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file number 290, Substitute for Senate Bill 877, AN ACT IMPLEMENTING THE RECOMMENDATION OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, Favorably Reported by the Committees on Children Human Services, Judiciary and Appropriations.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President. I move acceptance of the Committees' Joint Favorable Report and passage of the bill.

THE CHAIR

Acting on acceptance and approval, sir, would you like to remark further?

SENATOR MUSTO:

Yes, thank you, Mr. President. I believe the Clerk has in his possession LCO number 9139. It's an Amendment and I would ask that it be called at this time.

THE CHAIR

Mr. Clerk.

THE CLERK:

LCO number 9139, which will be designated Senate Amendment Schedule A is offered by Senator Musto of the 22nd District, et al.

THE CHAIR

There is a motion on the floor for summarization. Without objection, please proceed, sir.

SENATOR MUSTO:

Thank you, Mr. President. Mr. President, this is a strike-all amendment --

THE CHAIR

Senator Musto, do you move adoption, sir?

SENATOR MUSTO:

Excuse me, yes. I move adoption of the Amendment.

THE CHAIR

Motion on the floor for adoption. Without objection, please proceed, sir.

SENATOR MUSTO:

Thank you, Mr. President. This is a strike-all amendment. It will become the bill. It basically accepts the House version of this bill. There were two sort of parallel versions of the bill and this would take those provisions from the House Bill that are substantially equivalent to the Senate bill and

make them the Senate bill.

This Amendment, becoming the underlying bill, addressed the PRI study that was done last year, prior to my becoming Chair of the Children's Committee. But in my work in the Children's Committee, I have learned that all of these changes that we are making with this bill are essential.

This addresses the needs of children and families in many ways. It appoints an advisory group for the facilities that are run by DCF. It adds people that have actually served by DCF to some of the advisory groups and expands the role of the Advisory Council. It regards reporting and responding to various reports by DCF. For example, reports done by the Office of the Child Advocate, which no report was previously necessary. But when those reports are done, it would be beneficial for all if those reports were responded to. And this would require that, as well.

It even deletes many sections of existing law that are either made redundant by this bill or otherwise not very effective.

I believe that this bill looks at the outcomes that we are looking for in all of our endeavors here

in the Senate and in government. And it looks for results. It's a good government bill. It was unanimous at every step of the way. And I would ask passage of the bill. Thank you, Mr. President.

THE CHAIR

Thank you, sir. Will you remark further on Senate A? Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. Mr. President, I also rise to support this Amendment. I also thank the Chairman of the Children's Committee for working closely with all parties and stakeholders on this along the way and looking into the various issues that were brought before the Committee and also through the Departments to make this a better bill so that we can all unanimously support it here on the Senate floor. Thank you, Mr. President.

THE CHAIR

Thank you, ma'am. Will you remark further on Senate A. Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, this looks like a very well thought out Amendment. But

through you, Mr. President, in the awkward way of handing the microphone back and forth to my seat mate, through you, I'd like to ask some questions to the proponent of the Amendment.

THE CHAIR

Senator Musto.

SENATOR DEBICELLA:

Mr. President, through you, how does the Amendment that we are looking at now differ from the underlying bill? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

As I said the underlying bill was basically a parallel version of this bill in the Senate. There were some provisions of the underlying bill that were taken out. For example, there was a section that would have required the Judiciary to begin a pilot program. The Judiciary was very concerned that they did not have the resources at this time, especially with some of the other things we were doing, so that provision was taken out. There were some other changes that were made, section 17 a-6b and c were

going to be deleted. Those were left in because the juvenile training school is still a functioning Committee and we wanted to keep that going. So there are some subtle changes, but for the most part, this is almost an identical bill. Through you, Mr. President.

THE CHAIR

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I thank Senator Musto for the answer to that question. And in looking at this bill, the first section of it calls for DCF to submit to the legislature a five year master plan every two year. And through you, Mr. President, in thinking about -- you know, we have a lot of plans and task forces in state government. In thinking about why DCF needs that strategic plan and what we hope to get out of it, the objectives of it, if Senator Musto could just address some of the thinking that went into it. Thank you, Mr. President. Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President. The current law as it is on the books now requires a biennial plan to the General Assembly, a five-year master plan created bi-annually. The change in the law here -- I'm not sure where Senator Debicella is looking, but I do not believe that is a change from current law. Maybe I'm mistaken, but I believe section B of current law is deleted and, if that is implemented somewhere else, it would not be a change from existing law. Through you, Mr. President.

THE CHAIR

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President. Senator Musto is correct and I'm mistaken. It is the bill actually eliminates the requirement that DCF submits to the legislature a five-year plan every two years. I actually think that that is a very good thing for us to be eliminating. It's duplicative with other areas of the DCF language. And instead, the bill says with the assistance of SAC, must develop regularly a single comprehensive strategic plan for meeting the needs of

children and families. So that seems to me a very smart streamlining of DCF's planning requirements to make sure that we're doing a much more holistic plan for our DCF functions.

And through you, Mr. President, the bill also -- and I'm not sure if the Amendment strikes these out -- I'm reading the OLR bill analysis for the underlying bill, actually establishes some pilot programs. And he mentioned one with the Judiciary, I think this might be a different one and please tell me if I'm wrong. Through you, Mr. President. The OLR office directs DCF to establish a pilot program to integrate treatment plans for abused and neglected children in DCF's care with the court orders concerning specific steps. Is that still in the bill or is that the pilot program that Senator Musto referenced that was eliminated through this Amendment? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. What section are we talking about, Senator Debicella? Through you, Mr.

President.

THE CHAIR

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President. I believe it was section 11 of the bill. Through you.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, I believe Senator Debicella is correct. That pilot program has been eliminated so that the Judiciary will not have to spend those funds. Through you, Mr. President.

THE CHAIR

Senator Debicella.

SENATOR DEBICELLA:

Thank you to Senator Musto. Additional questions in the around the State Advisory Council on Children and Families, the acronym I referred to before, SAC. Sections 5, 6 and 14 seems to expand the duties of SAC to include reviewing and commenting on the strategic plan which we talked before, receiving quarterly reports from the Commissioner, independently monitor

the Department's progress. What was the thought process behind expanding SAC's responsibilities as it relates to DCF? Was this an area where it was felt we really needed a lot more of oversight or is this something that we have many more of the stakeholders at the table to help advise DCF? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes. Through you, Mr. President, it's my understanding, again, this bill was -- the PRI study and the requests that went into it were done before my tenure in the Senate, but it's my understanding that -- two reasons got into it and both were mentioned by Senator Debicella. There was a concern that DCF was not being as responsive to some of the families it was serving and that some members of the community, people who were being served by DCF, it would be beneficial to hear their voices. And also to expand some of the oversight. We are, after all, interested in making sure that what DCF is doing, especially serving the families and children, especially as they do, are --

kind of -- doing the right thing. So there was some thought about that as well. Through you, Mr. President.

THE CHAIR

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President and final question ,through you to Senator Musto. Sections 7, 8, 9 and 14 appear to eliminate reports and the Adoption Advisory Committee. And through you, Mr. President, is that correct and in doing so, what was the logic of eliminating those reports and for, if I'm reading the OLR report correctly, eliminating the Adoption Advisory Committee? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. The logic in doing that, I am, frankly, not sure. Through you, Mr. President.

THE CHAIR

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I thank Senator Musto for the answers to those questions and I stand in support of this Amendment. Mr. President, I think this Amendment reflects a strong, bi-partisan effort to try to both streamline and improve the functioning at DCF, which is an agency that has made some significant improvements over the last few years, but still has a ways to go in term of making sure that it is being responsive to its clients in a cost effective manner. And, Mr. President, I believe that the bill that Senator Musto has brought out contains several strong provisions to it. The strategic planning aspect of it seems to make a lot of sense to me.

In the business world, when you create a strategic plan, you try to do it in a holistic way that brings all stakeholders to the table to make sure that you're capturing all o the factors that are going into your five year vision. And for DCF, by including SAC in that process, as Senator Musto said, will actually include many, many more people who are either clients or partners of DCF in that planning process. That's a positive change, Mr. President, and one that I think will improve the strategic plan of DCF over the next

few years. Also, expanding the State Advisory Council's role, I believe beyond just the strategic plan into monitoring the Department's progress in achieving the strategic plan's goals and offering assistance, once again, expands the philosophy of partnership that the -- that this bill contains on making sure that those people touched by Department of Children and Family Services are involved, with not just the strategic planning process, but the execution of that strategic plan.

And, Mr. President, I wasn't too familiar with the pilot program that this Amendment strikes out, but it seems to me wise that this Amendment would actually strike out something that would have a fiscal impact on the State in a year when we still have an eight billion dollar deficit we have not yet addressed, even with ten hours left in the regular session. So I think Senator Musto's wise to offer this Amendment stripping that out.

And finally, Mr. President, the underlying sections in this Amendment, 7, 8, 9 and 14, I believe, go to the philosophy of streamlining government, of making sure that we are not doing duplicative reports.

And, in looking at the list of reports that are put out, it seems to me that we, over the years, require more and more reports in response to specific instances. And over time, our departments get burdened with this raw number of reports that we've asked for. The bill before us today eliminates seven of those reports and the Adoption Advisory Committee, which I believe, is going to be superseded by the SAC Committee, the State Advisory Council on Children and Families. So I believe that those sections of the bill that we last talked about -- Senator Musto and I, actually eliminate duplicative reporting and functions within DCF. And, although the fiscal note doesn't say it, one would hope that that would save money if we do not need as many people to actually process reports.

Mr. President, finally, I'd be remiss if I didn't thank Senator Kissel and the PRI Committee, who consistently do a fantastic bi-partisan job in actually providing recommendations and common sense recommendations on how to improve the functioning of government. It actually is a relatively unique Committee in this General Assembly in that its leadership is bi-partisan and rotational. So it

really tries to be one of the most analytical Committees that we have in terms of coming up with recommendations. And I thank Senator Musto for his continuing commitment to children and to improving the operations of DCF. Mr. President, I stand in support of this Amendment and encourage its adoption.

THE CHAIR

Thank you, sir. Will you remark further on Senate Amendment A? Senator Kissel.

SENATOR KISSEL:

Thank you, Mr. President. Great to see you this afternoon.

THE CHAIR

Great to be here.

(LAUGHTER)

SENATOR KISSEL:

I think we all feel that way. A couple of questions through you to the proponent of the Amendment?

THE CHAIR

Senator Musto.

SENATOR KISSEL:

And at the outset, I want to thank my good friend

and colleague, Senator Debicella for the kind words he just said regarding the Program Review and Investigations Committee which I'm lucky enough to be co-chair this year. But as Senator Musto indicated, this is based upon an investigation that was conducted last year while I was the ranking member and to be very honest, as long as these good reforms get through this building, I don't think that any of us have, necessarily, pride of authorship or have to have control over the Committee that brings it out.

Question through you, Mr. President, in subsection 1, or section 1, subsection B1, I'm reading the new language that says the Department, with the assistance of the State Advisory Council on Children and Families -- and I'm going to get to them in a little bit, it says and in consultation with representatives of the children and families served by the Department. And I'm going to break this sentence down into each of its component parts, but, I'm wondering, this is the beginning of a command that these groups be consulted and participate in formulating these strategic plans. And I'm just wondering in consultation with representatives of the children and families served by

the Department, it's my understanding that there are hundreds, if not thousands of children and families served by the Department. And I'm wondering, that language sounds good but how would it practically be implemented? Would it have to be representatives of the children and families? Would it have to done proportionately, throughout the State of Connecticut geographically? Exactly what is the import of that -- those words, right there? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, thank you, Mr. President and through you, we are leaving some of this up to the Department to implement these recommendations after our passage of the legislation. Through you.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much, so Commissioner Hamilton, in consultation with her staff could come up with any kind of reasonable proposal regarding consultation with representatives of the children and families

served by the department and this legislature would be comfortable with that? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, we would certainly hope they would be reasonable, Senator Kissel. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So then I would progress to the next section of that sentence: providers of services to children and families. Again, very open ended, we don't know which providers, they're not delineated, we don't know which geographical area of the State the providers have to reside in or function in. And again, through you, Mr. President, to the proponent of the Amendment, is that another area where we have effectively drafted it with very wide latitude, allowing Commissioner Hamilton or whoever the Commissioner is of the Department of Children and Family Services at the time this becomes law, to

implement? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President. Through you, we are certainly looking for -- to provide some latitude to the Department to do its job. Certainly, there would be the expectation that the Department would be thoughtful in making these recommendations and who they're going to consult with in this. And we would expect that from all of our officials, certainly. Through you.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I'm going to continue with this line of questioning only because I was always trained that when we create statute that we should be as precise as possible so that there's no misunderstanding as to what the import of the language of the statutes or the commands of our legislature are. Typically, when we're establishing groups to be consulted with, we're very precise about the language,

and we're going to get to a part of this bill shortly that is very precise about who can be selected and that has to do with the State Advisory Council on Children and Families.

But this seems very broad and I just want to make sure that should the Commissioner come up with a consultative process that she's not criticized down the road because somebody thought it should include one group of people and maybe it doesn't include that group of people.

And so the next area, just says advocates, and I'm just wondering what does advocates mean? What does that mean, through you, Mr. President?

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Off the top of my head, Mr. President, through you, advocates would involve the office of the child advocate, certainly. The Commission on Children and perhaps other bodies created by the legislature or the executive that would look for children's issues, look at them, evaluate them and make policy regarding them. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Would the Attorney General or his designees be considered advocates? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

I would hope so. Through you, Mr. President.

SENATOR KISSEL:

I'm sorry, did you say I hope so? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, I would hope that the Attorney General would be considered an advocate for the people of the State of Connecticut in that any -- considering especially that the Office of the Attorney General does a lot of child support enforcement and other representation of children and families in the State in different capacities that the opinion of the Attorney General

and any of the attorneys who serve under him would be considered in evaluating some of these policies and procedures. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. And through you, and then it says -- and talk about catch-all of all catch-alls, and others interested in the well being of children and families in this State. That is about as broad brush as I could possibly have drafted. To my mind, that probably includes almost everybody in the State of Connecticut. And my guess would be that you could certainly say that that would apply to everybody in this Circle. And I'm wondering how would the Commissioner be able to comply with that broad brush language other than saying that in these consultations, everybody in the State of Connecticut that has any interest in children and families is welcome to attend and offer their advice? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, through you, Mr. President, the idea here is to allow the Department to consult others, not to restrict the Commissioner in consultation with others. I do not see it as a mandate on the Commissioner to get everyone in the State of Connecticut into a room. I see it as permissive, that the Commissioner can get in touch with some of these people who she, in this case, or a future Commissioner might consider appropriate, in addition to some of the other folks that we've just talked about. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So to sort of recapitulate that answer, what I'm hearing from the proponent of the Amendment is that this language, all of these categories were drafted very broadly to give the Commissioner of the Department of Children and Families the widest amount of latitude as far as groups or individuals they can consult with regarding issues regarding children and families? Through you,

Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. I don't think I'd put it right that way. I will stand on my previous answers. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President, but I'm a little confused, could the proponent please give me that answer again. What's the limiting -- I don't see any limitation on this language at all. And I'm just wondering what are the limiting factors, given this definition of who can consult with DCF? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. Again, we are talking about advocates. We've named some of them, I don't think the language limits others. We've given the

Commissioner and the Department latitude in questioning or bringing other people to the table should the department find that necessary. And I don't think this is a mandate. Again, that the Commissioner be required to bring certain individuals, other than of course, those named in the bill or in the Amendment in this case, to the table, but that does require the Commissioner will seek these outside opinions. Saying that it is excessively broad or that it is drafted with complete discretion in mind, I don't think that is true. It is certainly drafted with the idea that the Commissioner will have some discretion in bringing other people to the table and that's where the final language that we discussed was brought in. But that advocates will certainly be brought to the table and some of the other people we did discuss and that are named in the bill. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President, I appreciate that answer. So regarding the terminology: and others

interested in the well-being of children and families, would representatives of Catholic church be encompassed in that? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President, as far as I know, there were no specific others contemplated. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Well, for example Catholic Family Charities, YMCAs, YWCAs, they all have ongoing programs to be of assistance and support to families and children through out the State of Connecticut since we've already got a section of this statute that says advocates and then it's followed with the very broad brush language of and others interested in the wellbeing of children and families, would that second portion encompass other groups such as Catholic Family Charities, YMCAs, YWCAs and other groups that serve families and children?

Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, through you, Mr. President. I don't see why anybody would be excluded by the very broad language. Certainly Jewish charities, Muslim charities, other individual groups who are interested in the welfare of children would be included in "others" as would all of the groups Senator Kissel named, and probably many more that we could all come up with in this Circle. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I really appreciate that response from Senator Musto. I think that clarifies that it is, indeed, open ended and pretty much the only touchstone is that these groups have an active interest in children and families. And I think that's helpful as the Commissioner determines who is going to be consulted in this process.

Following along with this particular sentence, it

says, shall develop and regularly update and I'm wondering what does regularly update mean? Does that mean annually, every two years, what's the period of time for regularly? Through you, Mr. President.

THE CHAIR

Senator Musto

SENATOR MUSTO:

Again, through you, Mr. President, this is broad language, it's meant to be broad language. We are giving the Department some latitude here to update reports as necessary. Hopefully, this would not mean once every ten years. There is certainly a mandate for a strategic plan that we discussed -- I previously discussed with Senator Debicella and we would hope that the Department would be vigilant in making these reports and updating them as necessary. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much and I appreciate that response as well. So would it be fair to state that annually probably would be sufficient although perhaps the

proponent doesn't want to nail it down like that, but something as extreme as every ten years probably is beyond the pale of what is contemplated by the term regularly? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Annually might be reasonable, through you, Mr. President, based on the particular report and the particular study that's being done and the particular results, it might not be reasonable in some other cases, the language is deliberately broad. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much and, again, I think that helps clarify the legislative intent here and will give some guidance to the Commissioner and her staff when and if this legislation is passed and they have to comply with the statute.

