

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-295		7720	3	3	2
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Corrections, Welfare & Human Institutions</i> 180 <i>Corrections, Welfare & Human Institutions</i> 185-186 				<u>House Pages:</u> <ul style="list-style-type: none"> 2201-2203 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 1929-1930

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
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1968-2502**

Thursday, May 6, 1971

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those in favor....will you remark further? If not, all those in favor indicate by saying aye, opposed? The bill is passed.

THE CLERK:

Page 5. Calendar 640, House Bill No. 7720. An Act to Clarify the Support Obligations of the Department of Children and Youth Services and Medical Treatment Authorization for Children in Custody of the Department, file 589.

JOHN F. PAPANDREA, 78th District:

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill.

MR. SPEAKER:

Will you remark?

JOHN F. PAPANDREA, 78th District:

Mr. Speaker, this is one of the first bills that will be considered by this assembly this year in furtherest of our pledge to give the very finest that this state is capable of to its youth. This bill does several things. First, it provides that the Commissioner of Children and Youth Services shall be empowered and authorized to have emergency medical treatment given to any ward placed in his custody regardless of which institution he is situated in. This presently is not possible and the Attorney General last year was forced to give a ruling indicating that the Commissioner had no power even in the face of an emergency. So this clarifies that situation and I submit it is one that is long overdue and very much needed.

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Secondly, what this bill does is it clarifies the confusion that exists when children who are committed to both the Welfare Department and the Department of Children and Youth Services are to be placed in institutions. This makes it possible for a child who is in the custody of the Welfare Department and of the Department of Children and Youth Services to be placed in an institution or foster home other than one provided by the state of Connecticut.

The third thing that this does is it makes possible a substantial amount of economy in a time of severe fiscal stress. Presently the only institution to which male youngsters can be placed, when in the custody of the Commissioner, of the Department of Children and Youth Services, is the school for boys in Meriden. I think there has been enough press and enough newspaper coverage to clearly indicate that not only is there a problem with that institution but that the most disgraceful part of it, aside from the effects that it has on our youth, is the deplorable cost that is involved. I don't think there are many here who realize that it now costs this state approximately \$13,000 per year, per child, in that institution, and that is with all of the problems attendant to that institution since 1966. What this bill will permit will be the placing of children, who are presently at the Connecticut School for Boys, or, in the case of girls, who may be at Long Lane, it will permit the placing of these children in foster homes, group homes, half-way houses, whether they are public

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quasi-public or private in nature. We have been assured that there are already in existence in this state private sources which can accommodate the needs of a child in a fashion much superior to that afforded to that child's particular needs by either Meriden or Long Lane at a cost of approximately \$3,000 to \$3,500 per year. Not only are we going to save approximately \$10,000 per child, per year, but more importantly, we are going to make available to these children the type of facilities, the type of service, the type of care and the type of concern to which they are entitled in this the state with the highest per capita income. Additionally, by being able to clarify some of the confusion it will be possible to qualify for staff services furnished in these other areas up to 75% reimbursement from the federal government. All things considered, Mr. Speaker, this is a significant step forward in demonstrating our concern which was first evidenced when we pledged ourselves to our goal by enacting the creation of the Department of Children and Youth Services the last time. I urge that when this be passed it be passed unanimously to show that we do care, Mr. Speaker.

MR. SPEAKER:

Will you remark further on the bill? If not, all those in favor indicate by saying aye, those opposed? The bill is passed.

THE CLERK:

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SENATOR CRAFTS:

Mr. President, I rise for a point of clarification. I believe the Majority Leader said he moved for suspension of the rules to take up all single starred items. And that was the end of your request. I wondered if you...

SENATOR CALDWELL:

As mentioned by me in my designation of matters to be taken up.

THE CHAIR:

Thats the way the chair understood it. Thank you Senator Crafts.

THE CLERK:

Page 3 of the Calendar Cal. 612, File 849 Favorable report of joing standing committee on General Law on Substitute for S.B. 838 An Act Validating As Timely the Notice Given by Dr. Alvin L. Fields and to That Extent Granting Him Permission to Prosecute to Final Effect a Suit Against the Commissioner of Transportation.

THE CHAIR:

Senator Caldwell.

