as a preliminary step to a possible adoption.

(b) The provisions of this compact shall not apply to:

(1) The interstate placement of a child in a custody proceeding in which a public child placing agency is not a party, provided, the placement is not intended to effectuate an adoption.

(2) The interstate placement of a child with a non-relative in a receiving state by a parent with the legal authority to make such a placement provided, however, that the placement is not intended to effectuate an adoption.

(3) The interstate placement of a child by one relative with the lawful authority to make such a placement directly with a relative in a receiving state.

(4) The placement of a child, not subject to Article III, 1 Section A, into a residential facility by his parent.



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- (5) The placement of a child with a non-custodial parent provided that:
- (A) The non-custodial parent proves to the satisfaction of a court in the sending state a substantial relationship with the child; and
 - (B) The court in the sending state makes a written finding that placement with the non-custodial parent is in the best interests of the child; and
 - (C) The court in the sending state dismisses its jurisdiction in interstate placements in which the public child placing agency is a party to the proceeding.
- (6) A child entering the United States from a foreign country for the purpose of adoption or leaving the United States to go to a foreign country for the purpose of adoption in that country.
- (7) Cases in which a U.S. citizen child living overseas with his family, at least one of whom is in the U.S. Armed Services, and who is stationed overseas, is removed and placed in a state.
- (8) The sending of a child by a public child placing agency or a private child placing agency for a visit as defined by the rules of the Interstate Commission.
- (c) For purposes of determining the applicability of this compact to the placement of a child with a family in the Armed Services, the public child placing agency or private child placing agency may choose the state of the service member's permanent duty station or the service member's declared legal residence.
- (d) Nothing in this compact shall be construed to prohibit the concurrent application of the provisions of this compact with other applicable interstate compacts including the Interstate Compact for Juveniles and the Interstate Compact on Adoption and Medical Assistance. The Interstate Commission may in cooperation with other interstate compact commissions having responsibility for the interstate movement, placement or transfer of children, promulgate like rules to ensure the coordination of services, timely placement of children, and the reduction of unnecessary or duplicative administrative or procedural requirements.

ARTICLE IV. Jurisdiction

- (a) Except as provided in Article IV, Section H and Article V, Section B, paragraph two and three concerning private and independent adoptions, and in interstate placements in which the public child placing agency is not a party to a custody proceeding, the sending state shall retain jurisdiction over a child with respect to all matters of custody and disposition of the



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child which it would have had if the child had remained in the sending state. Such jurisdiction shall also include the power to order the return of the child to the sending state.

(b) When an issue of child protection or custody is brought before a court in the receiving state, such court shall confer with the court of the sending state to determine the most appropriate forum for adjudication.

(c) In cases that are before courts and subject to this compact, the taking of testimony for hearings before any judicial officer may occur in person or by telephone, audio-video conference, or such other means as approved by the rules of the Interstate Commission; and Judicial officers may communicate with other judicial officers and persons involved in the interstate process as may be permitted by their Canons of Judicial Conduct and any rules promulgated by the Interstate Commission.

(d) In accordance with its own laws, the court in the sending state shall have authority to terminate its jurisdiction if:

- (1) The child is reunified with the parent in the receiving state who is the subject of allegations or findings of abuse or neglect, only with the concurrence of the public child placing agency in the receiving state; or
- (2) The child is adopted; or
- (3) The child reaches the age of majority under the laws of the sending state; or
- (4) The child achieves legal independence pursuant to the laws of the sending state; or
- (5) A guardianship is created by a court in the receiving state with the concurrence of the court in the sending state; or
- (6) An Indian tribe has petitioned for and received jurisdiction from the court in the sending state; or
- (7) The public child placing agency of the sending state requests termination and has obtained the concurrence of the public child placing agency in the receiving the state.

(e) When a sending state court terminates its jurisdiction, the receiving state child placing agency shall be notified.

(f) Nothing in this article shall defeat a claim of jurisdiction by a receiving state court sufficient to deal with an act of truancy, delinquency, crime or behavior involving a child as defined by the laws of the receiving state committed by the child in the receiving state which would be a violation of its laws.



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(g) Nothing in this article shall limit the receiving state’s ability to take emergency jurisdiction for the protection of the child.

(h) The substantive laws of the state in which an adoption will be finalized shall solely govern all issues relating to the adoption of the child and the court in which the adoption proceeding is filed shall have subject matter jurisdiction regarding all substantive issues relating to the adoption, except:

- (1) when the child is a ward of another court 1 that established jurisdiction over the child prior to the placement; or
- (2) when the child is in the legal custody of a public agency in the sending state; or
- (3) when a court in the sending state has otherwise appropriately assumed jurisdiction over the child, prior to the submission of the request for approval of placement.

(I) A final decree of adoption shall not be entered in any jurisdiction until the placement is authorized as an “approved placement” by the public child placing agency in the receiving state.

ARTICLE V. Placement Evaluation

(a) Prior to sending, bringing, or causing a child to be sent or brought into a receiving state, the public child placing agency shall provide a written request for assessment to the receiving state.

(b) For placements by a private child placing agency, a child may be sent or brought, or caused to be sent or brought, into a receiving state, upon receipt and immediate review of the required content in a request for approval of a placement in both the sending and receiving state public child placing agency. The required content to accompany a request for approval shall include all of the following:

- (1) A request for approval identifying the child, birth parent(s), the prospective adoptive parent(s), and the supervising agency, signed by the person requesting approval; and
- (2) The appropriate consents or relinquishments signed by the birth parents in accordance with the laws of the sending state, or where permitted the laws of the state where the adoption will be finalized; and
- (3) Certification by a licensed attorney or authorized agent of a private adoption agency that the consent or relinquishment is in compliance with the applicable laws of the



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sending state, or where permitted the laws of the state where finalization of the adoption will occur; and

(4) A home study; and

(5) An acknowledgment of legal risk signed by the prospective adoptive parents.

(c) The sending state and the receiving state may request additional information or documents prior to finalization of an approved placement, but they may not delay travel by the prospective adoptive parents with the child if the required content for approval has been submitted, received and reviewed by the public child placing agency in both the sending state and the receiving state.

(d) Approval from the public child placing agency in the receiving state for a provisional or approved placement is required as provided for in the rules of the Interstate Commission.

(e) The procedures for making and the request for an assessment shall contain all information and be in such form as provided for in the rules of the Interstate Commission.

(f) Upon receipt of a request from the public child placing agency of the sending state, the receiving state shall initiate an assessment of the proposed placement to determine its safety and suitability. If the proposed placement is a placement with a relative, the public child placing agency of the sending state may request a determination for a provisional placement.

(g) The public child placing agency in the receiving state may request from the public child placing agency or the private child placing agency in the sending state, and shall be entitled to receive supporting or additional information necessary to complete the assessment or approve the placement.

(h) The public child placing agency in the receiving state shall approve a provisional placement and complete or arrange for the completion of the assessment within the timeframes established by the rules of the Interstate Commission.

(i) For a placement by a private child placing agency, the sending state shall not impose any additional requirements to complete the home study that are not required by the receiving state, unless the adoption is finalized in the sending state.

(j) The Interstate Commission may develop uniform standards for the assessment of the safety and suitability of interstate placements.

ARTICLE VI. Placement Authority



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- (a) Except as otherwise provided in this Compact, no child subject to this compact shall be placed into a receiving state until approval for such placement is obtained.
- (b) If the public child placing agency in the receiving state does not approve the proposed placement then the child shall not be placed. The receiving state shall provide written documentation of any such determination in accordance with the rules promulgated by the Interstate Commission. Such determination is not subject to judicial review in the sending state.
- (c) If the proposed placement is not approved, any interested party shall have standing to seek an administrative review of the receiving state's determination.
 - (1) The administrative review and any further judicial review associated with the determination shall be conducted in the receiving state pursuant to its applicable Administrative Procedures Act.
 - (2) If a determination not to approve the placement of the child in the receiving state is overturned upon review, the placement shall be deemed approved, provided however that all administrative or judicial remedies have been exhausted or the time for such remedies has passed.

ARTICLE VII. Placing Agency Responsibility

- (a) For the interstate placement of a child made by a public child placing agency or state court:
 - (1) The public child placing agency in the sending state shall have financial responsibility for:
 - (A) the ongoing support and maintenance for the child during the period of the placement, unless otherwise provided for in the receiving state; and
 - (B) as determined by the public child placing agency in the sending state, services for the child beyond the public services for which the child is eligible in the receiving state.
 - (2) The receiving state shall only have financial responsibility for:
 - (A) any assessment conducted by the receiving state; and
 - (B) supervision conducted by the receiving state at the level necessary to support the placement as agreed upon by the public child placing agencies of the receiving and sending state.