Regarding the rest of the language in section B, subsection 1, there's a whole slew of very broad

language regarding the creation of a mission statement, how the Department intends to achieve the goals articulated in the mission statement and what the Department would use as benchmarks. And I'm wondering what we're trying, as a legislature, to accomplish by requiring the Committee and the Department to do by that section? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. The idea here and it -- maybe Senator Kissel could even give some of his own opinions on this as he was involved in this study. But in identifying benchmarks, the Department should be doing what we are all asking all the Departments to do in government, which is to identify outcomes and find ways to improve them. That's the essence of, I think, a lot of the PRI studies and bills that have come through the legislature and we would hope that the Department of Children and families is doing the same thing. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much and I appreciate those kind words from Senator Musto. I do very much distinctly remember the presentations made to the Program Review and Investigations Committee when I was serving as ranking member a year ago. I'm wondering if, as Senator Musto was co-chair of the Select Committee on Children, if there was any additional information that was brought before his Committee that would indicate that there's shortcomings in the Department of Children and Families at this time in articulating their goal for the Department and creating a system where there's benchmarks and an ability to articulate whether the Department is meeting those benchmarks? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes, through you, Mr. President. I would rather not, at this time, through this bill, attack the Department of Children and Family Services. We certainly received, I can't say whether it was

additional information, because I don't know what the original information was. But we certainly received a great deal of information regarding the Department and some of the problems that it was having with either its constituent services or some of the ways that they were doing things. This study, as I understand it, and the results from it were the result of many hours of discussions with the Department itself as well as other groups of people or other people in general, specifically some of the advocates that are discussed or that are alluded to in the bill. And I would rather focus on the Amendment here, the underlying bill itself and the ways we can go forward and improve government and improve the services of the Department rather than to throw stones at what might have gone on in the past. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much and I very much appreciate the answer of the good co-chair of the Select Committee on Children. I think that's a sensible approach to this entire issue. And I think it sends the exact right

signal to the Department of Children and Family Services.

Moving on to section 1B, subsection 2, under the new language in this Amendment , it indicates that the Department shall begin the strategic planning process on July 1, 2009. We're less than a month away from that deadline. Does the proponent of the Amendment have any indications from the Department as to whether they have enough resources or they would be ready to go by July 1, 2009? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. No. We have discussed this bill with OPM and with DCF. It's been vetted heavily by both. There've been many changes made based on the input of those bodies. And everything in here is a consensus document between those offices and all of the Committees that have looked at this. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much and again, I appreciate that response from Senator Musto. I think it sends the right message and I actually am very heartened by the fact that this is a collaborative effort between the Children's Advocate, the Department of Children and Family Services, Office of Policy and Management and legislative leadership. And I think, again, I think our constituents are happy to see that despite some of the high visibility issues where folks might not agree. On the vast majority of things here in our Capital we do agree.

I notice that the new language as provided in this Amendment indicates that the Department shall hold regional meetings on the plan to insure public input and shall post the plan and plan's updates and progress reports on the Department's web site. Is it contemplated, because I'm a little confused by that language, that the Department has to come up with a draft plan before it goes out to the regional meetings or would it also be appropriate for the Department to shortly after July 1, 2009 begin to hold regional meetings to solicit public input as to what should actually be in the plan? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

I do not see any problem based on language we talked about before with the Department soliciting outside input. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And it's my understanding through the language that the target date for the submission of the final plan would be July 1, 2010. So essentially, we're giving the Department of Children and Families extremely wide latitude as far as who to consult with. We're giving the Department extremely wide latitude as to the consultative process. We are urging them and being very specific in statute that they are to go out and have public hearings on this, seek input from the public and other advocates. And to continuously update the draft of this plan, let the public know about that through their website and at the end of the day, the target date is July 1, 2010 to submit that plan to the

legislature and the Governor's office? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Senator Kissel is correct, Mr. President. Through you.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. There's one other section in this Amendment that I had a question regarding and that is the section regarding the makeup of the State Advisory Council on Children and Families. And in that section of this Amendment, there's the addition, I believe, of two individuals in their twenties that may have had interactions with the Department of Children and Family Services; is that correct? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. Could I get a line

number from Senator Kissel, please on the Amendment .

SENATOR KISSEL:

If we could stand at ease, I'll be able to locate the exact language.

THE CHAIR

Will the Senators please stand at ease?

(SENATE AT EASE)

SENATOR KISSEL:

Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you. I would refer Senator Musto to section 5, which amends section 17a-4 of the general statutes and in the subsection a therein, and I'm sorry, on this access to the Amendment via our website, they don't have line numbers. But it would be section 5(a), there's the additional language, to the Council on Children and Families, two persons, 18 to 25 years of age, inclusive served by the Department of Children and Families. And I'm just wondering why we're expanding the Council to include those folks? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes. Through you, Mr. President, it's my understanding that this language was included because for the simple reason that if the Department of Children and Families is going to understand more about how its policies and procedures affect people, people served by the Department should be able to, at least, have a voice on that Council. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I'm just wondering what the current makeup of the State Advisory Council on Children and Families is? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Yes. Through you, Mr. President. The current -- this amends existing law so whatever is not changed by this law would be the current makeup of the State

Advisory Council. Through you, Mr. President.

THE CHAIR

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I have no further questions. Through you, Mr. President to the proponent of the Amendment.

I want to thank Senator Musto for his hard work in crafting this compromise and in working with the advocacy groups, the Office of the Child Advocate, the Department of Children and Families, the Attorney General's Office, Office of Policy and Management and representative of the Department of Children and Families. I think that it's really difficult to get one's arms around this issue because, as public hearings have indicated, and I've been to many of them, either in the past as ranking Senator on the Human Services Committee or as the ranking member of Program Review and Investigations. And indeed, followed up this year as the co-Chair of Program Review and Investigations that we put a lot of responsibility on the Department of Children and Families. For those elements of our society that,

unfortunately, are completely broken down, we turn to that Department to try to make it all work. And, unfortunately, when it doesn't work that is going to be a headline and that is, unfortunately, going to be some child or some family that is very much broken and, sadly, quite often that results in individuals sometimes being harmed. There's that age-old tension that we have here in the State of Connecticut, if there's a problem within a family, do we rush in to take the child out of that family and, hopefully, find foster care for that young person, which is extremely hard to find or do we err on the side of leaving the child in an environment that might be very bad for them? If we err on the side of leaving the child with a dysfunctional family and harm falls on that child, then the people that work in the Department of Children and Family Services are roundly criticized. Although I believe most of those folks go into this field because they want to make a difference and a positive difference. On the other hand over the years, I've heard arguments that if we rush in too early and we pull the child out, a) there's a great likelihood that it's difficult to find a foster home,

b) in so many of those cases, the poor child is bounced from one place to another, never really finding any groundwork -- I mean grounding and a home that's loving, c) in some of those instances the place that the young person is placed is worse than the place that they were taken out of and those are really horrific stories. When it's a dysfunctional family, there's the potential for danger, the Department goes in, takes the child out, does a placement and lo and behold, the placement is with individuals that are even worse than where that young person came from. This is a heartbreaking situation and I commend Senator Musto and all the Members of the Select Committee on Children for picking up this gauntlet that was uncovered or delineated by the Program Review and Investigations Committee. I also want to thank the staff of Program Review and Investigations Committee that worked tirelessly on the underlying report that actually formed the basis for a lot of these recommendations. In many respects we are hamstrung this year because we don't have the financial wherewithal to move forward on a lot of the initiatives that we'd like to. But on the other hand,

I've been amazed at the creativity in our legislature this year as to what we can actually accomplish without having to have a big price tag on the legislative proposals.

I think, fundamentally, at the end of the day, gathering everybody around a table, coming up with what the goals are for the Department as far as the health, safety and welfare of children and families, creating substantive benchmarks and having objective tools to measure whether those benchmarks are being achieved, having all of this on a web site, having regional meetings to allow the public constant input, soliciting public input every step of the way, and then one year from July 1 of this summer, having a report delivered to this legislature where each one of us, God willing, we're still alive and breathing and representing our constituents, will have an ability to look at that and determine what future legislative proposals we want to have to move forwards, I think, makes an awful lot of sense. And with that, Mr. President, I strongly support the Amendment, but I would also request a roll call when it comes up for a vote. Thank you, sir.

(NEW CHAIRMAN IN THE CHAIR)

THE CHAIR

At the time of the vote, the vote will be taken by roll.

Will you remark further? Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Just a quick question to the proponent of the bill.

THE CHAIR

Please frame your question.

SENATOR KANE:

Thank you, Mr. President. I, too, served on the Program Review Committee last session and now serve as the ranking Member on the Human Services Committee so I am familiar with this bill, but not so much with the Amendment that you're offering.

Section 7 of the original bill -- if this was asked, I apologize because I may have missed it, but section 7 of the original bill does away with the Children's Behavioral Health Advisory Council. Is that still in this Amendment or has that been taken out? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Again, through you, Mr. President, the sections of the original bill have been substituted completely by the House bill. Through you, Mr. President.

THE CHAIR

Senator Kane.

SENATOR KANE:

Yes and I do remember that when you brought it up that it was a strike-all Amendment, but I -- just for legislative intent, through you, Mr. President, I'll repeat the question. The Children's Behavioral Health Advisory Council, which was deemed to be eliminated in the original bill, is that still in this Amendment? Through you, Mr. President.

THE CHAIR

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. I'm not sure how I can explain the Amendment if the language from the bill is in the Amendment then it is in the Amendment. It's not subject to legislative intent to change the language of the bill. I'm not quite sure how to

answer that question. Through you, Mr. President.

THE CHAIR

Senator Kane.

SENATOR KANE:

Okay, through you, Mr. President. I'll ask it as a yes or no question. The Children's Behavioral Health Advisory Council, is it still being eliminated? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

I would have to read the entire Amendment again to see if there's something I'm missing, but I don't see that in the language that I'm looking at right now. But if I'm missing something, I would not want to lead the Senator astray.

THE CHAIR:

Senator Kane.

SENATOR KANE:

I don't know, Mr. President, I thought it was a pretty simple question. I'm just asking about the Children's Behavioral Health Advisory Council. If you go to the original bill -- I thought it was a simple

question, quite honestly, if you go to the original bill, in section 7, it mentions it and -- with your indulgence, Mr. President. The summary that I have from the Human Services Committee, section 7, repeals the separate statutory provision regarding the Connecticut Behavioral Health Advisory Council - CBACK, it's called. The Department had a concern about this in section 7 and I'm just asking whether that is still in there at all or is it been removed based on the new Amendment? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

There's nothing in here that the Department had any problem with. If the Department had a problem with Behavioral Health Changes, then that is no longer in the Amendment, through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

I don't know what to say, Mr. President. I don't believe my question has been answered. I thought it

was a very simple thing. The Connecticut Behavioral Health Advisory Council -- is it in or is it out? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Mr. President, I'm going to stand on my last answer, sir.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, Mr. President. I don't believe my question was answered. I thought it was a simple yes or no question. But I don't know. I don't want to sound like a broken record here, but I just wanted that clarification from the difference between the original bill and the strike-all Amendment that we're voting on because I think that's something that this volunteer commission and the people in this room should know. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. I rise for point of questions to the proponent of the Amendment?

THE CHAIR:

Please proceed to frame your questions.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Senator Musto, the Amendment that you offered talks about a strategic -- comprehensive strategic plan that we're asking the Department to develop. The Amendment appears to strike, also, a call for a five-year master plan, and I wonder, sir, what is the difference between a five-year master plan and a comprehensive strategic plan for this Department? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. A five-year strategic plan and a comprehensive master plan. The language is, of course, subject to some interpretation. I would say that a five-year plan, first of all, involves a five-year plan. That's being stricken. A

comprehensive master plan would include everything the Department is doing, what their goals are and how those goals are going to met by things or actions the Department is taking to improve those goals and to improve the outcomes for children and families. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. So, the five-year plan, the five-year master plan was stricken from the bill, I believe, due to lack of resources and money to create this five-year master plan. Does this Department have the resources and funding available to create a comprehensive strategic plan? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. The Department tells us that there is no problem implementing the requirements of this bill so I would assume, based on the Department statements that they do, in fact, have

the resources to perform all of their obligations under this bill. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. And through you, Mr. President, does the Department of Children and Family Services currently have a comprehensive strategic plan for the Department? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

By that name, I do not believe so. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. So this State agency -- you're indicating does not have any kind of master plan or strategic plan in place now? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

I don't believe that's what I said, Mr. President. What I believe I said was that I don't believe -- first of all, this bill has not been passed so the requirements of this bill, to the extent that it changes existing law, no, they would not have that plan. They may have other plans, I'm sure they do -- I would hope they do -- that discuss what their goals are and outline their steps to achieve those goals. But no, it's my understanding that they do not, at this time, have this particular plan. And it is not currently in existing law. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. I was looking at their web site and I see that they have a statement of mission and guiding principles which is fairly extensive. They talk about an over-arching principle of safety, permanency and well-being. The principle one of families is allies. Principles two, three, four and five -- so they have a very extensive

statement of mission and it's been my experience in the business world that that is often a guiding map, if you will, to create subsequent strategic plans and even, master plans. And so I'm wondering what was the genesis to ask the Department of Children and Family Services to do both a comprehensive strategic plan and also a five-year master plan, which now is somewhat on the back burner? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

As I discussed with Senator Debicella, the five-year master plan language has been stricken in this bill -- or will be stricken by this bill from existing law. So I don't believe there's any requirement -- and there have been no contemplation that the Department do both. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. Okay, that's good clarification that we're not talking ultimately about creating today the requirement of the Department

developing a comprehensive strategic plan and then at some point in the future, even though it is stricken from this bill, by this Amendment, the development of a five-year master plan. It does seem highly likely to me that the Department of Children and Family Services as a operation of state government with a number of employees and a number of regulations that they must adhere to that they probably already have a strategic plan. And I wonder, through you, Mr. President, to the proponent of this Amendment, is it the feeling of the Select Committee on Children and others who have looked at this issue, is it the feeling that the Department of Children and Family Services does not have adequate planning in place? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. As I discussed with Senator Kissel, it is not my intent by this bill or certainly by any statements to, in any way, impugn the past practices of the Department. We are trying to move forward. These recommendations, which we hope to

enact into law, would do that. And I would rather focus on better government and better outcomes for the children and families than on any failures the Department might have had in the past, if any. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. Thank you for your answers, Senator. Actually, I have not referred at all to any past history about the Department. I'm looking forward to success of the Department of Children and Family Services. I guess all I'm trying to determine is that the Department, I'm assuming, still has in place plans that they have accumulated over past years and what was the review process to look at existing plans before you developed this new legislation that requires them to create new, comprehensive strategic plans? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. Again, this legislation was drafted based on a study that was done prior to my entering the Senate. Having discussed the legislation, I am aware of some of the perceived insufficiencies that existed or were alleged to have existed in the Department that gave rise to some of these, but I believe that dwelling on the past would not do us any good.

Currently, the Department does not have, to my knowledge, the type of plans that are provided for in this bill. It's not to say they don't have anything. It's not to say they're not trying. I'm just saying that the plans that are being provided for in this bill do not currently exist. I am sure there are other outcome related plan they have, goals that they have, things that they've posted on their website certainly. I do not want to belabor the point of moving forward, but we are trying to do that with this bill. This bill, again, was negotiated by all the stakeholders involved in this bill and then Children and families in general in the state of Connecticut. DCF was heavily involved in it, right up until yesterday. Many of the other advocates were involved

in it, right up until yesterday and will continue to be in the future, I certainly hope. But to say that there were some specific downfalls, some specific failures on the point of the Department or that there continue to be some specific failures on the part of the Department that would make this necessary, I believe, moves us in the wrong direction. And I take Senator McLachlan at his word that he is not looking to the past and to see what's going on. I understand that he's looking at the present and how this bill wants to fix or what harm we're trying to fix with this bill. But, again, I would say that by passing this bill, we are giving a clear statement of legislative intent that was negotiated with the Department and with the Office of Policy and Management and with some of the advocates who speak for children, either officially or unofficially in the State of Connecticut and that all of those groups together, worked on this bill. It's important for children and families in the State of Connecticut. It's important for the government of the State of Connecticut and the individuals who run the Department and I believe that going forward, looking forward,

making these plans, creating or expanding the Advisory Council, these are all good things. These are all the kinds of things that we should be doing generally in our government, to the extent that as we've been talking about they don't break us, bank wise. But we are trying to move forward in a positive manner, get everything in place, so that we can have the outcomes we need, make the children and families served by the Department and by the State of Connecticut, put them in a better place for the future. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. And thank you for your answers, Senator, although I agree with the laudable goals of this legislation and all the good work that's been done. But I just want to comment on your response to a fairly simple question. And that was the -- is there an existence of plans that the Department of Children and Family Services and your perception of that was that I was calling into question past deeds that were -- you know, that nobody

wants to talk about. That's not the case at all. In fact, I'm not even sure where you came up with all of that idea, that I was inferring such a thought in any way, shape or form. That's not the case at all. This has been a very simple question that, frankly, I don't believe you've answered adequately and all we wanted to clarify -- I wanted to clarify was the existence of --what I believe the Department of Children and Family Services has in their files -- some very good plans. And so, my question to you, which has remained unanswered, as you have stated that I'm looking back and not looking forward, that's an inaccurate statement, -- the simple question was when the bill was crafted, was there a review of existing plans in place and so I will accept your comments as an unanswered question. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Musto.

