



General Assembly

February Session, 2020

Raised Bill No. 93

LCO No. 1208



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

**AN ACT CONCERNING MINOR CHANGES TO THE STATUTES OF
THE DEPARTMENT OF CHILDREN AND FAMILIES.**

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

1 Section 1. Subsection (f) of section 46b-127 of the 2020 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2020*):

4 (f) The transfer of a child to a Department of Correction facility shall
5 be limited as provided in subsection (e) of this section and said
6 subsection shall not be construed to permit the transfer of or otherwise
7 reduce or eliminate any other population of juveniles in detention or
8 confinement within the Judicial Department. [or the Department of
9 Children and Families.]

10 Sec. 2. Subsection (b) of section 17a-3 of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective July 1,*
12 *2020*):

13 (b) [(1) The department, with the assistance of the State Advisory
14 Council on Children and Families, and in consultation with

15 representatives of the children and families served by the department,
16 providers of services to children and families, advocates, and others
17 interested in the well-being of children and families in this state, shall
18 develop and regularly update a single, comprehensive strategic plan for
19 meeting the needs of children and families served by the department. In
20 developing and updating the strategic plan, the department shall
21 identify and define agency goals and indicators of progress, including
22 benchmarks, in achieving such goals. The strategic plan shall include,
23 but not be limited to: (A) The department's mission statement; (B) the
24 expected results for the department and each of its mandated areas of
25 responsibility; (C) a schedule of action steps and a time frame for
26 achieving such results and fulfilling the department's mission that
27 includes strategies for working with other state agencies to leverage
28 resources and coordinate service delivery; (D) strategies, informed by
29 data on referrals, substantiations, removal, placements and retention, by
30 which the department shall identify racial and ethnic disparities within
31 child welfare practice and work to eliminate such disparities; (E)
32 priorities for services and estimates of the funding and other resources
33 necessary to carry them out; (F) standards for programs and services
34 that are based on research-based best practices, when available; and (G)
35 relevant measures of performance.

36 (2) The department shall begin the strategic planning process on July
37 1, 2009. The department shall hold regional meetings on the plan to
38 ensure public input and shall post the plan and the plan's updates and
39 progress reports on the department's web site. The department shall
40 submit the strategic plan to the State Advisory Council on Children and
41 Families for review and comment prior to its final submission to the
42 General Assembly and the Governor. On or before July 1, 2010, the
43 department shall submit the strategic plan, in accordance with section
44 11-4a, to the General Assembly and the Governor.

45 (3) The commissioner shall track and report on progress in achieving
46 the strategic plan's goals not later than October 1, 2010, and quarterly
47 thereafter, to said State Advisory Council. The commissioner shall
48 submit a status report on progress in achieving the results in the

49 strategic plan, in accordance with section 11-4a, not later than July 1,
50 2011, and annually thereafter to the General Assembly, the joint
51 standing committee of the General Assembly having cognizance of
52 matters relating to children and the Governor.] Not later than July 1,
53 2020, the Commissioner of Children and Families shall submit, in
54 accordance with the provisions of section 11-4a, to the joint standing
55 committees of the General Assembly having cognizance of matters
56 relating to children and appropriations and to the State Advisory
57 Council for Children and Families the following reports that the
58 commissioner most recently submitted to the Administration for
59 Children and Families pursuant to federal law: (1) The Child and Family
60 Services Plan, (2) the Annual Progress and Services Report, (3) the Final
61 Report of the Child and Family Services Review, and (4) any Program
62 Improvement Plan. Thereafter, the commissioner shall submit, in
63 accordance with the provisions of section 11-4a, to the joint standing
64 committees of the General Assembly having cognizance of matters
65 relating to children and appropriations and to the State Advisory
66 Council for Children and Families said reports not later than thirty days
67 after submission to the Administration for Children and Families.

68 Sec. 3. Subsection (c) of section 17a-4 of the general statutes is
69 repealed and the following is substituted in lieu thereof (*Effective July 1,*
70 *2020*):

71 (c) The duties of the council shall be to: (1) Recommend to the
72 commissioner programs, legislation or other matters which will
73 improve services for children and youths, including behavioral health
74 services; (2) annually review and advise the commissioner regarding the
75 proposed budget; (3) interpret to the community at large the policies,
76 duties and programs of the department; (4) issue any reports it deems
77 necessary to the Governor and the Commissioner of Children and
78 Families; (5) [assist in the development of and] review and comment on
79 the [strategic plan developed by the department pursuant to] reports
80 described in subsection (b) of section 17a-3, as amended by this act; (6)
81 [receive on a quarterly basis from the commissioner a status report on
82 the department's progress in carrying out the strategic plan; (7)]

83 independently monitor the department's progress in achieving its goals
84 as expressed in [the strategic plan] such reports; and (8) offer assistance
85 and provide an outside perspective to the department so that it may be
86 able to achieve the goals expressed in [the strategic plan] such reports.