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- (3) Nothing in this provision shall prohibit public child placing agencies in the sending state from entering into agreements with licensed agencies or persons in the receiving state to conduct assessments and provide supervision.
- (b) For the placement of a child by a private child placing agency preliminary to a possible adoption, the private child placing agency shall be:
- (1) Legally responsible for the child during the period of placement as provided for in the law of the sending state until the finalization of the adoption.
 - (2) Financially responsible for the child absent a contractual agreement to the contrary.
- (c) The public child placing agency in the receiving state shall provide timely assessments, as provided for in the rules of the Interstate Commission.
- (d) The public child placing agency in the receiving state shall provide, or arrange for the provision of, supervision and services for the child, including timely reports, during the period of the placement.
- (e) Nothing in this compact shall be construed as to limit the authority of the public child placing agency in the receiving state from contracting with a licensed agency or person in the receiving state for an assessment or the provision of supervision or services for the child or otherwise authorizing the provision of supervision or services by a licensed agency during the period of placement.
- (f) Each member state shall provide for coordination among its branches of government concerning the state's participation in, and compliance with, the compact and Interstate Commission activities, through the creation of an advisory council or use of an existing body or board.
- (g) Each member state shall establish a central state compact office, which shall be responsible for state compliance with the compact and the rules of the Interstate Commission.
- (h) The public child placing agency in the sending state shall oversee compliance with the provisions of the Indian Child Welfare Act (25 USC 1901 et seq.) for placements subject to the provisions of this compact, prior to placement.
- (i) With the consent of the Interstate Commission, states may enter into limited agreements that facilitate the timely assessment and provision of services and supervision of placements under this compact.

ARTICLE VIII. Interstate Commission for the Placement of Children



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The member states hereby establish, by way of this compact, a commission known as the “Interstate Commission for the Placement of Children.” The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:

(a) Be a joint commission of the member states and shall have the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent concurrent action of the respective legislatures of the member states.

(b) Consist of one commissioner from each member state who shall be appointed by the executive head of the state human services administration with ultimate responsibility for the child welfare program. The appointed commissioner shall have the legal authority to vote on policy related matters governed by this compact binding the state.

(1) Each member state represented at a meeting of the Interstate Commission is entitled to one vote.

(2) A majority of the member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

(3) A representative shall not delegate a vote to another member state.

(4) A representative may delegate voting authority to another person from their state for a specified meeting.

(c) In addition to the commissioners of each member state, the Interstate Commission shall include persons who are members of interested organizations as defined in the bylaws or rules of the Interstate Commission. Such members shall be ex officio and shall not be entitled to vote on any matter before the Interstate Commission.

(d) Establish an executive committee which shall have the authority to administer the day-to-day operations and administration of the Interstate Commission. It shall not have the power to engage in rulemaking.

ARTICLE IX. Powers and Duties of the Interstate Commission

The Interstate Commission shall have the following powers:

(a) To promulgate rules and take all necessary actions to effect the goals, purposes and obligations as enumerated in this compact.

(b) To provide for dispute resolution among member states.



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- (c) To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules or actions.
- (d) To enforce compliance with this compact or the bylaws or rules of the Interstate Commission pursuant to Article XII.
- (e) Collect standardized data concerning the interstate placement of children subject to this compact as directed through its rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements.
- (f) To establish and maintain offices as may be necessary for the transacting of its business.
- (g) To purchase and maintain insurance and bonds.
- (h) To hire or contract for services of personnel or consultants as necessary to carry out its functions under the compact and establish personnel qualification policies, and rates of compensation.
- (i) To establish and appoint committees and officers including, but not limited to, an executive committee as required by Article X.
- (j) To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose thereof.
- (k) To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal, or mixed.
- (l) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.
- (m) To establish a budget and make expenditures.
- (n) To adopt a seal and bylaws governing the management and operation of the Interstate Commission.
- (o) To report annually to the legislatures, governors, the judiciary, and state advisory councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.
- (p) To coordinate and provide education, training and 1 public awareness regarding the interstate movement of children for officials involved in such activity.



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- (q) To maintain books and records in accordance with the bylaws of the Interstate Commission.
- (r) To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

ARTICLE X. Organization and Operation of the Interstate Commission

(a) Bylaws

- (1) Within 12 months after the first Interstate Commission meeting, the Interstate Commission shall adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact.
- (2) The Interstate Commission's bylaws and rules shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

(b) Meetings

- (1) The Interstate Commission shall meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states shall call additional meetings.
- (2) Public notice shall be given by the Interstate Commission of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and its committees may close a meeting, or portion thereof, where it determines by two-thirds vote that an open meeting would be likely to:
- (A) relate solely to the Interstate Commission's internal personnel practices and procedures; or
 - (B) disclose matters specifically exempted from disclosure by federal law; or
 - (C) disclose financial or commercial information which is privileged, proprietary or confidential in nature; or
 - (D) involve accusing a person of a crime, or formally censuring a person; or



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(E) disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy or physically endanger one or more persons; or

(F) disclose investigative records compiled for law enforcement purposes; or

(G) specifically relate to the Interstate Commission’s participation in a civil action or other legal proceeding.

(3) For a meeting, or portion of a meeting, closed pursuant to this provision, the Interstate Commission’s legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exemption provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission or by court order.

(4) The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or other electronic communication.

(c) Officers and Staff

(1) The Interstate Commission may, through its executive committee, appoint or retain a staff director for such period, upon such terms and conditions and for such compensation as the Interstate Commission may deem appropriate. The staff director shall serve as secretary to the Interstate Commission, but shall not have a vote. The staff director may hire and supervise such other staff as may be authorized by the Interstate Commission.

(2) The Interstate Commission shall elect, from among its members, a chairperson and a vice chairperson of the executive committee and other necessary officers, each of whom shall have such authority and duties as may be specified in the bylaws.

(d) Qualified Immunity, Defense and Indemnification

(1) The Interstate Commission’s staff director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or



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relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by a criminal act or the intentional or willful and wanton misconduct of such person.

(A) The liability of the Interstate Commission's staff director and employees or Interstate Commission representatives, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by a criminal act or the intentional or willful and wanton misconduct of such person.

(B) The Interstate Commission shall defend the staff director and its employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state shall defend the commissioner of a member state in a civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

(C) To the extent not covered by the state involved, 1 member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.



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ARTICLE XI. Rulemaking Functions of the Interstate Commission

- (a) The Interstate Commission shall promulgate and publish rules in order to effectively and efficiently achieve the purposes of the compact.
- (b) Rulemaking shall occur pursuant to the criteria set forth in this article and the bylaws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the principles of the "Model State Administrative Procedures Act," 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000), or such other administrative procedure acts as the Interstate Commission deems appropriate consistent with due process requirements under the United States Constitution as now or hereafter interpreted by the U. S. Supreme Court. All rules and amendments shall become binding as of the date specified, as published with the final version of the rule as approved by the Interstate Commission.
- (c) When promulgating a rule, the Interstate Commission shall, at a minimum:
- (1) Publish the proposed rule's entire text stating the reason(s) for that proposed rule; and
 - (2) Allow and invite any and all persons to submit written data, facts, opinions and arguments, which information shall be added to the record, and be made publicly available; and
 - (3) Promulgate a final rule and its effective date, if appropriate, based on input from state or local officials, or interested parties.
- (d) Rules promulgated by the Interstate Commission shall have the force and effect of administrative rules and shall be binding in the compacting states to the extent and in the manner provided for in this compact.
- (e) Not later than 60 days after a rule is promulgated, an interested person may file a petition in the U.S. District Court for the District of Columbia or in the Federal District Court where the Interstate Commission's principal office is located for judicial review of such rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it aside.
- (f) If a majority of the legislatures of the member states rejects a rule, those states may by enactment of a statute or resolution in the same manner used to adopt the compact cause that such rule shall have no further force and effect in any member state.



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(g) The existing rules governing the operation of the Interstate Compact on the Placement of Children superseded by this act shall be null and void no less than, but no more than 24 months after the first meeting of the Interstate Commission created hereunder, as determined by the members during the first meeting.

(h) Within the first 12 months of operation, the Interstate Commission shall promulgate rules addressing the following:

- (1) Transition rules
- (2) Forms and procedures
- (3) Time lines
- (4) Data collection and reporting
- (5) Rulemaking
- (6) Visitation
- (7) Progress reports/supervision
- (8) Sharing of information/confidentiality
- (9) Financing of the Interstate Commission
- (10) Mediation, arbitration and 1 dispute resolution
- (11) Education, training and technical assistance
- (12) Enforcement
- (13) Coordination with other interstate compacts

(i) Upon determination by a majority of the members of the Interstate Commission that an emergency exists:

- (1) The Interstate Commission may promulgate an emergency rule only if it is required to:
 - (A) Protect the children covered by this compact from an imminent threat to their health, safety and well-being; or
 - (B) Prevent loss of federal or state funds; or



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(C) Meet a deadline for the promulgation of an administrative rule required by federal law.

(2) An emergency rule shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided hereunder shall be retroactively applied to said rule as soon as reasonably possible, but no later than 90 days after the effective date of the emergency rule.