SENATOR MUSTO:

Yes, I would not say that I didn't answer the question. My answer to the question is yes, the review was done regarding what current plans were in place. And yes, it was determined by those on PRI

that there should be something different or something more. I'm also not aware on the website, when that was put in place. If it was put in place after the recommendations from PRI, then it may be that the Department is moving in the right direction and sort of taking its charges from the legislature. If, in fact, those were done previously and PRI failed to look at them, which would surprise me, frankly, then maybe it is a failure on the part of the legislature. But I would seriously doubt that considering the people I've talked to after the study was done and the people I've talked to who were involved in the study including several members of this Circle. So the answer to your question directly and precisely is yes. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. And thank you, Senator, for the direct question and direct answer. I appreciate that very much. I appreciate all the work that you've done on this legislation. I applaud the efforts of you and all the advocates who have worked

hard to make the Department of Children and Family Services a better arm of State government and I look forward to reviewing the report that will be the result of this bill. Thank you.

THE CHAIR:

Thank you. The item before the Chamber is Senate Amendment Schedule A. Will you remark further on Senate A? Will you remark further? If not, there was a request for a roll call vote. I'd ask the Clerk to please announce that there is a roll call vote in the Senate.

THE CLERK:

A Roll Call has been ordered in the Senate. Will all Senators please return to the Chamber. Immediate Roll Call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

The Senate is voting on Senate Amendment Schedule A. The machine is open.

THE CHAIR:

Members, please check the board to make certain that your vote is properly recorded. If all members have voted, the machine will be closed. Would the

Clerk please take a tally?

THE CLERK:

Motion is on adoption of Senate Amendment Schedule A.

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Senate A is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Musto.

SENATOR MUSTO:

Yes, thank you, Mr. President, I would move passage of the bill as adopted on the underlying bill as we discussed in the Amendment, the Amendment becomes the bill and as we've just discussed about the Amendment it is -- the underlying bill is good for children and families in the State of Connecticut. Thank you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Mr. President, I rise in support of this bill. I think this bill is a very good bill and I applaud the Members of the Committee getting this bill out. When it becomes an issue of children, certainly, we need to put in our State services for the best interests of children. And with that, Mr. President, if I may have the Clerk call LCO 8453 and I request permission to summarize.

THE CHAIR:

Will the Clerk please call LCO 8453, to be designated Senate B.

THE CLERK:

LCO 8453, which has been designated Senate Amendment Schedule B. it is offered by Senator Fasano of the 34th District.

THE CHAIR:

Senator Fasano's requested permission to summarize, is there objection? Is there objection? Seeing none, please proceed, Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Mr. President, as I said, when it comes to the children and their parents, there's certainly a lot of support we have to give our

children when they develop in a family that may have issues that go beyond what we can even imagine. The Department of Children and Family Services certainly has a huge task on their hands in dealing with these unique and complex situations as they develop. Mr. President, unfortunately from time to time, there comes what I would even consider tragic patterns of conduct that a parent or parents commit to their children. And when the State gets involved, it ultimately changes that relationship forever.

Mr. President, I had a constituent in my district bring to me an issue where it was marriage that went awry and, unbeknownst to her, the father was molesting their daughter. And this had gone on for some time. They ended up in a divorce for other reasons and when the daughter confided in the mother and they brought up the issue, it became an issue of whether it was made up for the divorce or not and this went back and forth. Ultimately, it was proven that the father had done these unspeakable acts to the daughter. At which point the mother moved for the permanent termination of the biological father's rights to the child. Under our law, once you terminate those rights, under our

laws as exist today, for the criminal conduct of molesting a minor, your daughter, in this case, the obligation of support stops. So this single parent had the obligation of bringing up two children with one income. With one income. And giving them what she wanted to give them. So she took on three jobs. And she, luckily had other family support to take care of her child.

When this idea was brought to my attention and we had the public hearing on this matter, I gave the microphone to my constituent and her daughter, who spoke about the need to change the law. She spoke both about the fact that when someone performs, who happens to be a father or a mother, an illegal conduct, and as a result of the conviction -- and this is a conviction, Mr. President, involving sexual abuse of a child, prior to the termination of the parental rights, if the court does terminate those rights, as a result of that, they should not be excused for the financial obligation for making sure that that child that they brought into the world ceases. They need to make sure that they uphold that financial obligation. They shouldn't be allowed to commit a criminal act

that terminates the parental rights and then still receive a benefit, if you would, of not providing child support for that family. When this story was brought on, I could not believe that that was the law. But, I guess, more importantly, I could not believe the courage of the mother and the daughter, both, to show up at the public hearing and be -- what had to be very emotional and very hurtful situation -- speak, articulately, compassionately to the Committee who responded equally so. They understood the compassion, they understood the reality and the inequity of the law that we have.

Now when the bill was first brought out in Committee, the language met with opposition. And I get that because this issue is very narrowly tailored. That's why this Amendment is very narrowly tailored. What happened before, I guess, is in some universes within our system, there are issues of abuse, maybe not necessarily sexual, and in order to get the parents to terminate the parental rights, we use, as leverage, that we'll cease the child support. That seems to be a tool in negotiating that is for the benefit of the child unless the child goes to foster

care and gets adopted and severs the rights between the parents and, I'm told, from advocates that that makes sense in the universe. And for that, I appreciate it and I agree.

That's why, you'll see when you look at these bills, a number of rewrites by myself because I was trying to alleviate the fears and the concerns that Department of Children and Family Services and child advocates had with respect to this issue and narrow it down to a very narrow issue, which is when the parent's rights are terminated due to parent sexual abuse of a child, upon the petition of the other parent, the Court terminates the parental rights in part or in whole on grounds of such parental sexual abuse, such parent is convicted and the Court determines that it is in the best interest of the child to keep the child support going, that's what the Court has discretion to do. No longer will it be automatic, given this narrow fact pattern.

Mr. President, this makes sense. Probably more importantly, it's equitable logic. Unfortunately, I'd love to say that these situations are few and far between. The reality of our society is that is not

accurate. The reality of our society is that it happens with frequency that is beyond the pale. So we need to protect our children from the abuse. We also need to protect our children from the financial discomfort as a result of that criminal act. It's accountability. It's accountability for bringing a person into this world and it's accountability of not allowing them to sever that financial responsibility based upon a criminal conduct that we have here. Once again, it's not an allegation, it is a conviction. It is a conviction for which you can bring these proceedings.

Mr. President, I know that this is an issue that I've talked to various legislators around this Circle and I know that it's an issue that they're all concerned about. Mr. President, I hope the Circle sees the logic in this and I hope they adopt this Amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Musto.

SENATOR MUSTO:

Yes. Thank you, Mr. President. I rise in reluctant opposition to this Amendment. As I've

discussed in Children's Committee and we discussed in Children's Committee and I've discussed with Senator Fasano, I stand in support of the underlying concept. That we have rights and we have obligations. And that when rights are terminated through a person's own fault, that does not necessarily mean or should mean that their obligations go away, especially to their children.

Nonetheless, we are on the last day of session. This bill has to go to the House and there is strong opposition to this Amendment in the House. This bill, the underlying bill will not make it through the House with this Amendment. The underlying bill, as I've spent so much time discussing is extremely important to children and families in the State of Connecticut to improving our government, to improving the services that our government provides to those individuals and families. And so I look forward with Senator Fasano going forward and whoever would be interested in this as well to supporting this in the future or some version of it. But at this time, I would urge rejection of this Amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Franz.

SENATOR FRANZ:

Thank you, Mr. President. I do stand in favor of the Amendment here today in front of us. And I'd like to salute Senator Fasano for his work in thinking this through and putting it together in the form of an Amendment and now presenting it to us today. I don't know how many cases there are like the one that Senator Fasano referred to. You have to believe that there are a lot more than what we have seen in the newspaper and a lot more than we've heard about in our hearings in the Children's Committee and other Committees. And I also, today, salute the courage of the two constituents that Senator Fasano was talking about in coming forward and talking about some horrendous circumstances that relate to an issue that this Amendment squarely and fairly addresses, which is what do you do in the case of the abandonment or the cessation of parental rights? Does, in fact, the obligation go away or does it remain on the books? The Amendment, as well as, I hope, many of us around the circle agree that the obligation should stay

there, not just for practical reasons, but also for principle reasons. There's a reason for that. And sometimes you have to scratch your head. You have to wonder why was the law written originally the way it was. that created that set of conditions for these kinds of circumstances. I think Senator Fasano hits the nail on the head when he suggests what he's suggesting in this Amendment and I think, it's certainly worthy of not only our attention, but our approval today and I would urge the Circle to do so. Thank you. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. Speaker. Mr. Speaker, I rise to support this Amendment, having been at the public hearing where this very compelling testimony was being heard. I must tell you, you could hear a pin drop, it was a most courageous example of testimony that we've heard in a very long time. It was no easy thing for both the mother and daughter to bare their souls in front of all of us regarding this very personal and

private matter. And, in fact, it is probably one of the most tragic examples of the worst kind of parental betrayal of duties and responsibilities. And this Amendment was worked on extensively to consider the various issues that individuals brought forth. And I particularly appreciated the fact that there was a section that was place in the Amendment that spoke to some of those concerns where it outlined the fact that the Court could determine that continuation of such child support obligation is in the best interest of the child. So that if there was some concern about safety, that should be considered by the courts for sure. And also, in this, prior to entering an order terminating the parental rights of a parents under this section, the Court should provide, also, notice to such parent of that child support may continue, as well. So given that they would noticed, that might cause some concern, but the courts would then deliberate as to whether or not that might not be in the best interest of the child or it should. Inadvertently, it appears that we do reward bad behavior, when, in fact, a situation like this comes up. And it's unfortunate that it does. But I hope

that we think about this carefully and consider that this might be a good thing to add to our statutes and that Members of the House, although they may disagree, might by a majority vote, given that this bill is starting here in the Senate, might agree to vote in favor of it at the end, by majority vote. And on that point, I'll be supporting the Amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President. Senator Fasano has raised an issue of enormous significance, not only in Connecticut but also in the United States. A man fathers a child. The Department of Children and Family Services starts a termination of parental rights proceeding. The father wanting to avoid child support under Connecticut law consents to the termination of parental rights and thereby avoids child support. And so often that is done in lower incomes and impoverished families where the victim is that child who will no longer get child support from the father.

The problem is that Senator Fasano is introducing this bill on the last day of our session where we can't do it. But together with Senator Musto in the Circle, I want to encourage him to bring this back and there will be a number of us who will be joining him in the effort in the next session. Thanks, Mr. President.

THE CHAIR:

Thank you, Senator. Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President. I just rise briefly because this issue was referred to the Judiciary Committee earlier in the session. And there was a tremendous amount of concern about the issue, certainly a deep appreciation for the complexities and the intersection of various points of law on this. But there was no action taken on it by the Judiciary Committee, I think, in part because we didn't have the benefit of the compelling testimony that was heard by other legislators so there was opposition in the Judiciary Committee. I had made a commitment to Senator Fasano earlier in this session that should this Amendment fail that we would have a public

hearing in the Judiciary Committee on this subject next year so that we could fully develop it. I understand that the work that Senator Fasano has put into the issue. I certainly understand the importance of it to him and to many others, but I think it would benefit from at least a public hearing in the Judiciary Committee, so for that reason, I will be opposing the Amendment, at least for today.

THE CHAIR:

Thank you, Senator. Senator Roraback.

SEANTOR RORABACK:

Thank you, Mr. President. I rise in very strong support of the Amendment. I have to say it's disheartening to me to learn from Senator Musto that he believes were this Amendment to be included with the bill when it goes downstairs that it would cause the bill not to pass in the House of Representatives. It's hard for me to conjure up any reasonable scenario under which the House would reject the bill if this Amendment were attached to it.

Mr. President, this phenomena, it's an unusual phenomena because` it extends beyond the reach of what Senator Fasano's Amendment covers. I have probate

judges in my district who say people now are coming to the probate court saying, please terminate my parental rights. And they do that because they want to get out from under the responsibility to support their children financially. It's an outrage. And my probate judge said, please introduce a bill that makes it unlawful for an individual to come and ask that their own parental rights be terminated because it's an affront to every parent's obligation to their child. Mr. President, this Amendment is the most glaring example of why it is that parents should not be virtue of bad conduct, be relieved of their obligations and my hope would be that we would test the House of Representatives by passing this Amendment and learn from them why it might be that they couldn't see their way clear to do something that I think everyone in this Circle recognizes as representing very sound public policy. Thank you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. For one of the few times in the Circle, I rise, unsure of my position on

this Amendment. The points made by Senator Fasano are extremely powerful and the last point by Senator Roraback is something that really is remarkable. The very idea that someone would seek leave to have their parental rights terminated, perhaps in an effort to not have to fulfill what are not only legal obligations, but just moral and human obligations is shocking.

At the same time, however, the reverse situation, I think, lends towards potentially opposing this Amendment. And that is when the State has to take the extraordinary measures to forcibly, you know, in a contested matter, terminate someone's parental rights. I'm not sure how we as a State even have the power to terminate someone's parental rights. Perhaps we have the power to do it legally, but, you know, a father and a mother are going to be parents of that child forever. But how so you enforce parental obligations after you've terminated all parental rights? That is an issue that I don't know if our legal system and our statutes are ready to deal with. And when you think of the many reasons which cause the State to come in and move for termination of parental rights, they are

of the worse tragedies. I'm sure you've seen it as we all have in our lifetime. And it is the State, essentially, saying and making the extraordinary statement that this child, this young boy or this young girl, is not healthy and should not be with this person as their parent and we're going to terminate their rights. And I would think with that termination, it would terminate all obligations on behalf of the person. And so perhaps there's a middle ground. Perhaps there is a law that says that if someone seeks to have their parental rights terminated, the Court may not grant that absent an agreement to fulfill what should be financial obligations and moral and legal obligations. But if the State were to forcibly terminate in a contested matter, the law would stay as it is. So I want to commend Senator Fasano for his hard work on this. He's talked a lot about it to me privately and in our caucus and the visceral reaction of Senator Fasano is one that I do share. You know, as a father of three kids, I could not imagine anything that would prevent me from fulfilling my obligation to them until I've had my last breath on this earth. That's what our

obligation is as human beings, is when we take the extraordinary step of bringing someone into this world, to do everything we can possibly to take care of them and make their lives better, just as our parents or parent did for us growing up. So I am a little bit uncertain how I'm going to vote on this. I think if the bill -- if the Amendment -- excuse me, Mr. President, does not pass, I would like to thank Senator McDonald for his offer to have a public hearing on it next year. Because I think, and we may have a bill later tonight on fatherhood initiatives. Because these issues are extremely important in our society sadly today, more than they were ever before. So I am not certain how I'll vote on this. I think Senator Fasano's got an important point. I'm just not sure we're ready to pass this at this time. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Mr. President, I appreciate the comments around the Circle. I do not want to jeopardize this bill. It is a good underlying

bill. I also don't want people to be put in an uncomfortable situation to choose between a good bill and what I hope would be an Amendment to make it even a better bill and then it dies because we're on the last day of session. I totally agree with all the comments by every Senator around the Circle who spoke in support of this bill. Therefore, Mr. President, I look forward to renewing this relationship next session and I will withdraw the Amendment. Thank you, Mr. President.

THE CHAIR:

Motion is to withdraw the Amendment. Is there an objection. Is there objection? Seeing none, so ordered.

Will you remark further on the bill as amended? Will you remark further? If not -- oh, I'm sorry, Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. Mr. President, I rise in support of this bill as amended. I want to thank Senator Musto for his hard work on this bill. And I think this bill is important for the reasons described. In particular, I want to notice that it

really recognizes and enhances the Office of the Child Advocate. This bill, as amended, recognizes and enhances the ability of the Child Advocate to hold various agencies accountable by requiring State agencies cited in reports to actually respond to the Child Advocate within 90 days and insure that certain recommendations are implements. So thank you, and I rise in strong support.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President and not to belabor the point but I also rise in strong support of the underlying bill as amended. I'd like to once again, congratulate Senator Musto for bringing this out.

But there's a couple of other folks that I'd be remiss if I didn't say some kind words about as well. When this matter was originally investigated by the Program Review and Investigations Committee, that Committee was co-chaired by Senator Meyer. Senator Meyer has been a champion regarding children's issues for all the time that I have known him. Both as co-

chair of the Select Committee on Children as well as the co-chair of the Program Review and Investigations Committee when they conducted this investigation. And so I think that as this bill moves forward and hopefully gets passed by the House of Representatives later on, that Senator Meyer deserves some praise as well.

And the last person -- and we spoke about her at the beginning of the session, when she so unfortunately had her untimely death, that is Representative Faith McMahon who passed away earlier this year. And one of the kindest individuals I've ever had the pleasure of working with. She was a constant advocate for helping to protect children. She would have been co-chair of the Select Committee on Children this year, had she not passed away so untimely and unfortunately, and as this bill goes forward, I think it's good to keep her memory in our minds and in our hearts. And so with that on the record, I'm strongly supporting the bill as well. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, I believe the Clerk is in possession of an Amendment, LCO number 8671. I ask that he call the Amendment and seek leave to summarize.

THE CHAIR:

Would the Clerk please call LCO 8671 to be designated Senate C?

THE CLERK:

LCO 8671, which will be designated -- has been designated Senate Amendment Schedule C. it's offered by Senator McKinney of the 28th District.

THE CHAIR:

Senator McKinney's requesting leave to summarize. Is there any objection? Without objection, please proceed, Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, I move adoption of the Amendment.

THE CHAIR:

Question before the Chamber is the adoption of Senate C. Will you remark?

SENATOR MCKINNEY:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, let me describe to you a scenario that I learned about from a constituent of mine. I won't take a long time to do it. It will therefore explain what the Amendment does and hopefully announce the reason for the Amendment.