SENATOR CALDWELL:

May that be passed temporarily. I'm looking for Senator Strada because there might be a possibility of the need of an amendment so that it would be in the proper form for the Governor's Signature.

THE CLERK:

The Clerk will pass it temporarily. You will please now turn to page 5 of your Calendar. Second item from the top Cal.630 File 589, favorable report joint standing committee on Corrections Welfare and Humane Institutions on H.B. 7720 An Act To Clarify the Support Obligations of the Department of Children and Youth Services and MEDICAL Treatment Authorization for Children in Custody of the Department.

THE CHAIR:

Senator Ciarlone.

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SENATOR CIARLONE:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR CIARLONE:

Mr. President, this bill merely clarifies some of the language in the bill that was passed last session Children and Youth Services. A child in the custody of the Commissioner of Children Youth Services is committed to him by the Welfare Commissioner. This bill merely clarifies the language in that the Welfare Commissioner shall pay for the support. Further the Commission on Children Youth Services has the authority that any medical or dental treatment apply to the child that would be in his best interest. The only proviso here is that the parent of the child should be notified. Its a good bill. We urge adoption.

THE CHAIR:

The question is on passage of the bill. Will you remark further? If not all those in favor of passage of the bill signify by saying aye. AYE. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

File 586

Cal. 632/Favorable report joint standing committee on Finance H.B. 8309 An Act Providing For Tax Credits for the Establishment of Child Day Care Centers at Places of Employment.

THE CHAIR:

Senator Cutillo.

SENATOR CUTILLO:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR CUTILLO:

Just to go a step farther than the explanation in the bill

**JOINT
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them to the County Medical Society that has a Committee. Now, we presently have one of these cases and you know, we get a lot of reports about physicians refusing to treat Welfare recipients, I'm not denying that this happens. But when we say give us the name of the physicians that do this, the names are not too frequently forthcoming. But I think that there would be another method of coping with this rather than the licensing board. I would suggest the Civil Rights Act. We talked about this one time previous to this.

Sen. Ciarlone: Just for the benefit of our audience, I am sorry we can't entertain questions from our audience. Members of our Committee here take testimony from you and make valid opinions here. If we are going to entertain questions from the audience, the speakers, this is not our function here. So, if we are not recognizing questions please know that this is not our function. Thank you. Proceed please

Commissioner White: I meant to introduce Mr. Morrison. Mr. Morrison is Director of Administrative Health Service. Bill No. 7720, an Act concerning, it clarifies what obligation of the Department of Children and Youth Services and medical treatment authorization for children in custody of the Department. Basically, we don't want to go on record for or against this Bill. It sounds like we're hedging and we are. It has a number of ramifications and we feel that it must be put under the microscope and we would like to know in this instance here, the facilities referred to in the Bill. And we'd like to talk to the authors regarding the Bill before we make a statement, if you don't mind. The next one is 7918, An Act concerning deduction of food stamps costs from Welfare checks and sending stamps directly to recipients. We consider this to be an Administrative nightmare. We're against it. I might add that it would be tried in Southern California and it appeared to work fairly well there. However, we're not about to try it and we do not recommend it. Bill 7721, An Act concerning Welfare eligibility requirements for underemployed individuals, I'd like Mr. Marostica to address himself to this. Actually, we do subsidize the underemployed to our ADC incentive earning program and this Bill, in a sense, appears to dovetail with the cup program which is going on through the general assistance program so ...

Sen. Ciarlone: Mr. Commissioner, I'd like to say at this point, we have about twelve more speakers, so if you'd just give us your position and summarize it briefly, we'll hear your testimony again, perhaps in Executive Session.

Commissioner White: Fine. Is that sufficient on that Bill?

Sen. Ciarlone: Fine. Very good. We have another twelve speakers here.

Commissioner White: I'm sorry. I didn't realize it. You bet. I'll move faster. Bill 7718, we have no comment.