(3) An emergency rule shall be promulgated as provided for in the rules of the Interstate Commission.

ARTICLE XII. Oversight, Dispute Resolution, Enforcement

(a) Oversight

(1) The Interstate Commission shall oversee the administration and operation of the compact.

(2) The executive, legislative and judicial branches of state government in each member state shall enforce this compact and the rules of the Interstate Commission and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The compact and its rules shall be binding in the compacting states to the extent and in the manner provided for in this compact.

(3) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact.

(4) The Interstate Commission shall be entitled to receive service of process in any action in which the validity of a compact provision or rule is the issue for which a judicial determination has been sought and shall have standing to intervene in any proceedings. Failure to provide service of process to the Interstate Commission shall render any judgment, order or other determination, however so captioned or classified, void as to the Interstate Commission, this compact, its bylaws or rules of the Interstate Commission.

(b) Dispute Resolution

(1) The Interstate Commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states and between member and non-member states.



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(2) The Interstate Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among compacting states. The costs of such mediation or dispute resolution shall be the responsibility of the parties to the dispute.

(c) Enforcement

(1) If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, its bylaws or rules, the Interstate Commission may:

(A) Provide remedial training and specific technical assistance; or

(B) Provide written notice to the defaulting state and other member states, of the nature of the default and the means of curing the default. The Interstate Commission shall specify the conditions by which the defaulting state must cure its default; or

(C) By majority vote of the members, initiate against a defaulting member state legal action in the United State District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its principal office, to enforce compliance with the provisions of the compact, its bylaws or rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorney’s fees; or

(D) Avail itself of any other remedies available under state law or the regulation of official or professional conduct.

ARTICLE XIII. Financing of the Commission

(a) The Interstate Commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

(b) The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission’s annual budget as approved by its members each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission which shall promulgate a rule binding upon all member states.



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(c) The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the member states, except by and with the authority of the member state.

(d) The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

ARTICLE XIV. Member States, Effective Date and Amendment

(a) Any state is eligible to become a member state.

(b) The compact shall become effective and binding upon legislative enactment of the compact into law by no less than 35 states. The effective date shall be the later of July 1, 2007 or upon enactment of the compact into law by the 35th state. Thereafter it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The executive heads of the state human services administration with ultimate responsibility for the child welfare program of non-member states or their designees shall be invited to participate in the activities of the Interstate Commission on a non-voting basis prior to adoption of the compact by all states.

(c) The Interstate Commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding on the member states unless and until it is enacted into law by unanimous consent of the member states.

ARTICLE XV. Withdrawal and Dissolution

(a) Withdrawal

(1) Once effective, the compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the compact specifically repealing the statute which enacted the compact into law.

(2) Withdrawal from this compact shall be by the enactment of a statute repealing the same. The effective date of withdrawal shall be the effective date of the repeal of the statute.



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(3) The withdrawing state shall immediately notify the president of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall then notify the other member states of the withdrawing state's intent to withdraw.

(4) The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal.

(5) Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the members of the Interstate Commission.

(b) Dissolution of Compact

(1) This compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the compact to one member state.

(2) Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

ARTICLE XVI. Severability and Construction

(a) The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

(b) The provisions of this compact shall be liberally construed to effectuate its purposes.

(c) Nothing in this compact shall be construed to prohibit the concurrent applicability of other interstate compacts to which the states are members.

ARTICLE XVII. Binding Effect of Compact and Other Laws

(a) Other Laws

(1) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

(b) Binding Effect of the Compact

(1) All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the member states.



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(2) All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

(3) In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

ARTICLE XVIII. Indian Tribes

Notwithstanding any other provision in this compact, the Interstate Commission may promulgate guidelines to permit Indian tribes to utilize the compact to achieve any or all of the purposes 1 of the compact as specified in Article I. The Interstate Commission shall make reasonable efforts to consult with Indian tribes in promulgating guidelines to reflect the diverse circumstances of the various Indian tribes.



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Document Name: DCF – Foster Parent Bill of Rights

Document Name	DCF – Foster Parent Bill of Rights
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Legislative Liaison	Vincent Russo, Chief of Government Relations and Policy Michael Carone, Legislative Program Director
Division Requesting This Proposal	Foster Care Division
Drafter	Vincent Russo, Chief of Government Relations and Policy

Title of Proposal	An Act Concerning Foster Parents and Licensed Caregivers
Statutory Reference, if any	17a-114f
Brief Summary and Statement of Purpose	This legislation would afford foster parents and licensed caregivers rights, privileges and expectations, similar to those of biological parents. This would empower them along with potentially increasing the interest of other adults in becoming foster parents or licensed caregivers.
How does this proposal relate to the agency's mission?	This proposal promotes permanency, racial justice, and well-being by creating a more inclusive experience for foster parents, licensed caregivers, and the children they care for, which can lead to long-term success for all of those involved.



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SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 amends 17a-114f(a) to create principles and values to ensure that the permanency, safety, well-being, and basic needs of all children in the foster care system are consistently met.

Section 2 amends 17a-114f(b) to create privileges for licensed caregivers.

Section 3 amends 17a-114f(c) to create expectations of licensed caregivers and the department.

BACKGROUND

Origin of Proposal

New Proposal

Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	No.
Has this proposal or a similar proposal been	Massachusetts recently adopted a Foster Parent Bill of Rights into state statute with similar provisions.



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implemented in other states? If yes, to what result?	
Have certain constituencies called for this proposal?	Foster parents and advocates.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[X] Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	



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FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

DCF will be meeting with stakeholders from the community on this proposal in the coming weeks and there may be additional changes to the bill language.

INSERT FULLY DRAFTED BILL HERE

Sections 17a-114f of the general statutes is repealed and the following substituted in lieu thereof (*Effective October 1, 2025*):

(a) There is created a Foster Parent Bill of Rights, which is intended to ensure that the permanency, safety, well-being, and basic needs of all children in the foster care system are consistently met and based on the following principles and values:

Families are the experts regarding their own needs;

Families are motivated to recognize their needs and resources;

Families have a lead role in working towards change;

Children and families have the right to be understood within the context of their norms, traditions, history, and culture. The child welfare system promotes racial equity, inclusion, diversity, and wellbeing;

Support should be flexible and consistent statewide, and are individualized and responsive to a family's circumstance, needs and goals;

Relationships, collaboration, and partnerships are the foundation to positive outcomes for children and their families;

Foster care services should be temporary, safe, nurturing, supportive, and equipped to meet the needs of children and their families while they are entrusted to the care of licensed caregivers; and

Supporting and promoting reunification with the children's families is the primary focus.



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(b) The following are the rights of licensed caregivers, which shall be afforded to the extent feasible and consistent with applicable provisions of state and federal law:

Licensed Caregivers shall not be discriminated against based on religion, race, color, creed, gender, gender identity, sexual orientation, national origin, age, or disability.

Licensed Caregivers shall be treated with dignity, respect, and consideration.

Licensed Caregivers shall have an opportunity to be heard by the Department's Child Welfare chain of command, including, but not limited to, issuing, or filing a complaint with the Commissioner, the Department's Office of Community Relations, or Connecticut's Office of the Child Advocate.

Licensed Caregivers shall have access to information and available opportunities for pre-service and post-service training.

Licensed Caregivers shall receive, to the extent possible allowed under state and federal law, information about the child entrusted to their care prior to placement and additional information that becomes known including, but not limited to: (A) Daily routines of the child(ren); (B) Medical history; (C) Behavioral health history; (D) Any history of trauma experienced; (E) Any history of high-risk behavior; and (f) Educational needs.

Licensed Caregivers shall have reasonable access to the Department's Child Welfare chain of command

Licensed Caregivers shall have access to Careline, the Department's after hour response call center, in case of an emergency.

Pursuant to C.G.S. 17a-28, licensed Caregivers shall receive a copy of the case plans after attending the Administrative Case Review meeting of the child(ren) entrusted to their care.

Licensed Caregivers shall be afforded the opportunity to discuss and provide feedback on the case plans of the child(ren) entrusted to their care.

Licensed Caregivers shall receive communication and notification of any change to the child's case plan.



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Licensed Caregivers shall receive notice of meetings regarding the child in their care.

Licensed Caregivers shall be afforded the opportunity to actively participate in such meetings, except those that involve information that is confidential. For confidential meetings, the Department shall provide licensed caregiver's with the ability to offer input to the Department before a final decision is made.

Licensed Caregivers shall receive notice when a child entrusted to their care is scheduled to leave their home.

Licensed Caregivers shall be informed and consulted in the planning of supervised and unsupervised visitation with the entrusted child's family. The Department shall make appropriate efforts to accommodate the licensed caregivers schedule in arranging visits and other contact between the entrusted child and the child's family.

(c) The following are the expectations of licensed caregivers and the Department:

Licensed caregivers shall provide the entrusted child with an environment that is accepting, non-judgmental, welcoming, nurturing, and safe.