I got a call from a constituent in the town of Fairfield earlier, probably late towards the end of 2008 who had been very concerned that their young child had their picture on the front of the newspaper and had been identified, first and last name. It was a young daughter. And as a result of the picture in the paper and the identification, started receiving harassing phone calls. There was no knowledge that the young woman, the parents had no knowledge that the young woman's picture had been taken, that she had given her name to the photographer who worked for the newspaper, but there's been a lot of pain and suffering as a result of that.

What this Amendment does -- and it's a simple Amendment, but my guess is that Senator McDonald is going to tell us that it's not so simple, given our First Amendment rights, is that it says that a

newspaper cannot publish the last name of a minor without first seeking permission from the parents. So can they still put the photographs of the kids sledding in the snow, the first snow storm of the year or playing baseball on the first spring day of the year, yes, they can. Could they identify them as Andy and Jane and Joe and John, yes, they can. But can they put their last name of a young child without first asking the parent's permission? If this were to pass and become law, no, they wouldn't. I understand it's controversial but I felt the obligation at some point during this session, Mr. President, to at least raise this issue on behalf of the family. At least, so they know that the trouble that they have gone through, which was no fault of their own and I will say, no fault of the newspaper as well, solely the fault of a sick and twisted individuals who make these phone calls. Again, no fault of the reporters or the photographers or the newspapers. I've always considered myself to be a strong protector of First Amendment rights although some may question that on this Amendment. But I felt an obligation to at least get this family's story out today and raise an issue

that should be of concern for us. Because I know everybody here would be equally concerned for their constituents if it happened to them. And I just wanted to identify this issue for the members of the Senate in our Circle so that this family could at least know that they've had their moment here and the people of this State Senate have heard about the very difficult and unfortunate times that they're going through. Thank you, Mr. President.

THE CHAIR:

Thank you, sir. Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President. For the reasons that I discussed with Senator Fasano's Amendment, I rise in reluctant support -- excuse me, in reluctant opposition to this Amendment. Supporting the underlying concept as I did in the Children's Committee and many of us in the Children's Committee, when we heard these stories looked at each other and said "Isn't this already the law? How can this be going on?" being protective as we were of minors. So I do support the underlying concept. I am also concerned whether this violates the First Amendment.

The underlying bill, this Amendment was basically an Amendment that came out of the Children's Committee. It did die in Judiciary, I understand and it, again, will jeopardize the passage of the underlying bill. I look forward to working next year to try to get this through, maybe delving into some of the First Amendment issues, but for now, I would urge a vote against the Amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President. Mr. President, just briefly, I rise in opposition to the Amendment for many of the reasons that were outlined by Senator McKinney. Certainly, there are profoundly important First Amendment issues related to this proposal. It's born of the best of intentions and I commend Senator McKinney for zealously presenting it before the General Assembly.

I am, however, concerned about the prior restraint on the freedom of the press issues that are implicated and, as I indicated with Senator Fasano earlier, the Judiciary Committee had a significant issue with this

proposal and, perhaps, next year, the Judiciary Committee would be able to coordinate its activities within the Children's Committee and we could have a joint public hearing on this issue as well, but, at least for today, I oppose the Amendment.

THE CHAIR:

Senator Franz.

SENATOR FRANZ:

Thank you, Mr. President. I rise in favor of the Amendment. I can imagine what the debate will be like over the First Amendment implications of this particular issue, as it's framed in the Amendment -- the suggested Amendment before us today.

The First Amendment is one of our absolutely greatest provisions in the United States Constitution. There's no question about that. I think we'd all support that statement 110 percent. However, it's also one of the more, in my experiences, one of the more abused principals or Amendments in the Constitution. And causing there to be some very interesting results in court cases. We've seen a lot of very interesting ones right here in the State of Connecticut where, essentially, there have been

takings of private property or community property that was guaranteed by statute to be under the control of a certain municipality or a township or a small town. And because not everybody was able to exercise their First Amendment rights on that particular piece of property, it was deemed that it could no longer be restrictive in its use by just the town residents or people paying a small fee to be a member of an organization to be able to enjoy that piece of land.

So I think we have to be cognizant of some of the practicality in the every-day details that we face and also, we have to be cognizant of how common sense should play a role I our society these days. Very, very important against the principles that can oftentimes be a little bit stretched, a little bit perverted in the courts. You know, you can take the First Amendment in its written form and you can say what they really meant was that if I can make a case that it's my freedom and my right to express myself by picking up a gun and injuring someone else, that that's okay. And these kinds of arguments do take place in the courts and it's kind of unfortunate because what it does it thumbs the court's nose at the

whole notion of common sense. So we're talking about something as simple and something as protective as keeping a young child's last name out of a newspaper, I think we're talking about something that's of paramount importance.

We've seen other cases right here in the State of Connecticut, there's another case from upstate Connecticut. It wasn't in the newspaper but it happened to be in an art show and there were photographs and the last names of the three children involved were displayed underneath the photographs and it became an absolute five to seven year nightmare for the family to put up with the person who decided to harass each one of those children in a horrendous way that I'm not comfortable speaking about today.

So, I stand in favor of this Amendment. I think it's good common sense and I know the consideration for the underlying bill is also large and I know we have another session next year, but I do stand in favor of it for the all-important reasons that I just outlined. Thank you, Mr. President.

THE CHAIR:

Thank you, sir. Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. I can't recall over the last 17 years too many instances where I've risen in opposition to Senator McKinney's Amendments or bills. And certainly, I have the utmost respect of his vast legal knowledge. And I'm incredibly sympathetic to the case of the folks that live in Fairfield, that their child was harassed by someone who happened to read the name of their daughter in a newspaper.

As I've indicated so many times in the Circle, I have two sons that I'm so incredibly proud of, Nathaniel who is 13 and Tristan who is five. And being a public official, they've certainly been with me in public events and if a newspaper published their names and someone saw fit to start harassing them, I would be very, very upset. Nonetheless, my quick read of the precedent that's out there would dictate that I have to rise in opposition to this Amendment with the utmost respect to my leader.

And very briefly, just citing the cases. There's a case that came out in 2005 called Bowley versus Uniontown Police Department, where there was the

publication of an individual who had allegedly raped a seven-year-old. That individual was a minor himself and in that case the Third Circuit Court of Appeals upheld the right of the newspaper to publish that name. And also, at the same time, they cited two United States Supreme Court decisions on point, Florida Star versus BJF, came down in 1989 and Smith versus Daily Mail Publishing, which came out in 1979.

In a nutshell, it's my position and the Supreme Court, I believe supports this, that maintaining juvenile anonymity is not a State interest of the highest order such that it would outweigh First Amendment protections and freedom of speech enjoyed by our newspapers. and for that reason, Mr. President, I reluctantly rise in opposition to this Amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further on Senate C. Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. I do want to first thank my colleagues for their indulgence. I thank

Senator Musto for his consideration of this and the Children's Committee as well as Senator McDonald.

Mr. President, I am also going to make the same decision that Senator Fasano made. But I just want to thank my colleagues for letting me bring to their attention an issue that's very important to at least one family. Hopefully, no other families will feel this way and suffer as this one family has, but with that, Mr. President, I will withdraw my Amendment.

THE CHAIR:

The motion is to withdraw the Amendment. Without objection, the Amendment, Senate C, is withdrawn.

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President. I would move for a roll call vote on the bill if there's no other commentary or objection.

THE CHAIR:

Senator Musto, did you say roll call?

SENATOR MUSTO:

Yes, Mr. President.

THE CHAIR:

Are there other comments on the bill as amended?

Are there other comments?

If there are no other comments to make on the bill as amended, the Chair will ask the Clerk to announce the roll call vote in progress in the Senate.

THE CLERK:

A Roll Call has been ordered in the Senate. Will all Senators please return to the Chamber. A Roll Call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

The machine is open, Senators may cast their vote.

Senators, please check the board to make certain that your vote has been properly recorded. If all Members have voted and if all votes are properly recorded the machine will be locked. Will the Clerk take a tally?

THE CLERK:

Motion is on passage of Senate Bill 877 as amended by Senate Amendment Schedule A.

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The bill as amended is passed.

Are there any announcements or points of personal privilege?

Senator Looney.

SENATOR LOONEY:

Yes, thank you, thank you very much, Mr. President. For purposes of an introduction.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President. Mr. President, pleased to have here in the Chamber today, my intern for the past session Clarissa Matthews who is recently graduated from Quinnipiac University. And she will be, beginning this fall, at Quinnipiac University School of Law. After the internship was completed, she has, as a volunteer, come back and done some additional work later in the session, even after the end of the formal internship, just demonstrating how committed and how energetic and serious-minded she is. She is someone of great potential. She will have a great legal career ahead of her and hopefully, the

Chamber will welcome and acknowledge all the good work that Clarissa has done during this session.

THE CHAIR:

Ms. Matthews, we join in thanking you for your assistance to Senator Looney and the rest of the Senate and the General Assembly. Good luck in law school.

Are there further announcements or points of personal privilege?

Senator Handley.

SENATOR HANDLEY:

Thank you, Mr. President. I rise for a point of personal privilege.

THE CHAIR:

Please proceed, ma'am.

SENATOR HANDLEY:

Thank you. I, by serendipity, see that my aide, Josh Wojack is here at the exact point when we can do personal privileges and I would like to announce to the Circle that Josh recently completed his Master's of Public Administration at the University of Connecticut and on top of serving as my aide and as everyone knows who knows Josh, having done an

absolutely marvelous job, both in his work here in the Capitol and also in his work as a student. So I'd like everyone to congratulate Josh on this really very fine accomplishment. Thank you, Josh for your help and congratulations.

THE CHAIR:

Thank you, Josh, for your help. Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President. Mr. President, I rise because I failed to make a journal notation for yesterday. I was out of the Chamber on legislative business when the vote was taken on House Bill 5177. Had I been here I would have voted in the affirmative.

THE CHAIR:

The journal will please note.

Further announcements or points of personal privilege? Are there further announcements or points of personal privilege? If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President. I would just move that -- for immediate transmittal to the House of Representatives of Calendar page 23, Calendar256, Senate Bill 877, upon which the Senate has just

concluded action.

THE CHAIR:

The motion is for immediate transmittal. Is there objection? Is there objection? Seeing none, so ordered. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if the Clerk might call as the next item of business Calendar page 33, Calendar 378, Senate Bill 1048.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 33, Calendar number 378, substitute for Senate Bill 1048, AN ACT CONCERNING BULK PURCHASING OF PRESCRIPTION DRUGS as Amended by Senate Amendment Schedules A, B and House Amendment Schedule A. Favorable Reported, Committees on Public Health, Judiciary, Human Services, Government Administration and Elections and Insurance.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. I move acceptance of

the Joint Committees' Favorable Report and passage in concurrence with the House.

THE CHAIR:

The issue before the Senate is acceptance and passage in concurrence with the House.

SENATOR HARRIS:

Thank you, Mr. President. This bill passed unanimously last week. The House, in Amendment A struck sections 501 and 503 in accordance with an agreement that we had with the Administration. I urge passage. I also want to clarify for the record that, of course, the major part of this bill is that the Commissioners of Social Services, Administrative Services and the Comptroller, in consultation with the Commissioner of Public Health shall develop a plan to bulk purchase pharmaceuticals for our public health care plans. And also, consider joining a multi-state purchasing pool to have more market leverage to lower the costs of these prescriptions to the people of Connecticut and the taxpayers of Connecticut.

I just want to say that it is implied in doing this plan that a feasibility analysis would, of course, be a portion of that. And again, I urge

adoption in concurrence with the House.

THE CHAIR:

Thank you, Senator. Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, just through you for clarification, one question to the proponent of the bill.

THE CHAIR:

Please proceed.

SENATOR DEBICELLA:

Thank you, Mr. President. Through you, just for clarification for the Chamber, House Amendment A which the House amended this and it is now back before us, if my friend, Senator Harris could just describe for the Chamber what House Amendment A did. Through you Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. Through you, there were two sections in the Amendment that we called section 501 and 503, which the House Amendment does strike. We actually had an agreement to do so that

night but we were unable to get the Amendment drawn in time and that's what that does. Through you, Mr. President.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And I thank Senator Harris for the answers to those questions.

Mr. President, I stand in support of this bill today, not without some reservations. But before I describe those, I want to thank Senator Harris for shepherding this through the legislative process. It is an idea that is worthwhile looking at and considering. I have my doubts about it, but I think that Senator Harris has done a very good job of making sure that everyone's concerns are addressed as we move forward with looking at the idea of the bulk purchasing of prescription drugs. As usual, he's taken a very even-handed approach to this and I want to thank him for his leadership on this.

Mr. President, the bill before us as Amendment, basically says that we, as the Commissioners of DSS, DAS, the Comptroller in consultation with the

Commissioners of DPH to develop a plan concerning the bulk purchasing of pharmaceuticals. Whether that be combining our plans in state, such as HUSKY Part B, SAGA, the Charter Oak plan and CONPAYS (inaudible) inmates, we're looking at multi-state Medicaid pharmaceutical purchasing. Now, Mr. President, I don't think that anybody would argue against this on ideological grounds. I think if we can figure out a way to save money on the purchasing of drugs for all of our state plans, we should absolutely do it.

The question is, and it always is a question with these, of looking at the cost-benefit analysis of it. And I thank Senator Harris for highlighting the feasibility aspect of this plan because that is something that we're going to need to do in coming up with the plan. You know, Mr. President, the -- we've heard a lot over the course of the last years about bulk purchasing and the idea that there's consumer power when you have bigger entities buying drugs. The issue here, Mr. President, is one of nuance, I believe. Because if you look at things such as generic drugs, where there actually is quite a bit of competition by its very nature that they're generic

and lots of different pharmaceutical companies are allowed to produce it, you actually could get some benefit from that. And you might be able to achieve some economies of scale by having greater buyer power.

However, Mr. President, when it comes to drugs that are still under the protection of a patent, there is only one supplier of it. And inherently, that one supplier, no matter how big you may be or how much of a bulk purchase that you're doing, there is only one supplier of that drug. So because there's only one supplier of that drug, the probability of being able to achieve lower costs just because you're bigger is small.

We, as a society, have decided to grant pharmaceutical companies essentially temporary monopolies when they develop a new drug. And there's a good rationale behind that because it very often costs billions of dollars to research ground-breaking drugs. And in order for the pharmaceutical company to pay for those billions of dollars we grant them, I believe, it's seven years of a patent to allow them to recuperate that cost before we introduce competition and have the drug go generic.

So the bill before us today, I think, has two very different impacts and I think as this group does these feasibility study they're actually going to see that. And Mr. President, the other question when you're looking at anything that's a cost versus benefit analysis, is we've talked a little bit about the potential benefits, that it might be nuanced there. The cost side of this, I think, is something that nobody fully understands yet. And there actually could be a cost savings if we are able to eliminate employees because we are able to actually merge the functions of purchasing these different pools. However, what I don't fully understand is will there be any incremental costs to it? And my hope is that through having this plan laid out, we can more fully understand whether or not there will be additional costs associated with the bulk purchasing of drugs.

And, Mr. President, the interesting aspect of this then becomes the multi-state Medicaid pharmaceutical pool because there's two levels of this as well. And this is why it's, obviously, a very complex issue. We could pool all of our drug funding here in Connecticut but we might also choose to join

some of the surrounding states that are also doing this. And I don't know if it's immediate states like Massachusetts or New York or if they're farther afield. And, Mr. President, my gut on this is that the cost-benefit, if it works for us on a state level, is going to work for us on a multi-state level as well. And so that aspect of this bill actually makes a lot of sense for us to look at.

However, Mr. President, the one thing I worry about with the multi-state aspect of the bill is whenever you do anything on a multi-state level, you inherently give up some control. And the question that I think this Committee should be looking at as they're considering the multi-state nature of this is, whether or not, in order to join with other states, we are going to have change some of our formularies. Do we have to adopt the exact same drugs that are offered in New York, Massachusetts, et cetera. Again, I don't know the answer to that, but my hope is, as this working group gets together and comes up with a plan, they're able to address if there are any limitations that we may get through or we may have to give up through joining a multi-state compact.

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THE CHAIR:

There's a motion to place items, Senate bill 586, on the Consent Calendar. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President, continuing under disagreeing actions on Senate Agenda number three, Substitute Senate bill number 881, AN ACT CONCERNING INTERNATIONAL COMMERCE, Mr. President would move to take that item up for purposes of placing it on the Consent Calendar.

THE CHAIR:

There's a motion to place items, Senate bill 881 on the Consent Calendar. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, finally on Senate Agenda number three, Substitute Senate bill number 887, AN ACT CONCERNING CHANGES TO ECONOMIC DEVELOPMENT STATUTES, Mr. President, would move to take that item up for purposes of placing it on the Consent Calendar.

THE CHAIR:

There's a motion on the floor to take up items, Senate bill 887 off of Senate Agenda number three. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if the Clerk might call that Consent Calendar.

THE CHAIR:

Mr. Clerk, please call the Consent Calendar.

THE CLERK:

Immediate Roll Call has been ordered in the Senate on the second Consent Calendar. Will all Senators please return to the Chamber. Immediate Roll Call has been ordered in the Senate on the second Consent Calendar . Will all Senators please return to the Chamber.

Mr. President, the items placed on the second Consent Calendar begin on Senate Agenda number two, substitute for House Bill 6678, Senate Agenda number three, substitute for House Bill 6552, Senate bill 586, substitute for Senate Bill 881 and substitute for Senate bill 887. Mr. President, that completes those items placed on the second Consent Calendar.

THE CHAIR:

Please call the Consent Calendar again, sir, the machine will be open.

THE CLERK:

The Senate is now voting by Roll Call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by Roll Call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Have all Senators voted? Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

The motion is on adoption of Consent Calendar number two.

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar number two passes. Senator Looney.