87 Sec. 4. Section 17a-22bb of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective from passage*):

89 (a) [(1)] The Commissioner of Children and Families, in consultation
90 with representatives of the children and families served by the
91 department, including children at increased risk of involvement with
92 the juvenile justice system, providers of mental, emotional or behavioral
93 health services for such children and families, advocates, and others
94 interested in the well-being of children and families in this state, shall
95 develop a comprehensive implementation plan, across agency and
96 policy areas, for meeting the mental, emotional and behavioral health
97 needs of all children in the state, and preventing or reducing the long-
98 term negative impact of mental, emotional and behavioral health issues
99 on children. In developing the implementation plan, the department
100 shall include, at a minimum, the following strategies to prevent or
101 reduce the long-term negative impact of mental, emotional and
102 behavioral health issues on children:

103 [(A)] (1) Employing prevention-focused techniques, with an
104 emphasis on early identification and intervention;

105 [(B)] (2) Ensuring access to developmentally-appropriate services;

106 [(C)] (3) Offering comprehensive care within a continuum of services;

107 [(D)] (4) Engaging communities, families and youths in the planning,
108 delivery and evaluation of mental, emotional and behavioral health care
109 services;

110 [(E)] (5) Being sensitive to diversity by reflecting awareness of race,
111 culture, religion, language and ability;

112 [(F)] (6) Establishing results-based accountability measures to track

113 progress towards the goals and objectives outlined in this section,
114 sections 17a-22cc, 17a-22dd and 17a-248h and section 7 of public act 13-
115 178;

116 [(G)] (7) Applying data-informed quality assurance strategies to
117 address mental, emotional and behavioral health issues in children;

118 [(H)] (8) Improving the integration of school and community-based
119 mental health services;

120 [(I)] (9) Enhancing early interventions, consumer input and public
121 information and accountability by [(i)] (A) in collaboration with the
122 Department of Public Health, increasing family and youth engagement
123 in medical homes; [(ii)] (B) in collaboration with the Department of
124 Social Services, increasing awareness of the 2-1-1 Infoline program; and
125 [(iii)] (C) in collaboration with each program that addresses the mental,
126 emotional or behavioral health of children within the state, insofar as
127 they receive public funds from the state, increasing the collection of data
128 on the results of each program, including information on issues related
129 to response times for treatment, provider availability and access to
130 treatment options; and

131 [(J)] (10) Identifying and addressing any increased risk of
132 involvement in the juvenile and criminal justice system attributable to
133 unmet mental, emotional and behavioral health needs of children.

134 [(2) Not later than April 15, 2014, the commissioner shall submit and
135 present a status report on the progress of the implementation plan, in
136 accordance with section 11-4a, to the Governor and the joint standing
137 committees of the General Assembly having cognizance of matters
138 relating to children and appropriations.

139 (3) On or before October 1, 2014, the commissioner shall submit and
140 present the implementation plan, in accordance with section 11-4a, to
141 the Governor and the joint standing committees of the General
142 Assembly having cognizance of matters relating to children and
143 appropriations.

144 (4) On or before October 1, 2015, and biennially thereafter through
145 and including 2019, the department shall, in collaboration with the
146 Department of Education, Department of Social Services, Department of
147 Developmental Services, Office of Early Childhood, Department of
148 Public Health and Court Support Services Division of the Judicial
149 Branch, submit and present progress reports on the status of
150 implementation, and any data-driven recommendations to alter or
151 augment the implementation in accordance with section 11-4a, to the
152 Governor and the joint standing committees of the General Assembly
153 having cognizance of matters relating to children and appropriations.]

154 (b) Emergency mobile psychiatric service providers shall collaborate
155 with community-based mental health care agencies, school-based health
156 centers and the contracting authority for each local or regional board of
157 education throughout the state, utilizing a variety of methods,
158 including, but not limited to, memoranda of understanding, policy and
159 protocols regarding referrals and outreach and liaison between the
160 respective entities. These methods shall be designed to (1) improve
161 coordination and communication in order to enable such entities to
162 promptly identify and refer children with mental, emotional or
163 behavioral health issues to the appropriate treatment program, and (2)
164 plan for any appropriate follow-up with the child and family.

165 (c) Local law enforcement agencies and local and regional boards of
166 education that employ or engage school resource officers shall,
167 provided federal funds are available, train school resource officers in
168 nationally recognized best practices to prevent students with mental
169 health issues from being victimized or disproportionately referred to the
170 juvenile justice system as a result of their mental health issues.