Licensed caregivers shall not discriminate against the child, birth parents, relatives or other interested partners based on religion, race, color, creed, gender, gender identity, sexual orientation, national origin, age, or disability.

Licensed caregivers shall maintain a healthy relationship with the child by emphasizing trust, understanding, empathy and communication. Also, they shall set appropriate boundaries with respect to curfews, homework, and household responsibilities to provide a stable living environment.

Licensed caregivers shall assist the child in building life skills, including, but not limited to, grocery shopping and cooking meals, personal financial management and laundry.

Licensed caregivers shall apply the same age-appropriate household rules and provide the same opportunities to all children residing in the home, including, but not limited to, participation in family activities and vacations.

Licensed caregivers shall work in partnership with birth parents and relatives to the greatest extent possible.



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Licensed caregivers shall cultivate positive, supportive relationships with the child's birth parents, relatives, other familial, and significant relationships whenever possible.

Licensed caregivers shall treat birth parents and relatives with dignity, respect, and consideration.

Licensed caregivers shall promote regular contact, as approved and to the extent possible, between the child and their birth parents and relatives.

Licensed caregivers shall make routine decisions about the entrusted child's daily activities and may continue practicing their own family values and routines, excluding physical discipline, while respecting the child's culture, background, identity, experience, trauma history and preferences.

Licensed caregivers shall use the reasonable and prudent parent standard pursuant to section 17a-114d when making decisions about the daily routines of a child.

Licensed caregivers shall provide the Department with information regarding the child's connection to relatives and other significant individuals, age-appropriate social, scholastic, and enrichment activities, milestone events, medical, physical, behavioral health, and overall well-being.

Licensed caregivers shall work in partnership with the Department, and community providers.

Licensed caregivers shall provide reasonable access to the Child Protection Services and Foster Care Division Staff.

Licensed caregivers shall provide adequate notice of changes in the entrusted child's behaviors or treatment.

Licensed caregivers shall participate in meetings related to permanency planning, and assist, support and promote the planning of supervised and unsupervised visitation between the child, their parents, and family.

(c) Nothing in this section shall be construed as creating or permitting a cause of action for a violation of any provision of this section.



Agency Legislative Proposal – 2025 Session

Document Name: DCF – Foster Parent Bill of Rights

[Not later than January 1, 2017, the Department of Children and Families shall develop a notification of support to inform foster parents and relative caregivers of their privileges under various state programs. On and after January 1, 2017, the department shall provide a copy of the notification of support to foster parents and relative caregivers at the time of the placement of a child with the foster parent or relative caregiver and upon request of a foster parent or relative caregiver.

(b) The notification of support shall include, but need not be limited to, information regarding:

(1) The foster parent's and relative caregiver's privilege to be a member of the child's placement and treatment teams and to be notified of and included in meetings scheduled by the department concerning the child;

(2) The foster parent's and relative caregiver's privilege to communicate with the child's social worker to share information regarding the child's domestic, social, educational, medical and mental health needs;

(3) The foster parent's and relative caregiver's privilege to be timely notified of all court hearings and administrative case review meetings including, but not limited to, permanency hearings and hearings on motions to revoke commitment concerning a child in the care of the foster parent or relative caregiver;

(4) The foster parent's and relative caregiver's privilege to be provided with information, support and guidance from professional service providers, including, but not limited to, referrals to other professionals regarding the child and assistance in identifying and obtaining services for a child in the care of the foster parent or relative caregiver;

(5) The foster parent's and relative caregiver's privilege to receive open and timely responses to requests for information or services that are relevant to the care of a child in the care of the foster parent or relative caregiver, including, but not limited to, access to a regional office on-call system and careline numbers to enable the foster parent or relative caregiver to contact professional staff after normal business hours;

(6) For a foster parent or relative caregiver who accepts an emergency placement, the foster parent's and relative caregiver's privilege to be provided with information to meet the child's immediate needs not later than twenty-four hours after the time the child is placed or, if such



Agency Legislative Proposal – 2025 Session

Document Name: DCF – Foster Parent Bill of Rights

information about the child is not available at the time of placement, not later than thirty days after the date of placement;

(7) The foster parent's and relative caregiver's privilege to have access to records pertaining to the domestic, social, educational, medical and mental health needs of a child placed or being considered for placement with such foster parent or relative caregiver, provided no information identifying the child's birth parents shall be disclosed without such birth parents' permission;

(8) The foster parent's and relative caregiver's privilege to be provided information concerning the department's policies regarding the role and responsibilities of a foster parent or relative caregiver;

(9) The foster parent's and relative caregiver's privilege to be provided appropriate training and support to enhance the parent's or caregiver's relevant skills in order to meet any post-licensing training requirements;

(10) The foster parent's and relative caregiver's privilege to express concerns about a child's treatment plan, advocate for services on behalf of a child, refuse to accept a child for placement, request removal of a child for good cause or communicate with a child's former foster parent, prospective adoptive parent, relative caregiver or birth parent without risk of retaliation by the department;

(11) The foster parent's and relative caregiver's privilege to seek assistance regarding the problem resolution process through the department's chain of command as described in the department's Foster Parent and Adoptive Parent Handbook; and

(12) The foster parent's and relative caregiver's privilege to be provided with a copy of the notification of support upon a child's placement with the foster parent or relative caregiver and at any time thereafter upon request of the foster parent or relative caregiver pursuant to subsection (a) of this section.]



Agency Legislative Proposal – 2025 Session

Document Name: DCF – Title IV-E claims for services post majority youth reentering care

Document Name	DCF – Title IV-E claims for services post majority youth reentering care
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Legislative Liaison	Vincent Russo, Chief of Government Relations and Policy Michael Carone, Legislative Program Director
Division Requesting This Proposal	Commissioner's Office
Drafter	Vincent Russo, Chief of Government Relations and Policy

Title of Proposal	An Act Concerning Post Majority Youths Reentering DCF Care
Statutory Reference, if any	46b-129 (j)
Brief Summary and Statement of Purpose	Establish a statutory process to allow young adults between the ages of 18 and 21 who were committed to DCF as children and then aged out or care reenter care prior to their 21 st birthday and allow the state to claim Title IV-E reimbursement.
How does this proposal relate to the agency's mission?	DCF is committed to children who enter care launch into adulthood with the tools they need to be successful. In some case, due to the trauma inflicted upon them as children, their ability to do that is delayed. Policy permits these young adults to voluntarily stay under the care of DCF to support them as they transition into independent living.



Agency Legislative Proposal – 2025 Session

Document Name: DCF – Title IV-E claims for services post majority youth reentering care

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 adds a subdivision to 46b-129 (j) (5) that establishes a process described above. It includes a requirement that DCF petition juvenile court to make a determination if entry into care is in the young adult’s best interest and all other requirements are being met, similar to our voluntary SPM program for kids who never leave care. The court’s decree permits the state to seek Title IV-E reimbursement under federal law and guidelines.

BACKGROUND

Origin of Proposal

New Proposal

Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	No. This is codifying existing practice under our policies. There is an opportunity to bring federal dollars back to the state that hadn’t been discussed previously.
Has this proposal or a similar proposal been implemented in	Nearly all states have the ability to have children remain in care of the child welfare agency up to 21 years old in some form or another. Other state’s that have a court process are receiving federal reimbursement for the care of such young adults.



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Document Name: DCF – Title IV-E claims for services post majority youth reentering care

other states? If yes, to what result?	
Have certain constituencies called for this proposal?	No. It was discussed internally as a way to maximize federal money.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

1. Agency Name	Superior Court for Juvenile Matters
Agency Contact (name, title)	Lee Ross, Deputy Director
Date Contacted	9/19/2024, 9/30/2024
Status	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	Want to ensure the Chief Court Administrator and Administrative Judge for Juvenile Matters are in agreement with pursuing the bill.



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Document Name: DCF – Title IV-E claims for services post majority youth reentering care

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[] Check here if this proposal does NOT have a fiscal impact

State	Minimal state cost. DCF averages approximately 20 - 25 of these cases a year and shouldn't be overly burdensome on the juvenile court system. Existing law and the bill language allows for judges to make these determinations without a hearing.
Municipal (Include any municipal mandate that can be found within legislation)	N/A
Federal	CT would see an increase in federal reimbursements under Title IV-E
Additional notes	<p>Revenue Enhancement based its analysis on 37 youth who last SFY were given IV-E eligibility, which represent youth who re-entered care without judicial determination and an agreement to re-enter care.</p> <p>The amount that would be reimbursable if the child was in an eligible IV-E Code is:</p> <p>Gross (total cost) \$1,796,046</p> <p>FFP (federal share of costs) \$898,023</p>



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Document Name: DCF – Title IV-E claims for services post majority youth reentering care

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[] Check here if this proposal does NOT lead to any measurable outcomes

DCF hopes to see a modest increase in federal dollars that will be returned to the General Fund. DCF's Revenue Enhancement Division under the Department's Fiscal Administration Office will track how much.

ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Section 1. Subsection (j) of section 46b-129 of the general statutes is repealed and the following substituted in lieu thereof (Effective July 1, 2025):

(1) For the purposes of this subsection and subsection (k) of this section, (A) "permanent legal guardianship" means a permanent guardianship, as defined in section 45a-604, and (B) "caregiver" means (i) a fictive kin caregiver, as defined in section 17a-114, who is caring for a child, (ii) a relative caregiver, as defined in section 17a-126, who is caring for a child, or (iii) a person who is licensed or approved to provide foster care pursuant to section 17a-114, who is caring for a child.

(2) Upon finding and adjudging that any child or youth is uncared for, neglected or abused the court may (A) commit such child or youth to the Commissioner of Children and Families, and such commitment shall remain in effect until further order of the court, except that such commitment may be revoked or parental rights terminated at any time by the court; (B) vest



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such child's or youth's legal guardianship in any private or public agency that is permitted by law to care for neglected, uncared for or abused children or youths or with any other person or persons found to be suitable and worthy of such responsibility by the court, including, but not limited to, any relative of such child or youth by blood or marriage; (C) vest such child's or youth's permanent legal guardianship in any person or persons found to be suitable and worthy of such responsibility by the court, including, but not limited to, any relative of such child or youth by blood or marriage in accordance with the requirements set forth in subdivision (5) of this subsection; or (D) place the child or youth in the custody of the parent or guardian with protective supervision by the Commissioner of Children and Families subject to conditions established by the court.

(3) If the court determines that the commitment should be revoked and the child's or youth's legal guardianship or permanent legal guardianship should vest in someone other than the respondent parent, parents or former guardian, or if parental rights are terminated at any time, there shall be a rebuttable presumption that an award of legal guardianship or permanent legal guardianship upon revocation to, or adoption upon termination of parental rights by, any caregiver or person or who is, pursuant to an order of the court, the temporary custodian of the child or youth at the time of the revocation or termination, shall be in the best interests of the child or youth and that such caregiver is a suitable and worthy person to assume legal guardianship or permanent legal guardianship upon revocation or to adopt such child or youth upon termination of parental rights. The presumption may be rebutted by a preponderance of the evidence that an award of legal guardianship or permanent legal guardianship to, or an adoption by, such caregiver would not be in the child's or youth's best interests and such caregiver is not a suitable and worthy person. The court shall order specific steps that the parent must take to facilitate the return of the child or youth to the custody of such parent.

(4) The commissioner shall be the guardian of such child or youth for the duration of the commitment, provided the child or youth has not reached the age of eighteen years, or until another guardian has been legally appointed, and in like manner, upon such vesting of the care of such child or youth, such other public or private agency or individual shall be the guardian of such child or youth until such child or youth has reached the age of eighteen years or, in the case of a child or youth in full-time attendance in a secondary school, a technical education and career school, a college or a state-accredited job training program, until such child or youth has reached the age of twenty-one years or until another guardian has been legally appointed. The commissioner may place any child or youth so committed to the commissioner in a suitable



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foster home or in the home of a fictive kin caregiver, relative caregiver, or in a licensed child-caring institution or in the care and custody of any accredited, licensed or approved child-caring agency, within or without the state, provided a child shall not be placed outside the state except for good cause and unless the parents or guardian of such child are notified in advance of such placement and given an opportunity to be heard, or in a receiving home maintained and operated by the commissioner. When placing such child or youth, the commissioner shall provide written notification of the placement, including the name, address and other relevant contact information relating to the placement, to any attorney or guardian ad litem appointed to represent the child or youth pursuant to subsection (c) of this section. The commissioner shall provide written notification to such attorney or guardian ad litem of any change in placement of such child or youth, including a hospitalization or respite placement, and if the child or youth absconds from care. The commissioner shall provide such written notification not later than ten business days prior to the date of change of placement in a nonemergency situation, or not later than two business days following the date of a change of placement in an emergency situation. In placing such child or youth, the commissioner shall, if possible, select a home, agency, institution or person of like religious faith to that of a parent of such child or youth, if such faith is known or may be ascertained by reasonable inquiry, provided such home conforms to the standards of the commissioner and the commissioner shall, when placing siblings, if possible, place such children together. At least ten days prior to transferring a child or youth to a second or subsequent placement, the commissioner shall give written notice to such child or youth and such child or youth's attorney of said commissioner's intention to make such transfer, unless an emergency or risk to such child or youth's well-being necessitates the immediate transfer of such child and renders such notice impossible. Upon the issuance of an order committing the child or youth to the commissioner, or not later than sixty days after the issuance of such order, the court shall determine whether the department made reasonable efforts to keep the child or youth with his or her parents or guardian prior to the issuance of such order and, if such efforts were not made, whether such reasonable efforts were not possible, taking into consideration the child's or youth's best interests, including the child's or youth's health and safety.

(5) (A) A youth who is committed to the commissioner pursuant to this subsection and has reached eighteen years of age may remain in the care of the commissioner, by consent of the youth and provided the youth has not reached the age of twenty-one years of age, if the youth is [(A)] (i) enrolled in a full-time approved secondary education program or an approved program leading to an equivalent credential; [(B)] (ii) enrolled full time in an institution which



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provides postsecondary or vocational education; or [(C)] (iii) participating full time in a program or activity approved by said commissioner that is designed to promote or remove barriers to employment. The commissioner, in his or her discretion, may waive the provision of full-time enrollment or participation based on compelling circumstances. Not more than one hundred twenty days after the youth's eighteenth birthday, the department shall file a motion in the superior court for juvenile matters that had jurisdiction over the youth's case prior to the youth's eighteenth birthday for a determination as to whether continuation in care is in the youth's best interest and, if so, whether there is an appropriate permanency plan. The court, in its discretion, may hold a hearing on said motion.

(B) A youth who exited commitment from the commissioner when the youth reached eighteen years of age may request to reenter the care of the commissioner on a voluntary basis if the youth has not reached the age of twenty one years of age. Upon a request by a youth to reenter care, a determination that the youth is eligible to reenter care in accordance with subdivision (A) of this subsection, and the completion of a voluntary reentry agreement, the department may provide extended foster care services to the youth. Not more than one hundred twenty days after the youth signs the voluntary reentry agreement, the commissioner shall file a motion in the superior court for juvenile matters that had jurisdiction over the youth's case prior to the youth's eighteenth birthday for a determination as to whether reentry into care is in the youth's best interest and, if so, whether there is an appropriate permanency plan. The court, in its discretion, may hold a hearing on said motion. For the purposes of this section, a 'voluntary reentry agreement' is a written agreement between a youth who has reached age eighteen but has not reached age twenty and the commissioner in which the parties agree that the youth will return to care on a voluntary basis.

(6) Prior to issuing an order for permanent legal guardianship, the court shall provide notice to each parent that the parent may not file a motion to terminate the permanent legal guardianship, or the court shall indicate on the record why such notice could not be provided, and the court shall find by clear and convincing evidence that the permanent legal guardianship is in the best interests of the child or youth and that the following have been proven by clear and convincing evidence:

(A) One of the statutory grounds for termination of parental rights exists, as set forth in subsection (j) of section 17a-112, or the parents have voluntarily consented to the establishment of the permanent legal guardianship;



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Document Name: DCF – Title IV-E claims for services post majority youth reentering care

(B) Adoption of the child or youth is not possible or appropriate;

(C) (i) If the child or youth is at least twelve years of age, such child or youth consents to the proposed permanent legal guardianship, or (ii) if the child is under twelve years of age, the proposed permanent legal guardian is: (I) A relative, (II) a caregiver, or (III) already serving as the permanent legal guardian of at least one of the child's siblings, if any;

(D) The child or youth has resided with the proposed permanent legal guardian for at least a year; and

(E) The proposed permanent legal guardian is (i) a suitable and worthy person, and (ii) committed to remaining the permanent legal guardian and assuming the right and responsibilities for the child or youth until the child or youth attains the age of majority.

(7) An order of permanent legal guardianship may be reopened and modified and the permanent legal guardian removed upon the filing of a motion with the court, provided it is proven by a fair preponderance of the evidence that the permanent legal guardian is no longer suitable and worthy. A parent may not file a motion to terminate a permanent legal guardianship. If, after a hearing, the court terminates a permanent legal guardianship, the court, in appointing a successor legal guardian or permanent legal guardian for the child or youth shall do so in accordance with this subsection.