H – 1068

CONNECTICUT
GENERAL ASSEMBLY
HOUSE

PROCEEDINGS
2009

VOL.52
PART 32
10190 – 10500

Those voting Nay 0

Those absent and not voting 0

DEPUTY SPEAKER McCLUSKEY:

The Bill as amended is passed.

Representative Olson.

REP. OLSON (46th):

Thank you, Mr. Speaker. I move for the immediate transmittal to the Senate of all items acted upon in the House needing further action in the Senate.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Is there any objection? Is there any objection? If not, all items that need further action by the Senate are transmitted.

Representative Olson.

REP. OLSON (46th):

Mr. Speaker, I move for suspension of the rules for immediate consideration of Calendar Number 720.

SB877

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is suspension of the rules for the immediate consideration of House Calendar Number 720. Is there any objection? Is there any objection? If not, the rules are suspended.

Will the Clerk please call Calendar Number 720.

THE CLERK:

Calendar Number 720, Senate Bill Number 877 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES. Favorable Report of the Committee on Appropriations.

DEPUTY SPEAKER McCLUSKEY:

The gentle lady from the 59th District, Representative Jarmoc, you have the floor, madam.

REP. JARMOC (59th);

Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark?

REP. JARMOC (59th):

Yes, I will. Thank you, Mr. Speaker. The Clerk has an Amendment, LCO Number 9139. I would ask the Clerk to please call the Amendment and that I be granted permission of the Chamber to summarize.

DEPUTY SPEAKER McCLUSKEY:

Will the Clerk please call LCO Number 9139.

THE CLERK:

LCO Number 9139, Senate "A", offered by Senator Musto, Doyle, Representatives Serra and Hamm.

DEPUTY SPEAKER McCLUSKEY:

The gentle lady has asked leave of the Chamber to summarize the Amendment. Is there any objection? If not, madam, summarize Senate "A".

REP. JARMOC (59th):

Thank you very much, Mr. Speaker. This Bill, this Amendment actually represents the work of the Program Review and Investigations Committee along with the Select Committee on Children.

It requires that the Department of Children and Families with the assistance of the State Advisory Council on Children and Families, create a long-term strategic plan. It also requires that they develop and regularly update this plan.

This plan would be, begin work on this plan in July of 2009 with a deadline of July, 2010 for a report to the Governor and the General Assembly.

Additionally, this Amendment also enhances the State Advisory Council to include additional membership, and it also gives more of a role to the State Advisory Council.

And finally, this Bill is basically also a housecleaning Bill. It gets rid of a lot of obsolete reports, committees and reporting requirements and really updates and brings a broader and more concise reporting requirements that reflect our current Department of Children and Families. I move adoption. Thank you.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is adoption of Senate Amendment Schedule "A". Will you remark? The honorable lady from Monroe, Representative Hovey, you have the floor, madam.

REP. HOVEY (112th):

Thank you, Mr. Speaker. Mr. Speaker. Through you, a couple of questions to the proponent of the Amendment.

DEPUTY SPEAKER McCLUSKEY:

Please proceed, madam.

REP. HOVEY (112th):

Thank you, sir. Through you, Mr. Speaker, just for the record, I'd like to ask the gentle lady, could she please go into some of the components of the report of Program Review that have been specifically

addressed in this Amendment. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Representative Hovey. Can you just ask that one more time? I'm not clear what it is that you're asking me.

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey, could you please rephrase your question, madam.

REP. HOVEY (112th):

Thank you, Mr. Speaker. Mr. Speaker, through you, we had an extensive report from Program Review that delineated significant concerns with the Department of Children and Families, and this Amendment is a direct response to part of that.

So through you, Mr. Speaker, I'm asking the gentle woman just to outline some of the specific highlights in response to that Program Review document.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Sure, thank you, Representative Hovey. Basically, the Program Review and Investigations Committee found that while the Department of Children and Families had periodically done reports, over time what was happening was there was actually no broad long-term strategic plan in place, and actually there had not been such a plan since 1996.

And so basically, the Program Review and Investigations Committee found that it was really time to implement some type of a mandate to require not only that the Department do this type of report, but they actually periodically review that report and include consumers and advocates and people who have a strong background in the field of child advocacy to work with them on the report.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker, and I thank the gentle woman for that response. Part of the report of Program Review delineated a significant number of different entities in the state that all dealt with

similar issues with regards to children's issues, and in fact at one point I think we counted them and there were 26 different entities in the state that had similar job descriptions.

Does this Amendment in any way address that down sizing of government in the State of Connecticut with regard to children's issues? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Certainly, thank you, Representative Hove. Yes, the report requires that there are a number of obsolete reporting requirements and commissions that are clearly outdated and that do not reflect the current status of the Department of Children and Families, and it requires that they be eliminated. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker, and I thank the gentle woman for that clarification.

Another significant issue in the report had to do with the issue of prevention, and in the Children's Committee we had many conversations and heard a lot of testimony with regard to prevention, and does this specific Amendment address the issue of prevention and DCF's role in prevention? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Representative Hovey. Yes, my understanding from reading this Bill is that prevention is one of the components included in what would be a part of the strategic master plan. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, when we're talking about long-term goals and the responding to a requirement for accountability and transparency, who does the Department report to via this Amendment?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Mr. Speaker. The Department reports to the Governor and the General Assembly through this Amendment.

Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. And Mr. Speaker, this particular Amendment has a lot of components to it that do specifically address accountability, which is one of the issues that was of primary concern to Program Review.

So through you, Mr. Speaker, could the gentle woman just clarify what the role of the Children's Advocate will be that, as outlined in this Amendment?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, I just want to clarify. Do you mean the Office of the Child Advocate?

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey.

REP. HOVEY (112th):

Yes, ma'am.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Mr. Speaker. Again, the report will be provided to the Governor and the General Assembly.

It does also though, require that when a report, when there has been a report by the Office of the Child Advocate, and if you could just bear with me for a moment, I'm going to get the actual language so that we can be very clear on it, that any state agency cited in a report by the Office of the Child Advocate under this section shall submit a written response to the report and recommendations, and I believe that's within 90 days.

And this applies to all agencies. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Hovey.

REP. HOVEY (112th):

Thank you, Mr. Speaker. And I thank the gentle woman for her answers. I think that this Bill, this

Amendment goes a long way toward asking for the kind of accountability that the State of Connecticut deserves around their children's issues and protecting those children that are the most vulnerable in our state.

It's so important for the Office of the Child Advocate to have a response that is accountable, and that we are able to respond to also as a legislative body, and also to assure that DCF is meeting the goals of its charge here in the State of Connecticut.

I'm disappointed that there's not more specific goals or delineation around the issue of prevention. I think that DCF does have a difficult time in the prevention arena because they are viewed as the enforcement component here in the state, but I do look forward to this being a start for improvement in our services for our most vulnerable, and I thank the gentle woman for her responses.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, madam, for your remarks. Will you remark further? The gentleman from Waterbury, Representative Noujaim, you have the floor, sir.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. Good evening, Mr. Speaker. Mr. Speaker, through you, I would like to pose some questions to the proponent of the Amendment, Representative Jarmoc.

DEPUTY SPEAKER McCLUSKEY:

Please proceed, sir.

REP. NOUJAIM (74th):

Representative Jarmoc, we all know and understand that children are very important and their well being and prosperity are truly, truly important to all of us.

And I'm looking through the Amendment. I do have some questions that I would like to ask if possible. The first one is, on Lines 85 and 86 in that Amendment, it says shall develop and regularly update a single comprehensive strategic plan.

First and foremost, I am truly, truly impressed by the language, because I have never seen a document that is coming out of the State of Connecticut saying strategic plan, because it is very important to come up with a plan that is accountable, that is doable, that has a timeframe for start, a timeframe for completion. So to me, that is very important. I'm very pleased about that.

But it says in here, the needs of children and families served by the Department. Would the good Representative know how many children and families are served by the Department, by DCF?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Mr. Speaker. I would assume that thousands of children and families are served by the Department of Children and Families, but I wouldn't have an exact number. Thank you. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. So we don't, we cannot narrow it down to a number just to say thousands. Do we have any, like appropriate, perhaps any more narrow number of people who are served by this? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

I apologize, Mr. Speaker. I was distracted for a moment. Can you please repeat the question?

DEPUTY SPEAKER McCLUSKEY:

Please repeat your question, sir.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. Was I not understood or the Representative was distracted by someone else? Or too loud here? Thank you, Mr. Speaker.

I think my question is, we do not have at least an analysis or an estimate of the number of families being served by this Amendment? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, no.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. That was a great answer. I really appreciate that.

And through you, Mr. Speaker, I'd like to continue by asking the good Representative about, in Lines 95 and 96 it says services and estimate of the

funding and other resources. Through you, Mr. Speaker, would the Representative define other resources?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Mr. Speaker. Other resources are indicating that current staff within the Department of Children and Families would be tasked with achieving the goals set out in this legislation.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker, and through you, Mr. Speaker, it says in here in Lines 107, 108 and 109 that they will begin this project before July 1, 2010.

And through you, Mr. Speaker, would the Department be prepared, now we are in June 3rd, would they be prepared, and they will have the appropriate resources to begin this project by July 1, 2010?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Mr. Speaker. We've worked very closely with the Department of Children and Families in developing this legislation. I would say, yes, they are very prepared for this, and my understanding is that currently there are 700 employees working just in the central office of the Department of Children and Families, and it's my understanding that there would be people available to assist with this legislation. Thank you.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. I appreciate the answer. It's a very precise answer. But as the Representative said, there are like 700 employees working on this project. I am looking at the fiscal note of this Amendment, Mr. Speaker, and it says no fiscal note.

With all of these resources, we do not have any expenditures associated with this project and this Amendment? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, basically the current employees within the Department of Children and Families who are doing this work currently would fulfill this requirement, and they, you know periodically, although there has not been a strategic plan since 1979, they certainly work on reports and things like that, and they would be tasked with doing so.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, if we have in the Department any potential early retirement of employees and therefore shortages of employees, would the good Representative still have confidence that this project will be able to be accomplished on target?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, again, I apologize. I was distracted. Through you, the question one more time, please.

DEPUTY SPEAKER McCLUSKEY:

Could you please repeat your question, sir.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. I will repeat. I will repeat it very slowly and loudly, too, Mr. Speaker.

Mr. Speaker, as the good Representative stated, if we have early retirement, and/or, well, actually, early retirement of employees within the Department, would the good Representative still have the confidence that there will be sufficient resources, manpower, to be able to begin this project and complete it on time?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, my understanding and discussions with the Department of Children and Families is that there are 200 employees eligible for early retirement. At this time 40 of those individuals are taking early retirement, but even with

that up to 200 individuals, that would still leave at least 500 employees in the central office to assist with this legislation.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, if I may, on Line 236 it says they will issue a response to the report, and then what would happen with that response? Is there any corrective action that will be taking place if there is going to be a need for corrective action from any other department or to any other department?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, again, the Governor and the General Assembly will be receiving quarterly updates in regard to these reports, and it would be the role of the Legislature, it's my understanding, to oversee any corrective action. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And through you, Mr. Speaker, on Lines 271 to 274, it states in here, all of the administrative support services. I am presuming that all of those funds that are going to be dedicated to this project will be within available budget. There will be no additional budgetary processes for it. Am I correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER McCLUSKEY:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. I appreciate the answers of the Representative. Some of the answers were good, others were not as good. But that's okay, I appreciate that.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further on Senate "A"? Will you remark further? The gentle lady from Wallingford, Representative Mushinsky, you have the floor, madam.

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker. I would like to speak on behalf of the PRI Committee, which did work on this study and the recommendations and submitted them to be worked on jointly with the Children's Committee and thank the Children's Committee for their leadership on this issue.

It really is not as important how many kids we serve as how well we are doing it. That's really the question. The traditional way of reporting has been, we served this many constituents a year, and that is not the story we need to know as Legislators.

We need to know how well do we do our performance, and are these kids better off as a result of being involved with the Department. So that's really what we're doing.

And I sympathize with the Department. They have been sued almost continually since they were invented by the Legislature, and they've just been finishing up their Juan F. outcome measures.

But what we're trying to do now with this Bill is set up explicit agency goals for however many kids they handle, incorporating best practices and how they handle children at risk in Connecticut, improving the quality of data on how they're doing, and promoting the use of results information from all sources, whether they be in the agency or outside in the universities.

And by doing this, we expect to better meet the needs of children and families that even for part of their lives are involved with the State of Connecticut.

So I hope you will accept the recommendations of the Committee, which are well thought out, and which should provide, if they are implemented, a better future for the children who must be in the service of the agency for some part of their life.

I hope we'll have the full Chamber's support, and thank you.

DEPUTY SPEAKER McCLUSKEY:

Thank you, madam, for your remarks. Will you remark further on Senate "A"? The honorable gentleman from Hartford, Representative Green, you have the floor, sir.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, I think that the Committee and the Program Review obviously have done some work on issues with the Department of Children and Families, and I think that through that, there's been a lot of discussions of how we can improve that Department.

And I think through this Amendment there's been some attempt. There's a few questions I would like to just have clarified on this Amendment, through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Please proceed, sir.

REP. GREEN (1st):

Thank you, a question through you. On Line 61 to Line 79, there's some brackets that take out, it looks like a report that the Department should do every two years. Could the proponent of the Amendment tell me if the information that was in that biennial report that we're now removing, is that being captured in any other report?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you. Through you, Mr. Speaker, yes. My understanding is that the Program Review and Investigations Committee, along with the Select Committee on Children have created a broader, more comprehensive way of requiring that the Department of Children and Families provide reports in regard to how it's serving children and families in our state. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, through you, some of the things that are being removed are very specific in terms of what it is that they want to report.

Could the proponent of the Amendment indicate to me where those items that are being removed might be addressed in any other subsequent type of report?

Through you, Mr. Speaker.

REP. JARMOC (59th):

Thank you. Through you, Mr. Speaker, the language in the Bill is written broadly to allow for

some latitude for the Department of Children and Families in its reporting requirements.

But again, this is a pretty comprehensive Bill that is part of an overall strategic, asking the Department to do a strategic plan and the expectation is that it's an improvement upon which is currently being asked to be reported. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, through you, could the proponent tell me, I heard her make reference to the last report maybe being done I think in 1979 or 1997, I'm not sure. Could she tell me this report that is current language that's being removed in this Amendment, when was the last time this report was done?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, and I apologize to the individual questioning. I don't have the numbers of

the Bill so I'm just trying to help answer your question.

Are you asking in regard to a very specific report, or just overall, and I'm just trying to understand your question. I apologize. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, in this Amendment you're striking out Lines 61 through 79. Line 61 says that the Department shall prepare and submit biennially to the General Assembly a five-year master plan.

When was the last time that five-year master plan was required by the Department?

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you. Through you, Mr. Speaker, according to the Legislature's Program Review and Investigations Committee, despite a long-standing since 1979 statutory mandate for this five-year master plan, it was actually not completed, and so that is why we are requiring this in this legislation. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, if I look at Lines 80 through 99, a few questions, through you to the proponent of the Amendment.

DEPUTY SPEAKER McCLUSKEY:

Please proceed, sir.

REP. GREEN (1st):

Thank you. The Department in Line 80, the Department with the assistance of the State Advisory Council on Children and Families. Could the proponent tell me who is the State Advisory Council on Children and Families?

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you, Mr. Speaker. The Statewide Council on Children and Families is actually a 17-member committee. All members are appointed by the Governor. It includes consumers, legal, attorneys who actually have to have in this legislation a background in children's issues, advocates from nonprofit

organizations, and also other child advocates within our state.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, I see that in Lines 252 to 270 there is some discretion of the State Advisory Council. I see there's new language on Line 255 and 256 that talks about two persons 18 to 25 years of age being on this committee that have been served by the Department of Children and Families.

Could the proponent tell me, does the Department of Children and Families serve 18 to 25 year-olds?

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, my understanding is that the reason for including these individuals, or these two persons on the committee is that the Department would be able to, and also the legislation would like to be able to hear from individuals who have been served by the Department of Children and

Families, and how that has impacted them later on in their life.

So no, the Department doesn't serve individuals under the age of, over the age of 18, but this is a process to actually hopefully improve upon how we serve children in our state. Thank you. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. And Mr. Speaker, I appreciate that response, and I think it's a good idea that we expand the members on this Council because I think there's some good things in this legislation.

But I just want to be clear. In this language it says that these individuals of this age have to be served by the Department. It sounded like the Department does not serve those individuals. Could we have some difficulty in trying to find two members to meet this category if the Department don't serve?

Through you, Mr. Speaker, how might we accomplish this goal of this language of finding two persons of this age that should be served by the Department but

the Department actually may not be able to find someone that way?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, thank you, and I just want to clarify. The Department actually serves individuals up to age 18 and occasionally through the age of 21 when circumstances call for that. So there would be an opportunity to engage consumers of that age group on the committee. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker, and I thank the gentle woman for her response. I think that's a very good way to solve that issue.

If she could I think, look at Lines 84 to 85, where we talk about the strategic plan and we talk about it being developed and regularly updated, could the proponent of the Amendment give me some direction in terms of when the plans should be developed and what the timeline, when we say regularly update?

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Thank you. Through you, Mr. Speaker, again, the requirement in the legislation is that the planning process begins July 1 of this year with completion in July, 2010, July 1, 2010. My understanding is that the updates would take place quarterly and I think this requirement is aimed at resolving the issue where there really has not been an agency-wide strategic plan since the year 2000.