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ing strictly as a lawyer, number one, on the conformity, we question whether under the Federal laws and regulations, one group of people, merely because they come into this State and under a particular program, can be treated differently from another group of people. This is people already residents and under that program. That would be a conformity issue. Secondly, under the Shapiro versus Thompson case, and comparable cases, there is a question and, of course, only the Supreme Court can answer it, whether the language of that case will apply insofar as the Court, in the Thompson case, talks about interference with the mobility of people. Now, what we have done, we have a procedure set up with the legal office of HEW where we spot a Bill that we think involves important questions of conformity with Federal regulation, we submit four copies of the particular Bill to them and their legal attorney submits us his opinion. And, we've just done that and we'll be happy to send the Committee a copy of his repl-y when we receive it.

Commissioner White: And last, but not least, 7459, again a general assistance Bill and again I ask that you put it with the others. Thank you very much, Mr. Chairman, Mr. Vice-Chairman and members of the Committee. I appreciate your time.

Sen. Ciarlone: Thank you, Mr. Chairman. Are there any other questions of the Welfare Commissioner or any one of his Staff before we dismiss them? Thank you all for being with us. We'll now proceed through our list of speakers as they were registered before. The next speaker is John Dorman, of the Department of Child and Youth Services.

Mr. Dorman: I'm John Dorman. I'm a lawyer, and I'm Special Assistant to the Commissioner of Children and Youth Services. I'm here to speak on behalf of Bill No. 7720. This has two parts which don't have any particular relationship to each other. They just happened to come out that way. One of them provides that in cases where there are dual committments, that is a committment of a child to the Department of Welfare and to our department, and the question of the support of the child comes up, and the child is placed in some local other than one of our institutions, it is the purpose of this Bill to require the Welfare Department to assume the cost of that placement. Our reasoning is basically that we simpl-y don't have the money to do this. These are necessary expenses. Our efforts are totally wasted in the child's institutionalization if the cannot give him a proper place through institutionalization. We donot have the money and we do not have the money projected to make these places ourselves. The Welfare Department, we think, can absorb these costs better than we can. And that is our burden. I noted the Commissioner of Welfare did not take a pssition one way or the other on this and said he was prepared to scrutinize it and we would be very happy to sit down with him and do just that. But, in the meantime, we do feel we cannot possibly bear these expenses ourselves and we think

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they are expenses that have to be met. The other part of this Bill, relates to medical care to children with our custody. They provide that the Commissioner, or his designee, may, upon the advise of a licensed physician or dentist, authorize emergency dental care or physical care, including surgery, for a child in our custody. This we think is a necessary provision. We find that as a matter of fact, children are most apt to be accident prone on weekends and that's the most difficult time to get a hold of their parents. We find further, that many of our parents who have children are not easily located. Often the children come from homes that are broken and in considerable disarray anyway. As a practical matter, therefore to locate the parent of the child to obtain permission for surgical or other care is not practical. We are then, as we are in fact right now, stuck with the most serious dilemma. The hospital may refuse to give the care, or the doctor may refuse to give the care unless we ourselves sign an authorization for it. And this we are not empowered to do because under the ruling by the Assistant Attorney General, since we have mere custody of the child and not guardianship, we have no power to give consent. I might say that I drafted this Bill and it's modeled basically on a California Bill which is quite similar. I think it's a necessary provision. Thank you.

Sen. Ciarlone: Any questions by members of our Committee? Thank you, Mr. Dorman. The next speaker is N. Willcox from the Calvin Hill Day Care Center.

Mrs. Willcox: Inasmuch as I've already had an opportunity to give extensive testimony on Day Care before this Committee, I now only wish to comment on the Bills before you this evening. House Bill 7517, I find it very idealistic and provides a goal towards which I feel the State might move. However, at the present time, the proposed budget for the 1971-72 expenditures are in the Department of D.C.A. played a 61% cutback in fundings in Day Care specifically in the City of New Haven. This means that if that budget proceeds as planned, instead of increasing Day Care, there will be eleven programs terminated in the City of New Haven alone. Therefore, I am wondering about the advisability of going in and trying to build centers and trying to recruit new staffs and develop new programs when we are not adequately funding and providing for the programs that we already have. Therefore, I would suggest that we take a prior step. That Day Care bills be designed (tape goes no further.) ...of what sort of an enlargement would be possible through the presently operating program available in which you already have staff and equipment without going into a whole new format. I suggest that you, therefore, support Senate Bills 1460, 1461 and 1463. These may be passed to maximize the