Agency Legislative Proposal – 2025 Session

Document Name: DCF – DDS and OPM Record Disclosures

Document Name	DCF – DDS and OPM Record Disclosures
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Legislative Liaison	Vincent Russo, Chief of Government Relations and Policy Michael Carone, Legislative Program Director
Division Requesting This Proposal	Commissioners Office
Drafter	Vincent Russo

Title of Proposal	An Act Concerning the Disclosure of Records from the Department of Children and Families
Statutory Reference, if any	17a-28
Brief Summary and Statement of Purpose	This legislation would allow the department to share information with the Department of Developmental Disabilities for the purposes of cooperating with an investigation pursuant to section 46a-11c and the Office of Policy and Management for labor relations purposes.
How does this proposal relate to the agency's mission?	This proposal promotes safety, wellbeing and the workforce by allowing DDS and OPM access to more information for DDS in its investigations and OPM in conducting labor relations investigations. All with the goals of keeping the public they serve and their employees safe along with preserving the wellbeing of all involved.



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Document Name: DCF – DDS and OPM Record Disclosures

SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 amends 17a-28(g)(13) to include the purposes of cooperating with an investigation pursuant to section 46a-11c. It also adds a new subsection to include OPM conducting labor relations investigations on behalf of the Department of Children and Families.

BACKGROUND

Origin of Proposal

New Proposal

Resubmission

[Empty rectangular box for background information]

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	No.
Has this proposal or a similar proposal been implemented in other states? If	N/A



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Document Name: DCF – DDS and OPM Record Disclosures

yes, to what result?	
Have certain constituencies called for this proposal?	DDS, DCF and OPM employees.

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

Check here if this proposal does NOT impact other agencies

1. Agency Name	Department of Developmental Services
Agency Contact (name, title)	Jill Kennedy, Legislative and Regulations Specialist
Date Contacted	9/26/2024
Status	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	

2. Agency Name	Office of Policy and Management
Agency Contact (name, title)	Zani Imetovski
Date Contacted	10/1/2024
Status	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	



FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[X] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?



INSERT FULLY DRAFTED BILL HERE

Sec. 17a-28. (Formerly Sec. 17-431). Definitions. Confidentiality and access to records; exceptions. Procedure for aggrieved persons. (a) As used in this section:

(1) "Person" means (A) any individual named in a record, maintained by the department, who (i) is presently or at any prior time was a ward of or committed to the commissioner for any reason; (ii) otherwise received services, voluntarily or involuntarily, from the department; or (iii) is presently or was at any prior time the subject of an investigation by the department; (B) a parent whose parental rights have not been terminated or current guardian of an individual described in subparagraph (A) of this subdivision, if such individual is a minor; or (C) the authorized representative of an individual described in subparagraph (A) of this subdivision, if such individual is deceased;

(2) "Attorney" means the licensed attorney authorized to assert the confidentiality of or right of access to records of a person;

(3) "Authorized representative" means a parent, guardian, guardian ad litem, attorney, conservator or other individual authorized to assert the confidentiality of or right of access to records of a person;

(4) "Consent" means permission given in writing by a person, such person's attorney or authorized representative to disclose specified information, within a limited time period, regarding the person to specifically identified individuals or entities;

(5) "Records" means information created or obtained in connection with the department's child protection activities or other activities related to a child while in the care or custody of the department, including information in the registry of reports to be maintained by the commissioner pursuant to section 17a-101k;

(6) "Disclose" means (A) to provide an oral summary of records maintained by the department to an individual, agency, corporation or organization, or (B) to allow an individual, agency, corporation or organization to review or obtain copies of such records in whole, part or summary form;



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Document Name: DCF – DDS and OPM Record Disclosures

(7) "Near fatality" means an act that places a child in serious or critical condition.

(b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213, records maintained by the department shall be confidential and shall not be disclosed, unless the department receives written consent from the person or as provided in this section, section 17a-101g or section 17a-101k. Any unauthorized disclosure shall be punishable by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both. Any employee of the department who in the ordinary course of such person's employment has reasonable cause to suspect or believe that another employee has engaged in the unauthorized disclosure of records shall report in writing such unauthorized disclosure of records to the commissioner. The report shall include the name of the person disclosing the information and the nature of the information disclosed and to whom it was disclosed, if known.

(c) Records that (1) contain privileged communications, or (2) are confidential pursuant to any federal law or regulation shall not be disclosed except as authorized by law.

(d) Any information disclosed from a person's record shall not be further disclosed to another individual or entity without the written consent of the person, except (1) pursuant to section 19a-80 or 19a-80f, provided such disclosure is otherwise permitted pursuant to subsections (b) and (c) of this section, (2) pursuant to the order of a court of competent jurisdiction, or (3) as otherwise provided by law.

(e) The commissioner shall, upon written request, disclose the following information concerning agencies licensed by the Department of Children and Families, except foster care parents, relatives of the child who are licensed to provide foster care or prospective adoptive families: (1) The name of the licensee; (2) the date the original license was issued; (3) the current status of the license; (4) whether an agency investigation or review is pending or has been completed; and (5) any licensing action taken by the department at any time during the period such license was issued and the reason for such action, provided disclosure of such information will not jeopardize a pending investigation.

(f) The name of any individual who reports suspected abuse or neglect of a child or youth or cooperates with an investigation of child abuse or neglect shall be kept confidential upon request or upon determination by the department that disclosure of such information may be detrimental to the safety or interests of the individual, except the name of any such individual shall be disclosed pursuant to subparagraph (B) of subdivision (1) of subsection (g) of this section to (1) an employee of the department for reasons reasonably related to the business of



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Document Name: DCF – DDS and OPM Record Disclosures

the department; (2) a law enforcement officer for purposes of investigating (A) abuse or neglect of a child or youth, or (B) an allegation that such individual falsely reported the suspected abuse or neglect of a child or youth; (3) a state's attorney for purposes of investigating or prosecuting (A) abuse or neglect of a child or youth, or (B) an allegation that such individual falsely reported the suspected abuse or neglect of a child or youth; (4) an assistant attorney general or other legal counsel representing the department; (5) a judge of the Superior Court and all necessary parties in a court proceeding pursuant to section 17a-112 or 46b-129, or a criminal prosecution involving child abuse or neglect; (6) a state child care licensing agency; or (7) the executive director of any institution, school or facility or superintendent of schools pursuant to section 17a-101i.

(g) The department shall disclose records, subject to subsections (b) and (c) of this section, without the consent of the person who is the subject of the record, to:

(1) The person named in the record or such person's authorized representative, provided such disclosure shall be limited to information (A) contained in the record about such person or about such person's biological or adoptive minor child, if such person's parental rights to such child have not been terminated; and (B) identifying an individual who reported abuse or neglect of the person, including any tape recording of an oral report pursuant to section 17a-103, if a court determines that there is reasonable cause to believe the reporter knowingly made a false report or that the interests of justice require disclosure;

(2) An employee of the department for any purpose reasonably related to the performance of such employee's duties;

(3) A guardian ad litem or attorney appointed to represent a child or youth in litigation affecting the best interests of the child or youth;

(4) An attorney representing a parent, guardian or child in a petition filed in the Superior Court pursuant to section 17a-112 or 46b-129, provided (A) if such records do not pertain to such attorney's client or such client's child, such records shall not be further disclosed to another individual or entity by such attorney except pursuant to the order of a court of competent jurisdiction, (B) if such records are confidential pursuant to federal law, such records shall not be disclosed to such attorney or such attorney's client unless such attorney or such attorney's client is otherwise entitled to such records, and (C) nothing in this subdivision shall limit the disclosure of records under subdivision (3) of this subsection;

(5) The Attorney General, any assistant attorney general or any other legal counsel retained



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Document Name: DCF – DDS and OPM Record Disclosures

to represent the department during the course of a legal proceeding involving the department or an employee of the department;

(6) The Child Advocate or the Child Advocate's designee;

(7) The Chief Public Defender or the Chief Public Defender's designee for purposes of ensuring competent representation by the attorneys with whom the Chief Public Defender contracts to provide legal and guardian ad litem services to the subjects of such records and for ensuring accurate payments for services rendered by such attorneys;

(8) The Chief State's Attorney or the Chief State's Attorney's designee for purposes of investigating or prosecuting (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a, provided such prosecuting authority shall have access to records of a child charged with the commission of a delinquent act, who is not being charged with an offense related to child abuse, only while the case is being prosecuted and after obtaining a release, or (D) an allegation of fraud in the receipt of public or private benefits, provided no information identifying the subject of the record is disclosed unless such information is essential to such investigation or prosecution;

(9) A state or federal law enforcement officer, including a military law enforcement authority under the United States Department of Defense, for purposes of investigating (A) an allegation related to child abuse or neglect, (B) an allegation that an individual made a false report of suspected child abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected child abuse or neglect in accordance with section 17a-101a;

(10) A foster or prospective adoptive parent, if the records pertain to a child or youth currently placed with the foster or prospective adoptive parent, or a child or youth being considered for placement with the foster or prospective adoptive parent, and the records are necessary to address the social, medical, psychological or educational needs of the child or youth, provided no information identifying a biological parent is disclosed without the permission of such biological parent;

(11) The Governor, when requested in writing in the course of the Governor's official functions, the joint standing committee of the General Assembly having cognizance of matters relating to human services, the joint standing committee of the General Assembly having