And so it's really trying to alleviate that problem. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, the State Advisory Council on Children and Families, through you, are they going to be the sole council or body to develop the strategic plan? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, no. They'll certainly play a role in that and actually the legislation gives them a much more clearly defined role, but the Department will be required to solicit information from advocates and consumers, and also host, I know that they host, I think up to 20 forums annually throughout the region of our state to get feedback from families in our state.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, through you, if this Council develops a strategic plan and there's quarterly updates, well first, if they develop the strategic plan, is the Department of Children and Families obligated to carry out the objectives of this strategic plan? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, my understanding is yes. That's the purpose of the legislation. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you. I guess I might be a little concerned. We have a Department of Children and Families, which is quite a large institution and department that has a number of addresses and I think sometimes, from what I hear about individuals involved with an agency is that we put a lot of requirements on them and I get a little bit concerned about a Council then coming up with a strategic plan and then the Department having to meet those plans when, in fact, I'm not sure what role we have as Legislators for a Council versus a Department.

I would hope that the Department is more responsible for whatever plan they develop to be able to try to meet their objectives. Thank you.

Through you, Mr. Speaker, a few more questions. The strategic plan should begin, I believe on July 1st. Could the proponent of the Amendment tell me, do we currently have this Council on Children and Families, is that established, I think July 1st, it's approximately, actually I think, less than 30 days, so that the State Advisory Council on Children, the

expectation that we have them, they will be in place, and they will actually be ready to roll by July 1st? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, yes. The Council is in place. The Amendment simply calls for some additional members. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you. The strategic, I keep losing the name of the, the State Advisory Council on Children and Families, I'm sure they're going to get a shorter name, but the State Advisory Council on Children and Families, is this a volunteer Council? Is there any compensation to this Council?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, my understanding is that while it is voluntary, there is a requirement in

this Amendment that DCF shall provide the Council with funding to facilitate the participation of those members representing families and youth, but within available appropriations. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you. Through you, Mr. Speaker, could the proponent of the Amendment indicate to me where in the legislation it says that DCF would provide financial resources to the Council yet within appropriate, available appropriations. Where do we have that?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, my understanding is that's a part of the fiscal note, but I don't have the fiscal note in front of me. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you. I would like to see the fiscal note, and I think that if, in fact, as I read it, and maybe

I don't understand, but in Lines 271 to 274 it talks about DCF shall provide the Council with funding, and I don't find in here where it says within available appropriations.

So if they shall provide the funding, where does it say within available appropriations?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, I'm having trouble locating the actual, I didn't have the Amendment with the lines on it, so we're just checking now.

But through you, Mr. Speaker, my understanding is that the financial assistance is support and this is in terms of minutes and that sort of thing that might take place at a meeting and that it would be something within the available appropriations of the Agency that doesn't require additional funding. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. I guess, okay, here we have the fiscal note, the fiscal impact. Obviously, I trust our nonpartisan body when they give us a fiscal analysis. I must tell you I've been somewhat amazed sometimes when I've seen legislation come through with no fiscal impact versus a report that also talks about millions of dollars of a particular bill when I might not have agreed with their analysis.

So even though it says there's no fiscal impact, it seems to me that if you require the Department of provide funding and you don't say within available appropriations, there's a fiscal impact.

So I appreciate the job of the Fiscal Analysis, so I will be believe that by their indication that there's no fiscal impact, that in fact there will not be one, even though it appears to me that it's not very clear that they do not, that it will not be a cost.

Through you, Mr. Speaker, on Lines 130 to Line 143, it talks about the facilities that come under the jurisdiction of the Department of Families shall submit a report to the State Advisory Council.

Now, it says shall submit an annual report. Two questions around those few sentences. Can the

proponent of the Amendment tell me what facilities come under the jurisdiction of the Department of Children and Families.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, Riverview Hospital, High Meadows and Children's Place. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you. Through you, Mr. Speaker, if a facility, residential facility, group home, other facility that may need a DCF license, maybe a DPA's license, funded by DCF, would any other facility besides those that were named, but those who may have a contractual relationship with DCF and the fund that comes from DCF, DCF may have some oversight in terms of the regulations of those facilities, the placement of children in those facilities. Would they come under this reporting requirement?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, only state-funded facilities. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, there's some language in here that talks about school districts, actually unified school districts under the Department of Children and Families, and the legislation seems to indicate that the school districts no longer had to give reports, or the Department of Children and Families no longer had to give reports as to the progress and the accomplishments of the school districts, and they run about three or four unified school districts.

Could the proponent of the Amendment, on Lines 396 up until Line 404, could the proponent tell me what was the report that DCF had to get from the school districts, and why would we want to eliminate that?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, this was eliminated because all of these school districts have to provide a report to the State Department of Education so it seemed that it was no longer necessary. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, and I thank her for the answer. However, I think earlier we had a debate about the report that the State Department of Education gives and how they might not have been as prepared to analyze that data, research it and come up with conclusions, and here we're saying the unified school districts have to give this report to the State Department, and we think we can get some information from that when I think that we talked about an earlier bill that I think expressed some concern about the ability of the State Department of Education to be able to gather and analyze and research certain information.

So if that is what we are doing, I would hope that the State Department of Education will be able to give us that information.

Through you, Mr. Speaker, with the strategic plan from the State Advisory Council on Children and Families, if we have the strategic plan and the strategic plan, would the strategic plan outline goals that individual children involved with DCF should meet, or is this going to be some general goals and objectives from the Department?

How do we tell the difference whether or not we're meeting some kind of results, some kind of accountability? Are we going to measure what happens to children, or are we going to measure on a collective, what the Department is doing? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC: (59th):

Through you, Mr. Speaker, the strategic plan shall include, but not be limited to, the Department's mission statement, expected results from the Department, in each of its mandated areas of responsibility, a schedule of action steps, as well as

a timeframe for achieving such results in fulfilling the Department's mission.

That includes strategies for working with other state agencies to leverage resources and coordinate service delivery.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you, Mr. Speaker. Mr. Speaker, through you, a question in terms of the Child Advocate. I see that the Child Advocate has a role. Are there any contingency plans? If there were to be some legislation that the Child Advocate's Office is no longer in existence, does this impact this Amendment? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Jarmoc.

REP. JARMOC (59th):

Through you, Mr. Speaker, recommendations or in various budget recommendations at this point, do maintain the actual state's Child Advocate, but through a different agency, the Attorney General's office.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Green.

REP. GREEN (1st):

Thank you. And I thank the woman for her answers. I appreciate it. She's enlightened me on a number of issues that I had questions about. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further on Senate Amendment Schedule "A"? Will you remark on Senate "A".

If not, I will try your minds. All those in favor please signify by saying Aye.

REPRSENTATIVES:

Aye.

DEPUTY SPEAKER McCLUSKEY:

All those opposed, Nay. Ayes have it. Senate "A" is adopted. Will you remark further on the Bill as amended? Will you remark further on the Bill as amended?

If not, will staff and guests please come to the Well of the House. Will Members please take their seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting by Roll Call. Members to the Chamber.

DEPUTY SPEAKER McCLUSKEY:

Have all the Members voted? Have all the Members voted? Will the Members please check the board to determine if your vote has been properly cast.

If all the Members have voted, the machine will be locked. Will the Clerk please take and announce the tally.

THE CLERK:

Senate Bill Number 877 as amended by Senate "A" in

concurrence with the Senate.

Total Number Voting	148
Necessary for Passage	75
Those voting Yea	147
Those voting Nay	1
Those absent and not voting	3

DEPUTY SPEAKER McCLUSKEY:

The Bill passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 679.

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BRIAN MATTIELLO: Thank you, and good morning, Senator.

SENATOR MUSTO: And for Brian and for everyone else, if you could, when you start your testimony, whatever bills you're talking about, if you could sort of highlight them for us, and if you did give written testimony, please let us know so we can find it, and if you do I'm sure, Mr. Mattiello, you have several things you're going to talk about.

If you could sort of highlight them for us and point them to us, I would appreciate that as well, just so we can try to follow along and I can make notes where you know, where we need to.

BRIAN MATTIELLO: Sure.

SEN. MUSTO: Thank you.

SB877
SB878 SB879
HB6419 HB6420
HB5915

BRIAN MATTIELLO: So good morning Select Committee members. My name is, for the record, my name is Brian Mattiello. I'm Director of Strategic (inaudible) at the Department of Children and Families.

You have before you a number of bills that I actually like to look at them as thoughtful topics regarding the Department as well as child welfare, the work of child welfare in this state.

And many of these bills I've had conversations with introducers and parties that have had a genuine interest in these matters, and they are really all premised on the interest in making DCF better at what it does, to gain a better understanding about some of the enormous challenges that we face at the Department and as a state, and ultimately, to achieve better

outcomes for the children and families that come in contact with the Department. So it's in that spirit that I deliver testimony.

I first draw your attention to well, actually, let me make one more opening remark, and that is, when you take a look at these it's sort of in the broadest sense, interest lies in prevention. That is, inverting investments that have been made over the years that's more oriented around crisis.

Also, improved accountability of the Department where there is a large number of expenditures and employees that are dedicated to this.

And also, attention to some of the most vulnerable people that we provide services and supports to, namely, runaway and homeless youth.

There are happier topics that will come before this group, certainly, but these really do need to occupy our time and attention because they're serious matters, and so I really do appreciate this time.

The first one regarding Senate Bill Number 877 is An Act Implementing The Recommendations Of The Program Review And Investigations Committee Concerning The Department Of Children And Families. We do have written testimony.

We, this bill emanates from a study that was done by the Legislative Program Review and Investigations Committee last year. What is before you, there were 37 recommendations in all, 29 of which the Department supported, 3 of which were not related to us and we didn't take a position, leaving only 5 that we had some issue with, and we articulated that in the

agency report when the report was issued by the Committee.

What you have before you are obviously not 37 recommendations but those that require statutory changes in order to implement.

When you look across the 37 recommendations, we have attached for you a summary of where the Department stands in terms of implementation.

So when we said we supported the items, again, 29 of the 37, we have made movement on the last year. I've given to you in one page, sort of highlights of what I thought were some of the key recommendations.

In addition to what's before you, members know that we have moved forward with a more comprehensive strategic planning process. We did make changes in the way that we review information that comes from our private providers, which was of concern by the Committee. Thought there was a way of how information flows through the Department and gets to all of the divisions to inform decision making.

We have entered a very important contract to elevate the data collection that occurs with our provider community, not only the quality of that data, but the breath of that data across a number of programs, and one of the recommendations was to beef up the research component within the Department, and we have added staff to that particular operation to really inform decision making in the Department.

And the last, there was a lot of interest around the State Advisory Council and what role, enhanced role they can play and in the

last year we have increased from quarterly meetings to monthly meetings and have done considerable planning with them. But how do we make that interaction more meaningful?

I believe there is still some dissatisfaction among some of the members. That continues, but I know that this act is playing a different role today than it was even a year ago, and I think we still have some work before us on that.

I won't go through them, the sections here. If you have any questions, be glad to return to it.

Let me move next to the really, Senate Bill Number 878, Senate Bill Number 879, and House Bill Number 6419. Those together create three task forces dedicated to issues around prevention, reorganization of the Department of the Children and Families, and then a transparency and accountability bill.

Again, as I began my testimony about, instead of breaking down the words, just first acknowledging the spirit behind this, and that really is to gain a deeper understanding of the complexity of the work the Department is engaged in, what those challenges are, as well as elevate the dialogue.

And I think that's of importance to everyone who has an interest in the Department to make sure that where there are some strengths we're building on them, that we really begin to understand what it is that we want to do better by first having some understanding of what it is that is moving in the right direction within the Department. And that's how critical that dialogue is.

any given time there's a concern about the quality of that database. We can fix that and we intend to.

And I think also making sure when a child is found, that we remove that name from the list as quickly as possible, and I think that's some of the concern that's been expressed and I'm happy to work with you and anyone else to accomplish those changes.

That concludes my testimony.

SEN. MUSTO: Thank you. A couple of things. I understand, I mean, we're here in a public hearing, and that there's somewhat limited time, and you have not spoken at length, and I'm sure you've spoken to the other members of the Committee at length on various things.

Some of the, there's no question that you guys do a very hard job dealing a very delicate population. Some of the concerns that I've heard about the Agency in general are sort of not focusing enough on the family as a whole, kind of focusing more on the child, and obviously you're trying to protect children. I understand that.

Could you give us any kind of specifics? I mean, you're talking sort of a 40,000-foot view here today, mostly, as far as I could tell. Can you give us any specifics about what you might, any strides you're making toward incorporating families more?

BRIAN MATTIELLO: Yeah. And so I, first of all I think that a well-placed criticism, one that, our own self-criticism of the Department would list, how do we improve a family engagement?

I want to answer that at two levels. The first is sort of at the system level, if you don't mind, and one of the issues that came to my mind when I looked at the task forces is particularly one that reorganization, quite often the conversation is, it's too much in one place. We need to separate and then families can, we can adjust the needs of families.

If you don't take the lens of sort of bureaucratic structure, you sort of start with the family itself, most advocates and when you ask families themselves, they're very confused about who's involved in their life and what types of services.

So I would just caution, if we do in fact take that lens in the family, you're going to find that you're going to be compelled to try to put more together to really figure out how we're doing a common assessment of families, where they can go to one particular place not seven places for the types of services, and how we make government and services more user friendly.

But I have to say that as a particular note, you really should bear some thinking, that if we only look at sort of organizational structure and decide from an accountability perspective how it should break out, you might miss something important.

And if you go back in 1969, 1968, you've got to go over to the State Library and look at why they passed the Consolidated Children's Agency, you'll see much of the things that we're talking about today, about the importance of making things simple for families on a more concrete level.

When you look at the *Juan F.* Exit Plan, and we're all familiar with that, 22 particular explicit outcomes, the issues that have, that were of concern to the plaintiffs, and frankly to the Department when we entered an agreement, was simply placement. It was search for relatives.

Sibling placement meant when more than one child comes into care, how well are we keeping them together. A search for relatives basically said, you know what? Every child has a family and we want to make sure in the first instance that the Department when a child comes into our care, we're learning about that natural support system around that child the best that we can.

That is a process measure. That basically says, are you doing the search. The follow up to that is, are you engaging the families, and are you really finding placement resources with that.

We have some good news in terms of a growth, in terms of relative placements, but I think from what other jurisdictions have been able to do on this front, we're about mid pack, about any given time about 20 to 25 percent of kids not of home care are in relative or kinship placement in the broader sense.

There is a jurisdiction and it's a particular note to us in Pennsylvania that has now exceeded 50 percent. We'd like to know more about how they've been successful with that.

The last one is on treatment planning, and we've heard a lot about this because this is a particular measure that we have not been successful in meeting, although the Commissioner testified yesterday in front of

Appropriations, and we've learned that for this latest quarter of data we're going to jump from just under 60 percent of the treatment plans meeting the criteria in the exit plans up to 80 percent.

And at the heart of that is, is it an understandable document to the family? How do you engage them? And there's a number of questions that are evaluated.

In addition to all those things that we measure, perhaps you heard a lot more, but the federal review that was just done in September looks deeply at these questions about family engagements.

We have a number of initiatives, and instead of taking the time here, I actually did a summary sheet of some very important initiatives, one called Better Together. Another was called Family Conferencing. They have not gotten to the levels that we're interested in in terms of their implementation, but they're very, very important initiatives that we're going to hang on to and get the most of.

And the third one that I wanted to mention is differential response, which is part of your prevention bill that's before you. And if members are not familiar with this initiative, I really would like to spend some time with this Committee, with Committee members on that.

In short, when a call comes in to Hotline, we go our investigation route. We accept the report of abuse and neglect.

What this basically says, this initiative says, is that for those low and moderate risk cases, there might be an alternative route instead of investigation. We want to go out and assess

the need to families, which is a much more friendlier approach, and address those risk factors that exist, that are either leading to concerns about safety, neglect and abuse and try to address those as opposed to a more forensic process. And I think that's an encouraging initiative, and I'd be glad to talk more about the status of that.

But I will outline for you some important initiatives in the Department that I think move us in that right direction. Having said that, the reason we have these initiatives and the reason we're measuring is that we have some distance yet to travel on this front.

SEN. MUSTO: Okay. Thank you. Regarding, I did mean to say this a little bit earlier, but regarding some of the task forcing, there are some, and this is for everybody who may be testifying today.

The bills do discuss task forces. There are some ideas in there that may or may not end up in task force. They may just be something we end up legislating directly without a task force.

Some of them have already been studied, as you pointed out. They may have been in some of these many, many studies you put at the back here.

I do want to take you up on your offer, you know, to sort of discuss this at length somewhere else, and in that vein, I would ask to the extent that you can, that you and DCF, your counterparts, sort of hang around today a little bit, listen to the testimony of other people.

We could probably use some feedback on that from DCF, and just to, you know, make sure that whatever gets said gets heard and gets commented on, and maybe we can incorporate some of that into what we're doing, and maybe you can do that as well.

BRIAN MATTIELLO: I will remain as long as I can. Probably around 12:30 or thereabouts I will need to part. But I'd be happy to stay (inaudible).

SEN. MUSTO: Thank you. I believe my Co-Chair has some questions.

REP. URBAN: Hi, Brian. You know, recognizing the budget issues that we're dealing with, and knowing that DCF has a very tough job, but I'm going to get a little tough here, okay, Brian?

BRIAN MATTIELLO: Please.

REP. URBAN: First of all, when I look at the mission of the Department of Children and Families, and you know that you were in front of the Results Based Accountability Subcommittee yesterday, and that we only got through one small part and that DCF will be coming back in front of my Subcommittee--

BRIAN MATTIELLO: Yes.

REP. URBAN: --to be looking at that so, you know, that's another story. But when I look at DCF and I'm looking at what is the result for the people of the State of Connecticut that we're trying to achieve, you know, just off the top of my head, I would say preserve the health and the safety of all Connecticut children and families.

And if we start to go through programs to see if we're actually getting there, it unfortunately looks like we have a lot of distance to travel.