171 (d) The Department of Children and Families, in collaboration with
172 agencies that provide training for mental health care providers in urban,
173 suburban and rural areas, shall provide phased-in, ongoing training for
174 mental health care providers in evidence-based and trauma-informed
175 interventions and practices.

176 (e) The state shall seek existing public or private reimbursement for
177 (1) mental, emotional and behavioral health care services delivered in
178 the home and in elementary and secondary schools, and (2) mental,
179 emotional and behavioral health care services offered through the
180 Department of Social Services pursuant to the federal Early and Periodic
181 Screening, Diagnosis and Treatment Program under 42 USC 1396d.

182 [(f) On or before October 1, 2017, the Department of Children and
183 Families, in collaboration with the Judicial Branch and the Department
184 of Correction, shall submit a plan to prevent or reduce the negative
185 impact of mental, emotional and behavioral health issues on children
186 and youth twenty years of age or younger who are held in secure
187 detention or correctional confinement, in accordance with section 11-4a,
188 to the Governor and the joint standing committees of the General
189 Assembly having cognizance of matters relating to children and
190 appropriations.]

191 [(g)] (f) On or before October 1, 2017, and annually thereafter, the
192 Commissioner of Correction shall compile records regarding the
193 frequency and use of physical restraint and seclusion, as defined in
194 section 46a-150, on children and youth twenty years of age or younger
195 who are in the custody of the commissioner at the John R. Manson Youth
196 Institution, Cheshire, and shall submit a report summarizing such
197 records, in accordance with the provisions of section 11-4a, to the joint
198 standing committee of the General Assembly having cognizance of
199 matters relating to children. Such report shall address the prior year and
200 shall indicate, at a minimum, the frequency that (1) physical restraint
201 was used as (A) an emergency intervention, and (B) a nonemergency
202 intervention, and (2) restricted housing or other types of administrative
203 segregation or seclusion were used at such facility.

204 [(h) On or before October 1, 2018, the Department of Children and
205 Families, in collaboration with the Children's Mental, Emotional and
206 Behavioral Health Plan Implementation Advisory Board, established
207 pursuant to section 17a-22f, shall submit recommendations for
208 addressing any unmet mental, emotional and behavioral health needs

209 of children that are attributed to an increased risk of involvement in the
210 juvenile and criminal justice systems, in accordance with section 11-4a,
211 to the Governor and the joint standing committees of the General
212 Assembly having cognizance of matters relating to children and
213 appropriations.]

214 Sec. 5. Subparagraph (B) of subdivision (1) of subsection (k) of section
215 46b-129 of the general statutes is repealed and the following is
216 substituted in lieu thereof (*Effective from passage*):

217 (B) (i) If a child is at least twelve years of age, the child's permanency
218 plan, and any revision to such plan, shall be developed in consultation
219 with the child. In developing or revising such plan, the child may
220 consult up to two individuals participating in the department's case
221 plan regarding such child, neither of whom shall be the foster parent or
222 caseworker of such child. One individual so selected by such child may
223 be designated as the child's advisor for purposes of developing or
224 revising the permanency plan. Regardless of the child's age, the
225 commissioner shall provide not less than five days' advance written
226 notice of any permanency team meeting concerning the child's
227 permanency plan to an attorney or guardian ad litem appointed to
228 represent the child pursuant to subsection (c) of this section.

229 (ii) If a child is at least twelve years of age, the commissioner shall
230 notify the parent or guardian, foster parent and child of any
231 administrative case review regarding such child's commitment not less
232 than five days prior to such review and shall make a reasonable effort
233 to schedule such review at a time and location that allows the parent or
234 guardian, foster parent and child to attend.

235 (iii) If a child is at least twelve years of age, such child shall, whenever
236 possible, identify not more than three adults with whom such child has
237 a significant relationship and who may serve as a permanency resource.
238 The identity of such adults shall be recorded in the case plan of such
239 child.

240 [(iv) Not later than January 1, 2016, and annually thereafter, the

241 commissioner shall submit a report, in accordance with the provisions
 242 of section 11-4a, to the joint standing committees of the General
 243 Assembly having cognizance of matters relating to children and the
 244 judiciary, on the number of case plans in which children have identified
 245 adults with whom they have a significant relationship and who may
 246 serve as a permanency resource.]

247 Sec. 6. Section 17a-63 of the general statutes is repealed. (*Effective from*
 248 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	46b-127(f)
Sec. 2	<i>July 1, 2020</i>	17a-3(b)
Sec. 3	<i>July 1, 2020</i>	17a-4(c)
Sec. 4	<i>from passage</i>	17a-22bb
Sec. 5	<i>from passage</i>	46b-129(k)(1)(B)
Sec. 6	<i>from passage</i>	Repealer section

Statement of Purpose:

To make minor revisions to the statutes of the Department of Children and Families and to consolidate the reporting requirements of the department.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]