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Document Name: DCF – DDS and OPM Record Disclosures

cognizance of matters relating to the judiciary or the joint standing committee of the General Assembly having cognizance of matters relating to children, when requested in writing by any of such committees in the course of such committee's official functions, and upon a majority vote of such committee, provided no name or other identifying information is disclosed unless such information is essential to the gubernatorial or legislative purpose;

(12) The Office of Early Childhood for the purpose of (A) determining the suitability of a person to care for children in a facility licensed pursuant to section 19a-77, 19a-80, 19a-87b or 19a-421; (B) determining the suitability of such person for licensure; (C) determining the suitability of a person to provide child care services to a child and receive a child care subsidy pursuant to section 17b-749k; (D) an investigation conducted pursuant to section 19a-80f; (E) notifying the office when the Department of Children and Families places an individual licensed or certified by the office on the child abuse and neglect registry pursuant to section 17a-101k; or (F) notifying the office when the Department of Children and Families possesses information regarding an office regulatory violation committed by an individual licensed or certified by the office;

(13) (A) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child who is a client of said department and who is applying to enroll in or is enrolled in said department's **[behavioral]** children's services program. At the time that a parent or guardian completes an application for enrollment of a child in the Department of Developmental Services' **[behavioral]** children's services program, or at the time that said department updates a child's annual individualized plan of care, said department shall notify such parent or guardian that the Department of Children and Families may provide records to the Department of Developmental Services for the purposes specified in this subdivision without the consent of such parent or guardian, or (B) for the purposes of cooperating with an investigation pursuant to section 46a-11c ;

(14) Any individual or entity for the purposes of identifying resources that will promote the permanency plan of a child or youth approved by the court pursuant to sections 17a-11, 17a-111b and 46b-129;

(15) A state agency that licenses or certifies a person to educate, care for or provide services to children or youths;

(16) A judge or employee of a Probate Court who requires access to such records in order to perform such judge's or employee's official duties;



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(17) A judge of the Superior Court for purposes of determining the appropriate disposition of a child adjudicated as delinquent;

(18) A judge of the Superior Court in a criminal prosecution for purposes of in camera inspection whenever (A) the court has ordered that the record be provided to the court; or (B) a party to the proceeding has issued a subpoena for the record;

(19) A judge of the Superior Court and all necessary parties in a family violence proceeding when such records concern family violence with respect to the child who is the subject of the proceeding or the parent of such child who is the subject of the proceeding;

(20) The Auditors of Public Accounts, or their representative, provided no information identifying the subject of the record is disclosed unless such information is essential to an audit conducted pursuant to section 2-90;

(21) A local or regional board of education, provided the records are limited to educational records created or obtained by the state or Connecticut Unified School District #2, established pursuant to section 17a-37;

(22) The superintendent of schools for any school district for the purpose of determining the suitability of a person to be employed by the local or regional board of education for such school district pursuant to subsection (a) of section 10-221d;

(23) The Department of Motor Vehicles for the purpose of criminal history records checks pursuant to subsection (e) of section 14-44, provided information disclosed pursuant to this subdivision shall be limited to information included on the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k, subject to the provisions of sections 17a-101g and 17a-101k concerning the nondisclosure of findings of responsibility for abuse and neglect;

(24) The Department of Mental Health and Addiction Services for the purpose of treatment planning for young adults who have transitioned from the care of the Department of Children and Families;

(25) The superintendent of a public school district or the executive director or other head of a public or private institution for children providing care for children or a private school (A) pursuant to sections 17a-11, 17a-101b, 17a-101c, 17a-101i, 17a-111b and 46b-129, or (B) when the Department of Children and Families places an individual employed by such institution or



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school on the child abuse and neglect registry pursuant to section 17a-101k;

(26) The Department of Social Services for the purpose of (A) determining the suitability of a person for payment from the Department of Social Services for providing child care; (B) promoting the health, safety and welfare of a child or youth receiving services from either department; or (C) investigating allegations of fraud provided no information identifying the subject of the record is disclosed unless such information is essential to any such investigation;

(27) The Court Support Services Division of the Judicial Branch, to allow the division to determine the supervision and treatment needs of a child or youth, and provide appropriate supervision and treatment services to such child or youth, provided such disclosure shall be limited to information that identifies the child or youth, or a member of such child's or youth's immediate family, as being or having been (A) committed to the custody of the Commissioner of Children and Families as delinquent, (B) under the supervision of the Commissioner of Children and Families, or (C) enrolled in the voluntary services program operated by the Department of Children and Families;

(28) The Court Support Services Division of the Judicial Branch for the purpose of sharing common case records to track recidivism of juvenile offenders;

(29) The birth-to-three program's referral intake office for the purpose of (A) determining eligibility of, (B) facilitating enrollment for, and (C) providing services to (i) substantiated victims of child abuse and neglect with suspected developmental delays, and (ii) newborns impacted by withdrawal symptoms resulting from prenatal drug exposure;

(30) The Department of Public Health for the purpose of notification when the Commissioner of Children and Families places an individual licensed or certified by the Department of Public Health on the child abuse and neglect registry established pursuant to section 17a-101k;

(31) The Department of Correction, for the purpose of determining the supervision and treatment needs of a child or youth, and providing appropriate supervision and treatment services to such child or youth;

(32) Any child placing agency subject to licensure by the Department of Children and Families, for the purpose of determining the suitability of a person (A) for employment by such agency, or (B) to adopt or provide foster care pursuant to sections 17a-114 and 17a-151; **[and]**

(33) The Department of Administrative Services, for the purpose of determining whether an



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applicant for employment with the state, who would have contact with children in the course of such employment, appears on the child abuse or neglect registry maintained pursuant to section 17a-101k; [and](#)

[\(34\) The Office of Policy and Management for purposes of conducting labor relations investigations on behalf of the Department of Children and Families.](#)

(h) The department may, subject to subsections (b) and (c) of this section, disclose records without the consent of the person who is the subject of the record, to:

(1) An employee or former employee of the department or such employee or former employee's authorized representative for purposes of participating in any court, administrative or disciplinary proceeding, provided such disclosure shall be limited to records that are necessary to the proceeding, as determined by the department;

(2) Multidisciplinary teams, as described in section 17a-106a;

(3) A provider of professional services for a child, youth or parent referred to such provider, provided such disclosure is limited to information necessary to provide services to the child, youth or parent;

(4) An individual or agency under contract with the department for the purposes of identifying and assessing a potential foster or adoptive home or visiting resource for a child or youth, provided no information identifying a biological parent of a child or youth is disclosed without the permission of such biological parent;

(5) A physician examining a child with respect to whom abuse or neglect is suspected and who is authorized pursuant to section 17a-101f to keep the child in the custody of a hospital when such physician requires the information in a record of the department to determine whether to keep the child in protective custody;

(6) An individual who reports child abuse or neglect pursuant to sections 17a-101a to 17a-101c, inclusive, or section 17a-103, who made a report of abuse or neglect, provided the information disclosed is limited to (A) the status of the investigation conducted pursuant to section 17a-101g resulting from the individual's report; and (B) in general terms, the action taken by the department as a result of such investigation;

(7) An individual or organization engaged in the business of medical, psychological or



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psychiatric diagnosis and treatment and who is treating a person, provided the commissioner, or the commissioner's designee, determines that the disclosure is necessary to accomplish the objectives of diagnosis or treatment;

(8) A court or public agency in another state or a federally recognized Indian tribe, that is responsible for investigating child abuse or neglect, preventing child abuse and neglect or providing services to families at risk for child abuse or neglect, for the purpose of such investigation, prevention or providing services to such families;

(9) An individual conducting bona fide research, provided no information identifying the subject of the record is disclosed unless (A) such information is essential to the purpose of the research; and (B) the department has given written approval for the use of such information;

(10) An individual or agency involved in the collection of fees for services, provided such information is limited to the name and address of the person who received the services and the fees for services, except as provided in section 17b-225. In cases where a dispute arises over such fees or claims or where additional information is needed to substantiate the fee or claim, the Department of Children and Families may disclose the following: (A) That the person was, in fact, provided services by the department; (B) the dates and duration of such services; and (C) a general description of the types of services, including evidence that a service or treatment plan exists and has been carried out and evidence to substantiate the necessity for admission and length of stay in an institution or facility;

(11) A law enforcement officer or state's attorney if there is reasonable cause to believe that (A) a child or youth is being abused or neglected or at risk of being abused or neglected as a result of any suspected criminal activity by any individual, or (B) an employee of the department is being threatened or harassed or has been assaulted by a client or coworker;

(12) Any individual interviewed as part of an investigation conducted pursuant to section 17a-101g, who is not otherwise entitled to such information, provided such disclosure is limited to: (A) The general nature of the allegations contained in the reports; (B) the identity of the child or youth alleged to have been abused or neglected; and (C) information necessary to effectively conduct the investigation;