So, you know, all my questions are coming from that perspective. If that's the outcome that we want, then every program that is under the umbrella of DCF has to be getting us to that outcome, and if it's not, then we need to know why and we need to know whether we're going to continue to fund it. So that's the perspective I'm coming from.

The other thing is, you did do the DCF, the PRI study at the end here. I have asked now that Program Review and Investigation is now going to be doing things from a results based accountability perspective, and for this Committee they have done the DCF study in terms of results accountability, and that will be available to the Committee.

And in essence what we're always asking, and you came forward with some numbers, how much did you do and how well did you do it? And I think that you have been very good on the how much that you're doing, but we really need to get to how well we're doing it.

That being said, there is a particular area that I have been championing and you didn't mention it at all. It was underneath a task force but that is, there has been a task force, the Speaker's Task Force on Animal Abuse and the Circle of Violence, which was meeting during the summer and the fall.

And what we were looking at is that animal abuse is an indicator of future violent behavior. The FBI uses it as an indicator of future violent behavior, and we were trying to

look at where we could step in so that we would be able to prevent violent behavior, that we would be able to counsel.

So in that spirit we asked, under that bill, that there would be attention to that. It's very simple. It is low cost.

When you do intake, does anybody ask the child, how is your little puppy doing? How's the cat doing? Is anybody feeding it? Because there's an 80 percent chance if that animal is being abused, the child is being abused. No cost. Low cost. Just add the questions in.

I'm also asking for cross reporting, that if an animal control officer sees animal neglect, and it's not just abuse, if the animal's neglected, the child's being neglected, that the animal control officer would report to DCF.

I've been at this home. The animal's not being fed. I think we need to pay attention. Again, I don't see that as a high cost item, and yet when I talked to your Commissioner, and when you guys came to my task force, which you did, you talked about how we had to do all this expensive training and represented it was going to cost all this money. I'm sorry. I don't accept that.

BRIAN MATTIELLO: Okay.

REP. URBAN: I don't see why that is such a big deal, and I'm asking you guys to go across silos. I understand that your agency cannot guarantee the safety of children. I understand that there are many agencies that have to help.

But when I ask you to go to another agency like Department of Ag and work that out, I expect

that to be done. It's not a big cost item. Just do it.

And as I said, you're being the one that's the recipient of this Brian and I--

BRIAN MATTIELLO: This is not unpleasant in any way. I just want to, so that provision is before us. It's in one of the task forces. Forgive me for (inaudible)--

REP. URBAN: Yes. Yes.

BRIAN MATTIELLO: So it wasn't an attempt to avoid this. So let me address this as best as I can.

First of all, there was substitute language for a bill that came out on mandated reporters last week or the week before from the Committee where we're going to amend and have animal control officers placed in, so we're number one, supportive of that.

I think with respect to the, maybe the word training is conjuring up a very complicated image in your mind, but obviously we want to state the value behind any changes in our practice and in our investigation protocol and inform people what types of things they may come across. There is an element of that.

We also, when you add animal control officers to mandate a reporter, we do special outreach whether you're teachers, doctors. For a new group like that, you would want us to go out and introduce ourselves.

So, okay, don't be against training. So I think those, the animal control officer mandated reporters, the training piece, revising our investigation protocols, meeting

with the Department of Agriculture, I think they're are all doable items.

I think the cross reporting bill that we saw very early on maybe as a proposed bill, I talked about on a date certain, that that's calling us and back and forth. That might be a bit more complicated and I just want to just suggest a bit of caution on that, maybe as a first step taking these things on, seeing where we stand a year from now.

But I think we can have that conversation, but I don't want to be confused that these are, as you outline, doable steps for us.

REP. URBAN: There we go. Sorry. No, I really appreciate it, and in all fairness, when the Commissioner was here, she was very, very gracious about adding the animal control officers. She saw the value of doing that.

BRIAN MATTIELLO: So can I, just quickly on the PRI, how well, so we, in September the federal review took place. In the spring we did a case review in four offices. We're conducting one in Hartford coming up. These are very in-depth looks at our case practice. I'm trying to get underneath, just, you know, numbers tell you part of the story or they help allow you to frame the next question.

You do want to get at quality pieces, and not all of our exit outcome measures are just pure process, and I can convince you of it if you gave me some time, that there are really some quality pieces to it. But for the most part they were process.

You can't improve the quality of something you're not doing. You start with measuring, are you doing things that are going to lead to

the kind of outcomes of things that you value, and so there always is going to be a mix.

On the RBA piece, there are three levels of RBA as you know through your population base, and what, your comments were about the well being indictors of children as a whole.

We are going to make a contribution to that, a very important one as a Department with its mission. We are not the sole contributors to the well being.

Second, when you look at system, yesterday I think we might have missed the opportunity to share with you some system outcomes that we think are associated within home services, with family preservation, those sort of pieces.

I outlined a few here today in terms of direction, positive trends. There are also some things about permanency, achieving permanency. That is, kids who come into our care and then you know, adopted or placed with a relative for long term, or returned home.

There's some good news and then there's some news that we're still struggling with. But on a system level we can articulate those, and then on the child specific level, which is where some of those things went yesterday, it's really those three tiers.

I think the Department is very capable of articulating on those things, and I think, I don't want to return a criticism, but as a person who's skilled in RBA there were program areas selected, not programs.

We struggled to fit within those eight questions, you know, perfectly. I'm happy to struggle with it because it starts an important

dialogue, but even the questions were pure RBA in some respects, so it's not going to be a push back but if we are going to do this and do this well, then I think there needs to be some movement on both sides in terms of how is it that we really shape so that we can, in fact, form informed decision making.

There was a bit of a struggle in terms of squeezing it into those eight questions, and across a very vast program area.

REP. URBAN: You are absolutely right. There's no question about it. And as you know, we've been trying to go down this path and we've been getting pushed back ourselves.

BRIAN MATTIELLO: Okay.

REP. URBAN: So it's an evolving process, and I fully recognize what you are talking about, and that's why I'm hoping when we have DCF in front of the RBA Subcommittee, just the RBA Subcommittee, that those, that dialogue will take place, Brian. That's the whole idea.

BRIAN MATTIELLO: I have my outfit picked out and everything.

REP. URBAN: Excellent. And I have to say just today, your conversancy with the way RBA works is excellent. So, you know, I'm looking forward now to our conversations.

And I hate to end on a bad note.

BRIAN MATTIELLO: Oh, you've got more?

REP. URBAN: I just have one other, and I mentioned this in the Appropriations Subcommittee hearing, but these are the kinds of things that

we're dealing with that we get from the public, and I'll just mention two things.

I don't expect you to respond, Brian, it's just that these are the things that we get, we get slammed with.

It was brought to my attention that you did some car seat and car seat refresher training, Thomas Field, and that was $48,000. In my town you can get that done by the State Police. I don't understand why it was $48,000.

And in another one, the Global Talent Agency gave drumming lessons at the CCP facility and that was $62,000. And I'm just, you know, these are things we have to respond to as Legislators, and when those get picked out and are brought to our attention, those are, you know, those are things that take all the good work and you know, all the atta boys are gone because we have these things that come in front of us.

So those are the sort of things in this budget atmosphere that we simply cannot allow to be out there, unless there is some overriding reason why we need to have people drumming and--

BRIAN MATTIELLO: I've not had a personal experience with this car seat training, and so we'll respond on the 24th with that. In respect to drumming, and there may be some comments from folks behind me about that, but if you've attended a drumming session with the kids and you look at that experience through their eyes, it's unbelievable what passion develops.

When the kids are away from home filling their time with key programming, drumming has, is

really a therapeutic experience for many of the kids.

REP. URBAN: Keep doing that, Brian, and I really--

BRIAN MATTIELLO: All these things are up--

REP. URBAN: Yeah.

REP. MATTIELLO: I get that.

REP. URBAN: And you know, if that's the case and you know, we can look at it that way, awesome. I mean, I have a professional diploma in music, so you know, I know and I don't want to take away the musical souls and I know that drumming can be an outlet.

BRIAN MATTIELLO: Yes.

REP. URBAN: But we need to justify it. We need to know this.

BRIAN MATTIELLO: Okay.

REP. URBAN: I know I took way too much time, Mr. Chairman. Back to you.

SEN. MUSTO: Madam Co-Chair, that's perfectly fine. And again, this, there are public hearings, I actually have two other things to do today, so I know I'm going to be going in and out a little bit. I know other people are as well.

At this point, I would like to leave the meeting in the hands of my Co-Chair, but I believe Representative Jarmoc has some questions and then Senator Boucher and Representative Hovey have some questions as well, and of course, Representative Thompson probably has some questions as well.

So if, Karen, Representative Jarmoc, rather.

REP. JARMOC: Good morning, Brian.

BRIAN MATTIELLO: Good morning.

REP. JARMOC: Just to focus on when you were initially beginning your comments you talked about things such as, and I was pleased to hear it, prevention, improved accountability, and therefore, you know, helping our most vulnerable groups of people.

And I'd like to add in, and I'm not saying that you were being negligent, but just intervention, and you have mentioned things like family preservation and achieving permanency.

And as you know, my, what I grapple with in regard to the Department of Children and Families is, I feel that you have an appropriate mission in place, and that you have adequate policies in place. But at the end of the day there's some type of a disconnect happening here where those policies are not being carried out, necessarily. The mission is not being adhered to, and that stems from obviously, the public hearings that took place between the Select Committee on Children and also the Human Services Committee throughout the fall.

And obviously where this topic of discussion in regard to the Department of Children and Families is taking place in this Committee and also the Human Services Committee, and that's what I grapple with, the disconnect because in regard to let's, for example, the leadership, the management study.

You expressed that you really were not in favor of that and I respect your opinion on that. I do.

BRIAN MATTIELLO: I just in the words of caution about--

REP. JARMOC: Caution.

BRIAN MATTIELLO: --to be sure that it's meaningful.

REP. JARMOC: Okay. And possibly because there have been a number of these types of management studies, and I do hear you on that. Although, I feel that this is becoming an unusual circumstance in terms of the movement and the dialogue that's taking place in regard to the discontent with what's happening within the Department of Children and Families.

And I, what I heard consistently back in the fall was the term systematic failure sort of at all levels of leadership, and I know you might not agree with that. But I'm just saying, this is my sort of the work that I've been doing and then also from hearing what was discussed at those hearings systematic failure was a very consistent word, and I happen to agree with it to a very great deal.

And so while I recognize that $300,000 for some type of a study, which we might not, you know, go that route in terms of paying for that, for it to be done that way.

But I do think that something does need to be done. Everything is not okay. We're not sort of moving along okay here, and there isn't that confidence in what's happening in the Department of Children and Families.

And so, I do want, I do think it's important that the Legislature work closely with the Department of Children and Families along with advocates and consumers. But there's definitely a disconnect going on, and I don't know if--

BRIAN MATTIELLO: Representative, I sat through those hearings, too. I've been at the Department four and a half years. It's given me an opportunity to experience some of that disconnect.

I've not been involved in child welfare for 30 years, so there's a lot that I need to learn and it was never a personal experience for me and I didn't grow up doing social work, so there's a lot of people that in perspective that I need to learn from in order to shape my own sort of pains and perspectives of this.

And your questioning isn't personal to me, but I feel like I want to respond at a personal level that I've been lots of places in government, and frankly, I've never been part of, this job means the most to me.

I come in contact every day with situations that absolutely break my heart and absolutely feel like it's not good enough, and it always seems to follow up with something that actually fills my heart. Something good occurred. Something safe happened, and it's a mix of that.

And you can't be at DCF or care about DCF without preparing yourself to have a mix of both. And in four and a half years I've actually come out of my skin wanting to get better at this, in deciding what's next and to try to keep this dialogue in a way that keeps

us focused on an agenda to improve and get better at this.

And frankly, part of getting better isn't taking everything that exists and just vertically, you know, funding more. It is about shifting, some real deep thinking that needs to go on here, to look at a case and go beyond, and it's important to do this.

But go beyond what did DCF do and not do, and look at what brought that family to our attention to begin with because families are being ravaged by substance abuse, mental health, you know, domestic violence and poverty, and all these things that are bigger than the theory of child welfare, what we're expected to do at a point of crisis.

And so, it's never going to feel good enough in this work, and frankly, some of the things that we want to change really require a lot more than what these task forces and what DCF can do, and it really requires some real deep thinking.

The final thing I want to say is that, I hope that I never come across someone in any of my settings that has not said the practice is uneven, that when we talk about some advancements, and there are some real important ones that have occurred at the system level, that there are families who haven't experienced that advancement.

And then on a case specific level, which is important to evaluate our work, might not be reflecting what might be happening in the larger system.

So when I talk about more in-home cases versus out of home, a lower entry into care rate,

which is real, you know, important. Talk about, of those permanencies that are happening, they're happening faster than in any point in history, but then remind you that there are some permanencies that aren't happening. Their kids are staying in care still very long periods of time, that the family settings, which I know is important to you, that a larger percentage of our kids.

So 57 percent of our kids in 2002, throughout the calendar year were in family-based settings, and 72 percent in 2007, and I should have within the week what's 2008 and I think it's going up. I'm encouraged by that.

What's the big driver? Relative placement, and that's real important. Now 17, or 20, or 25 is not going to impress you, but when I tell you that 3 years ago we were 11 percent, I hope you're encouraged by at least the trend in that direction.

So unevenness, never good enough, you know, not where we want to be, but we are somewhere, and if you are committed to change, sometimes it's about transactional, what's next and sometimes it's about that big thinking, too, and sort of a fundamental shift.

But I dismiss no one who has an opinion. Everyone who testified that their story at DCF, people had bad experiences with us. People want something different and more. There's no one opinion, and so you meet people that are going to decide sort of operationally what's next, and then you need something use both.

And so, if this Session is about starting a different dialogue, whether it's through a task force or through some initiatives, or even just the assignment you got recently, to try to go a

little deeper in the next couple of weeks to really figure out what makes sense, I think that's all to the good.

REP. JARMOC: All right, thank you, Brian. Because you know, just to use relative placement as an example, so again, this is where I struggle because you're providing me with figures in regard to how you've been able to increase relative placement, children being placed with relatives as opposed--

BRIAN MATTIELLO: A kinship, I should say.

REP. JARMOC: A kinship. And so, which is part of your mission and your policy, so therefore, hat's off.

But, I don't hear that. I'm not hearing that on the outside from families and from advocacy groups. And so, you know, this is where I struggle. What is going on? And I don't expect you to answer that.

But do you understand what I'm saying?

BRIAN MATTIELLO: Well, the numbers are accurate. The numbers are accurate.

REP. JARMOC: Yeah, I'm not questioning your numbers.

BRIAN MATTIELLO: There's 22 percent and that means there is a difference between the 78 percent--

REP. JARMOC: That's, I'm not questioning your number, but it doesn't always, at the end of the day I continue to question the, you know, adherence to mission and policy.

BRIAN MATTIELLO: Yep.

REP. JARMOC: But I do think that we do need to work together, all of us, because you are correct when you were saying that we have, we all have the same sort of ultimate goal. We share a desire to do what's best for kids.

And so I just would say, and I said it to you before, let's try to work together on this because ultimately it's got to be about what's best for kids and for families. So thank you very, very much, and I look forward to hearing the testimony of the other people as well and I'm glad you're going stay. Thanks.

REP. URBAN: Thank you, Representative. Senator Boucher.

SEN. BOUCHER: Thank you, Madam Chairman and thank you for being with us today and I know that this is a very difficult subject, and some have even asked if this is opening up a can of worms.

And I think that any time you have an opportunity to discuss and review this, it's helpful for both sides, and it allows better introspection in what you have.

But part of the issue, too, it seems to me is the articulation and the ability to communicate what you do well, and that to me speaks of a higher issue, and that is at the top leadership areas. Is the Department communicating clearly and well about what they do well and have accomplished all that work that they do, but whether statistically and otherwise to show the proof but also give the message, because there is no question. It is a most difficult area of our state government to work in.

It is where the most difficult problems and in trackable problems, and problems that sometimes

the families themselves create, and the families may not always be, and you should be able to articulate that, not always the best place into relative placement, but oftentimes it is, and the work in that area is difficult, but it's the articulation of that.

And in another sense, that if it was working well management-wise, you might not need as many of these boards and task forces and so forth that seem to be so replete in all of this.

Just for my own information, how many advisory boards do you have at DCF? Do you have an idea of just the numbers that are there?

BRIAN MATTIELLO: Well, I mean, first, seven came to mind, and I'm certain of the youth advisory boards. They, each of the area advisory councils, so that's another 14.

SEN. BOUCHER: It sounds like a lot.

BRIAN MATTIELLO: (inaudible)

SEN. BOUCHER: It sounds like a lot.

BRIAN MATTIELLO: I mean, we touch many people. I don't know if that's the right number or the wrong number. I mean, there's lots of parts of the agency and then we're, of course, in over 20 locations.

SEN. BOUCHER: Right. And that's part of the issue there because there's this massive size and different areas. I really appreciate what you've provided here. I have to tell you. It's been very helpful because what you've done, and something I was looking for, actually, of all of the different review and evaluations, outside contractors that were

asked to review the Department, you've gone all the way, quite a long way back to the 70s, right up until 2007 and the Program Review Committee, which I thought was a great thing to do--

BRIAN MATTIELLO: I was nine at the time, by the way.

SEN. BOUCHER: You were nine? I can well understand. But it's interesting to me to go through this and to look and see where, 1995 KTMG came in and they found, you could tell that this outside group would do this.

They spoke a great deal about the small divisions and units of structure inter=department integration, horizontal communications, the current organizational structure ineffectively divides groups and functions.

Functions performed in the central office could be more appropriately in the field or on a contracted out basis. Central office's staff had grown substantially. There's a high number of managers and supervisors in central office relative to the staff, yet the span of control of these managers and supervisors is low.