(13) Any individual, when information concerning an incident of child abuse or neglect has been made public or the commissioner reasonably believes publication of such information is likely, provided such disclosure is limited to: (A) Whether the department has received any



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report in accordance with sections 17a-101a to 17a-101c, inclusive, or section 17a-103; (B) in general terms, any action taken by the department, provided: (i) Names or other individually identifiable information of the child or other family members is not disclosed, regardless of whether such individually identifiable information is otherwise available, and (ii) the name or other individually identifiable information of the person suspected to be responsible for the abuse or neglect is not disclosed unless such person has been arrested for a crime due to such abuse or neglect; (C) confirmation or denial of the accuracy of information that has been made public; and (D) notwithstanding the provisions of section 46b-124, in general terms, the legal status of the case;

(14) Any individual for the purpose of locating such individual's missing parent, child, sibling, aunt, uncle, first cousin or grandparent, provided such disclosure is limited to information that assists in locating such missing parent, child, sibling, aunt, uncle, first cousin or grandparent;

(15) Any individual, when the information concerns an incident of abuse or neglect that resulted in a child or youth fatality or near fatality of a child or youth, provided disclosure of such information is in general terms and does not jeopardize a pending investigation;

(16) A judge of a court of competent jurisdiction whenever an employee of the department is subpoenaed and ordered to testify about such records for purposes of in camera inspection to determine if such records may be disclosed pursuant to this section if (A) the court has ordered that such records be provided to the court; or (B) a party to the proceeding has issued a subpoena for such records;

(17) An individual who is not employed by the department who arranges, performs or assists in performing functions or activities on behalf of the department, including, but not limited to, data analysis, processing or administration, utilization reviews, quality assurance, practice management, consultation, data aggregation and accreditation services.

(i) Notwithstanding the provisions of subsections (e) to (h), inclusive, of this section, the department may refuse to disclose records to any individual, provided the department gives such individual notice (1) that records are being withheld; (2) of the general nature of the records being withheld; (3) of the department's reason for refusing to disclose the records; and (4) of the individual's right to judicial relief pursuant to subsection (j) of this section.



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(j) (1) Any person or individual aggrieved by a violation of subsection (b) or (d), subsections (f) to (h), inclusive, or subsection (k) of this section, or a person's authorized representative, may seek judicial relief in the manner prescribed in section 52-146j.

(2) Any person, individual or authorized representative denied access to records by the commissioner under subdivision (i) of this section may petition the superior court for the venue district provided in section 46b-142 in which the person resides for an order requiring the commissioner to permit access to those records, and the court, after a hearing and an in camera review of the records in question, shall issue such an order unless it determines that permitting disclosure of all or any portion of the record (A) would be contrary to the best interests of the person or the person's authorized representative; (B) could reasonably result in the risk of harm to any individual; or (C) would contravene the public policy of the state.

(k) All written records disclosed to an individual who is not the subject of the record, an agency, an entity or an organization shall bear a stamp requiring confidentiality in accordance with the provisions of this section. Such records shall not be disclosed to another individual, agency, entity or an organization without the written consent of the person who is the subject of the record or as provided by this section. A copy of the consent form, specifying to whom and for what specific use the record is disclosed or a statement setting forth any other statutory authorization for disclosure and the limitations imposed on such disclosure, shall accompany the record. In cases where the disclosure is made orally, the individual disclosing the information shall inform the recipient that such information is governed by the provisions of this section.

(l) Whenever any person, attorney or authorized representative, having obtained access to any record, believes there are factually inaccurate entries or materials contained in such record, such person, attorney or authorized representative may add a statement to the record setting forth what such person, attorney or authorized representative believes to be an accurate statement of those facts and such statement shall become a permanent part of the record.

(m) The Department of Children and Families may charge a reasonable fee for any record disclosed pursuant to this section that exceeds one hundred pages in length. Such fee shall be waived if the individual requesting such record is indigent.



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Document Name	DCF – Child Care Facility Licensing
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Legislative Liaison	Vincent Russo, Chief of Government Relations and Policy Michael Carone, Legislative Program Director
Division Requesting This Proposal	Transitional Supports and Success, Licensing Unit
Drafter	Vincent Russo

Title of Proposal	An Act Concerning Changes to Child Care Facility Licensing
Statutory Reference, if any	17a-93
Brief Summary and Statement of Purpose	This legislation amends the definition statute for child caring facilities licensed by DCF to comply with recent legislation requiring young adults that receive special education services to remain eligible for publicly funded education until they graduate high school or the end of the school year during which they reach age twenty-two.
How does this proposal relate to the agency's mission?	This proposal promotes permanency and wellbeing by maintaining young adults in their respective settings to complete their high school education.



SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 amends the definition of "Child care facility" in 17a-93(8) to include any person who requires special education until the end of the school year, during which such person reaches age twenty-two, in accordance with section 10-253.

BACKGROUND

Origin of Proposal New Proposal Resubmission

Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	Yes. The language that is adopted in the DCF licensing statute originated in PA 23-137. That act amended 10-253.
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	N/A.



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Have certain constituencies called for this proposal?	Residents who receive special education services between the ages of 18 and 22 in congregate residential settings licensed by DCF and the providers.
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INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[X] Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	<input type="checkbox"/> Approved <input type="checkbox"/> Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[X] Check here if this proposal does NOT have a fiscal impact

State	
Municipal (Include any municipal mandate that can be	



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found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[] Check here if this proposal does NOT lead to any measurable outcomes

ANYTHING ELSE WE SHOULD KNOW?

Current law permits DCF to license facilities that treat or house children and young adults up to age 21. There are CF licensed facilities that serve young adults with IDD/ASD who are granted the right to be educated until the year they turn 22 years old. DCF licensing has had to waive this requirement so young adults can in their programs. This proposal will eliminate the waiver process for those situations.



INSERT FULLY DRAFTED BILL HERE

Section 1. Section 17a-93 of the general statutes is repealed and the following substituted in lieu thereof (Effective October 1, 2025):

(1) "Child" means any person under eighteen years of age, except as otherwise specified, or any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or a state-accredited job training program;

(2) "Parent" means natural or adoptive parent;

(3) "Adoption" means the establishment by court order of the legal relationship of parent and child;

(4) "Guardianship" means guardianship, unless otherwise specified, of the person of a minor and refers to the obligation of care and control, the right to custody and the duty and authority to make major decisions affecting such minor's welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment;

(5) "Termination of parental rights" means the complete severance by court order of the legal relationship, with all its rights and responsibilities, between the child and the child's parent or parents so that the child is free for adoption except it shall not affect the right of inheritance of such child or the religious affiliation of such child;

(6) "Statutory parent" means the Commissioner of Children and Families or that child-placing agency appointed by the court for the purpose of giving a minor child or minor children in adoption;

(7) "Child-placing agency" means any agency within or without the state of Connecticut licensed or approved by the Commissioner of Children and Families in accordance with sections 17a-149 and 17a-151, and in accordance with such standards which shall be established by regulations of the Department of Children and Families;



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(8) "Child care facility" means a congregate residential setting licensed by the Department of Children and Families for the out-of-home placement of (A) children or youths under eighteen years of age, or (B) any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or state accredited job training program or is currently homeless or at risk of homelessness, as defined in section 17a-484a, or (C) any person, who requires special education, until the end of the school year during which such person reaches age twenty-two, in accordance with section 10-253.

(9) "Protective supervision" means a status created by court order following adjudication of neglect whereby a child's place of abode is not changed but assistance directed at correcting the neglect is provided at the request of the court through the Department of Children and Families or such other social agency as the court may specify;

(10) "Receiving home" means a facility operated by the Department of Children and Families to receive and temporarily care for children in the guardianship or care of the commissioner;

(11) "Protective services" means public welfare services provided after complaints of abuse, neglect or abandonment, but in the absence of an adjudication or assumption of jurisdiction by a court;

(12) "Person responsible for the health, welfare or care of a child or youth" means a child's or a youth's parent, guardian or foster parent; an employee of a public or private residential home, agency or institution or other person legally responsible in a residential setting; or any staff person providing out-of-home care, such as the provision of child care services, as described in section 19a-77, in a child care center, group child care home or family child care home;

(13) "Foster family" means a person or persons, licensed by the Department of Children and Families or approved by a licensed child-placing agency, for the care of a child or children in a private home;

(14) "Prospective adoptive family" means a person or persons, licensed by the Department of Children and Families or approved by a licensed child-placing agency, who is awaiting the placement of, or who has a child or children placed in their home for the purposes of adoption;

(15) "Person entrusted with the care of a child or youth" means a person given access to a child or youth by a person responsible for the health, welfare or care of a child or youth for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training,



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instruction, tutoring or mentoring of such child or youth;

(16) "Qualified residential treatment program" has the same meaning as provided in the Social Security Act, 42 USC 672(k)(4), as amended from time to time; and

(17) "Qualified individual" has the same meaning as provided in the Social Security Act, 42 USC 675a(c)(1), as amended from time to time.