And again, this is 1995, way before your time. And additional layers of management exist in the functional layers than is necessary. The Commission's span of control is too great, yet it excludes important areas of agencies such as Health and Mental Health and so forth.

So in your position, do you go back and review some of the previous analysis and what improvements have been made over a span of nearly 15 years to make sure that some of those things have been improved upon as compared to

maybe the 2007 study by Program Review where they touched on a few different things.

They didn't quite go the direction of actual organizational issues.

BRIAN MATTIELLO: Yeah, that's right. And what's interesting about the 1995 report, if you were to look at the organizational structure today, it resembles about 70 percent of that report.

And there were some changes subsequent and actually, I think in one story it went one way and then it went back, kind of thing.

Probably the report that I place a lot of value on is actually about our Department, that organizational development as a whole on child welfare and it's issued by Muskie school, and which actually is now serving as a national resource center for the initial development of child welfare agencies, which we're working with on a couple of important projects.

And they said that organizational structure has to really fit right for, you know, sort of organic. It has to fit right for you. It's an important issue to think about, but that there is no structure that can be parachuted in any particular jurisdiction that guarantees a particular outcome.

And so, I find that it doesn't lessen the struggle of trying to get this right and trying to make sure that there's an efficiency in decision making, and that as that report pointed out it was to everyone was reporting to the Commissioner kind of thing.

And so, there are some, you know, some real problems that you can experience as a result of organization, but there isn't a template of

child welfare or even a consolidated children's agency that has proven to be, and that's from people who have done the most thinking on this front.

And so I think it belongs as a very important discussion, and it's mostly going to be about, it's going to be organic. It's here--

SEN. BOUCHER: Well, just on that topic of organic—

BRIAN MATTIELLO: --versus trying to grab some of these generalized statements about organizational parachuting and expect a particular outcome.

SEN. BOUCHER: But on a regular basis, organizations should be looking from within to see how they can better accomplish their goal or task, and oftentimes the process that's used is a process of re-engineering activity that actually maps what everybody does, and to make sure that they're doing it in an efficient way.

It actually points out duplicative, and I saw a duplication in some of this information that maybe, you know, the same thing was being done by more than one entity that was accomplishing the same goals.

And if you map that out, it's used in education, it's used in business. It's used in so many different, and in government, quite frankly, a lot in government to see, in fact, and that reviewing your process, what everyone does and the way in which they do it, also leads to really good job descriptions and procedures.

And that job description should really reflect the outcome you're trying to achieve, the best possible, most efficient way that that task can

be accomplished in order to receive that outcome, and I would strongly suggest that, because I've heard many comments about the, whether there's good job descriptions that are there and ferret out. That's one good way to ferret out duplication.

BRIAN MATTIELLO: Okay, Senator. I hear what you're saying, yep.

SEN. BOUCHER: And I think the last thing I wanted to bring out, Brian, because I did read in the Program Review and Investigations Report, they pointed out your strengths, which was good. There were a number of things that you did very well, and I'm sure you've looked at that as well.

But then they went on to talk about what you needed to do better, and I would suggest going back in some of those different reports and seeing where there's similar items, you know, that they pop up in every report.

If that's still popping up, that that's an area of focus that you guys need to go and really, really review.

But I just wanted you to comment on the debate going on about whether the Department should continue to be in the business of prevention, or should that be done by another entity, whether that still fits, whether that's appropriate, does it take away from the focus of what your main mission and job should be.

BRIAN MATTIELLO: I'm going to speak in general terms not necessarily about the move of the Children's Trust Fund over to the Department.

Everything that I've read about, prevention, framework in state government, one thing that

has emerged repeatedly, and therefore I think conclusively, is that prevention is not about a program or a set of programs that should exist in one particular location, that it's a way of thinking. It's a way of doing business, and the more stakeholders you have in prevention, the more results you'll get.

What do I mean by that? I think not having DCF involved in prevention. Whether we're fulfilling our mandate as a whole is certainly a fair discussion, but to have us not in the business at all I think is a mistake and inconsistent with what some of the best thinking around prevention programming really is all about.

We need to be a stakeholder and, but there's a continuum as you know, and so what is that you're trying to prevent? Whether it's someone falling down in a nursing home, or are you trying to prevent someone, you know, being abused and neglected.

Outside our doors, if the only thing that exists in prevention outside of DCF's door, which by the way, the most important pieces do exist, what's happening in our hospitals, in our communities and in our schools, and that's the way it should be.

But if it stops at our door and doesn't at the, on that continuum, and doesn't enter the door at DCF I think you've lost an important stakeholder, and you've also lost a focus on what is it when we didn't purely, primarily prevent abuse and neglect, but we're starting to see an early intervention or we're seeing risk factors that of our low and moderateness before they get to, you know, real high-end safety concerns, that that continuum needs to

flow through our Department and frankly, throughout state government as a whole.

That's my generalized response to your question. Is that--

SEN. BOUCHER: Well, for those of us that are--

BRIAN MATTIELLO: --does that answer your question?

SEN. BOUCHBER: --not as familiar with how prevention is handled through your Department, do you have a separate group that does that, or is it integrated in all of your different departments?

BRIAN MATTIELLO: We have a prevention division, but we also have prevention liaisons in each of our area offices so we try to integrate it into our business within the community.

We do try to bring up topics with our area advisory committees, which exist associated with each of our area offices, our 14 area offices.

And we run, we outline those programs for you here, most of which are done in partnership with others. So while we have a division, we're not the ones exclusively running the programs. Partnership with State Department of Ed, with a number of private providers, we conduct a number of training opportunities, which necessarily mean that we're really connected with a large network of individuals, and then we serve on a number of, you know, organizing task forces and committees that are doing important planning and developing of services on prevention.

There are four individuals dedicated exclusively to prevention in our Department and

then those liaisons hold other jobs like function, have important functions in the area of prevention.

SEN. BOUCHER: Brian, I'm just, one last thing in the report that was, the last report in 2007, there was a comment made that there's a duplication of external monitoring efforts and that there were, it was determined that there were several mandates that could be eliminated without the loss of accountability.

Do you recall any of those that were being proposed and did the Department come forward, therefore asking for that relief so as to streamline the process?

BRIAN MATTIELLO: We did, Senator, and this Committee actually voted out. What we did was, we pulled from the Program Review and Investigations Committee those obsolete and redundant reporting items, and advisory boards, and those sort of people, and separated them in an individual bill that was voted out by this Committee.

SEN. BOUCHER: Thank you so much for your testimony, and I also leave you with the thought, and I don't, Representative Hovey has some questions as well, that there should be a much greater emphasis on internal processes and procedures, and by looking at that, by mapping out what each department does, each individual does within that department, and having a clear job description will maybe highlight a number of things that could be very helpful to your Department, and might alleviate some of these concerns and questions.

BRIAN MATTIELLO: Your point's well taken. Thank you.

REP. URBAN: Thank you, Senator. Representative Hovey.

REP. HOVEY: Thank you, Madam Chair. Good morning, Brian. There seem to be a couple of, in my mind at least, a couple of reoccurring things, and the first reoccurring thing is communication, and just to speak to communication personally, the Co-Chair said that he was sure that we had all been communicated with and had conversations at length with DCF and I would say that as probably the newest member on this Committee and the Ranking Member, I've had no conversations with DCF.

So just, you know, I've been getting all of my research from, and my background information from going on line and reading all the testimony from this fall, and you know, Program Review's piece of material.

BRIAN MATTIELLO: (inaudible)

REP. HOVEY: I'm sure you will. I'm sure you will. But I just, again, I think that kind of highlights some of the holes in communication when the Ranking Member, and granted, I have a fair amount of expertise because I was previously the Ranking Member on Education and because of what I do privately, my background is, you know, very much in behavioral and emotional health.

So I'm up to speed on lingo and all of that. But the intricacies of DCF's workings, I am not. I'm trying to get there. So please, I ask for your indulgence.

And the second piece of that, fragmentation, in looking at all of the communication that I've reviewed, there seems to be this kind of

underlying theme that the left really doesn't know what the right is doing, and also this piece that really concerns me that, because you know I have a hard time to believe that people working in DCF and the people I know who work in children's services and preventive services and even, you know, some of the more punitive arms of intervention services, all do it because they are interested in doing what's best for children and families.

But there's a real disconnect between what people's perceptions are and probably what I hope is the reality, you know. I'm not going to make that a blanket statement, but I hope that that's, that the reality is not truly what people's perceptions are.

And of course, when you're working with any area of emotion and behavior, so much of what you have to do is change perception. Change perception not only of the individual clients that you're working with in their own internal dynamics, but also the way they view the world, and you're a part of that world.

And so that's the piece that keeps coming up for me is this idea that people, our constituencies' perception, your clients' perception is so negative, and I'm, you know, known for my candor. It's just so negative about DCF and its workings.

And so then when I move to some of the changes that are occurring, and specifically with regards to the prevention component, and I know you folks have a prevention component.

But I wonder how you're going to deal with this compatibility issue, in my mind anyway, of DCF's perception and the ability for people to

access, which is what needs to occur if you're going to be involved in prevention.

People have to perceive you as being supportive and you know, nurturing and you know, almost maternal if you're going to be involved in the prevention arena.

And so I'm wondering how you folks are going to deal with your compatibility issue?

BRIAN MATTIELLO: I said earlier that I had sat through those hearings and it wasn't the first time, you know, that I've been exposed to some of those concerns.

One, there were really two major parties. One was those who experienced the child protection system and some of the concerns expressed.

And then there was a large contingency of individuals that were experiencing our voluntary services system in a way that was a bit disappointing to hear, you know, that we weren't meeting their needs because that is designed to be a bit more user friendly.

The, on the child protection side, I think the nature of what we do, and for many families it's not going to engender, you know, some good will in every case. And I'll remind members of this Committee that as far as authority of government goes, the only thing greater than having authority to remove children is perhaps the death penalty.

So we're engaged in something that's extraordinary, and there are some really bad things that happen to kids out there, and I'm glad we have an agency and a mandate that says the safety of children comes first.

When you get to those cases where it's not as easy, you know, so a scenario, you walk in, mom's got a needle out of her arm that's hitting her. The kids haven't eaten in two and a half days. While those are hard things to see, they're actually easier cases to make judgments on. We need to figure out the rule from that unsafe situation.

That's not the majority of our cases. Our other cases are, there's some deep-seated issues the family's struggling with. There might be a mental health issue associated with a child. It might be just, and not all poor people abuse their children but poverty that's really, you know, just taking a hold of that family in a way that they, all those stressors, and it results in some neglectful behavior with children.

The most cases that I think child welfare as a whole, and I'll just state it straight out, is a bit underdeveloped around. This is not unique to Connecticut DCF but we want to, we only care about Connecticut DCF and so do the people sitting in this room.

But I think it's a struggle nationally of how you move from those again, easier to judge cases of safety and making sure that we have all the authority that we need to keep kids safe, and feeling good about that theory.

And then when we get to those more complicated cases, how do we become a bit more engaging, and in fact, through a differential response, figuring out a way, an entirely different way from when that report comes to us and it's accepted, but there are some risk factors going on and we address that different. That's the bigger thinking.

On the day-to-day stuff, it's really my response to Senator Musto, because what I want to get to you is that those summary sheets, what are the family engagement initiatives within the Department? What are we currently investing in that's going to help us make a difference on this front?

And you can look through and say, this one I like, this one I don't. Or as a whole it's not a collection of enough. It's not moving fast enough and we all have those opinions.

But I want you to understand that there some important things going on, and that this is a direction, not just the exit plan tells us so, but that there is a different way to deal with these families.

I heard that at the hearings, and in particular I walked away on the voluntary services with wanting to understand that a bit further, and so there's some, I can't answer definitively that tomorrow or next week, you know, through these means we'll solve this problem, but I'm pleased with the direction we're going in terms of the measurement, and in terms of the initiative, and I would like you to know about that and then we can decide what's the gap between where we are and where we want to be.

REP. HOVEY: Thank you. And I think that probably for me, one of the easier components of your job, so to speak, to evaluate is the protection part versus the prevention part.

BRIAN MATTIELLO: Right.

REP. HOVEY: And I personally am very concerned about the voluntary intervention component because those are individuals who are being proactive versus your needing to be reactive.

BRIAN MATTIELLO: Yes.

REP. HOVEY: And so the perception of those people and their ability to access quality preventative programming, and especially in this environment where I believe the stressors are going to become phenomenal, not just on those individuals that we have traditionally considered higher risk, but also at groups that have never been at risk before.

So I think that the demand for voluntary preventative services and quality services is probably going to grow significantly.

So just putting that out there, I would like to move on to the fact group, the State Advisory Council, and just, I'm not really, I guess I'm not really understanding exactly how the system works and who are participants in the system.

I know that people are appointed to the Advisory Council, but the feedback that I've had is that those have absolutely a talk down issue also, that the Advisory Council, and that people who are say, lay persons who want to participate in those are feeling like they're wasting time and not really having much to contribute.

And so I'm wondering, and I will look forward to the follow up from your Department. I'm wondering, first of all I would like, I will explore who all of the chairs are and that piece of it myself.

But also, I personally have sat on a couple of advisory councils and considered expert in at least one area, and had my minority leader remove me because I wasn't really feeling like it was a worthy expense of my time.

And so if I'm feeling that way, and I'm not known for being shy, then I would call in to question the talk down nature of those advisory councils also and the need to really look at that. Thank you.

REP. URBAN: Thank you, Representative Hovey. Representative Thompson.

REP. THOMPSON: Good morning, Brian.

BRIAN MATTIELLO: Good morning.

REP. THOMPSON: Thank you very much for your testimony and for your frankness and your awareness of all the issues.

I do want to say that I will simply make a statement. There are some heavyweights. No offense to the one following me, but there are some people waiting to testify both from agencies and from the public who have been very patient for the last hour and a half.

So I'm looking at this report you submitted to us. Oh, first may I thank you very much for the book you gave to me and the study and I think you said you had copies for other members of the Committee, or did you?

BRIAN MATTIELLO: I'd be happy to do that, yes.

REP. THOMPSON: Okay. And I think that really throws a light on what we're coping with here. It was a study of child abuse throughout the industrialized world and I'm sad to say we live perhaps in the most violent society in that world.

And so when I first came to the Legislature, I had a meeting with Amy Wheaton and she's been

succeeded by a number of people since, but I went over there because I at one time in my life had represented employees in all of the institutions and in the different youth departments and so on.

And I can remember going to Long Lane School for Girls, the Meriden School for Boys, and these were the kids who had gotten in trouble and had to be institutionalized, and I can remember such things as going to a picnic at Long Lane School and the superintendent was a Miss Meacham, who was about 5'3" and weighed about 110 pounds, white hair, motherly type, who just controlled that institution and the people working behind the tables and so on with some of the girls who were residents there. It was just a different world, and it was something a little bit different over at the school for boys.

But it was a different population, different challenges, and so I went to Amy Wheaton and I said to her one day, I said, Commissioner, you testified before us and the statistical evidence that you presented to us, the number of kids in trouble, in serious trouble and so on, and the number of kids who have been abused and so on, just blows my mind.

And I didn't say it, but I was thinking of it, here's a woman who lost a leg to cancer, had just lost her husband and I said to her, how do you cope with all of this? And she said to me, to tell you the truth, there's one thing that keeps me going.

I know if a child, no matter how badly they've been treated, is loved by one person they have a hope. If they need a, it doesn't, it can be a father, a mother, a sister, an older brother,

a coach, a youth worker, whatever, that child has a chance.

And I kind of think that's still true, that somewhere in all of this, if we can relate to kids that way, and we put your Department I think in, as you and Representative Hovey discussed, we put you in a very difficult position because you're really dealing most of the time with kids who have been hurt or damaged, and it's a matter of putting the pieces back together.

So one of the Committee's findings is goals of the consolidated children's agency, leadership and advocacy for children versus an integrated service delivery have not been fulfilled.

I agree with that, and I think you have more or less said that you agree with it, but we're still learning. We're still responding.

And one of the recommendations, or one of their findings, children and families are best served by integrated individualized care delivered through community-based systems, and I think that's the key to the whole issue here.

The fault we find with DCF, the faults we find with a lot of things, we are doing more things in preschool, school readiness. Birth to Three is a model agency. They touch kids right from birth. They're dealing with families right from birth.

The Healthy Families Program under the Children's Trust Fund are dealing with families right from birth, and much of their programs beyond that recognize that. The Commission on Children recognizes that. Their focus is a lot different than what you're served.

So I think yes, there's a very important role for DCF and it should be part of that community system. But I wasn't kidding the Commissioner yesterday when I said to her, I think you ought to tell the Governor that you're not ready for this responsibility of integrating further and taking away much of what has been done in prevention than just simply shifting the money.

None of the people who built the system would go with it, so, and I think the book you gave me, and I hope you all could share it, will demonstrate that, that times are different in America right now and this economic situation will only make it worse.

But there is another way beyond results-based accounting. There is another way. There's a picture of what can be and we know that other countries, other societies are meeting these same challenges. Maybe not as great or as acute as we do, but when you have, you know, 47 million Americans without healthcare and many of them children, or most of them perhaps children.

Our infant mortality rates are off the chart in comparison to most of the other industrialized countries.

There is a way of working toward that, and we see it happening, and I think I would invite you to, and I know you guys work with the commissions and with the Trust Fund of exploring what they're doing, how they're doing it, and working closely how your services might be integrated with theirs, rather than theirs being swept up by yours, and we preserve what we have.

We had a child plan here some years ago. We had a meeting. We had the French-American

Foundation here. We had people from all over the country and one of the things they, I think one of the things they recommended, every community should have responsibility for their children.

And one of those communities that took that to heart was East Hartford. Not my district, but close enough. They have a community-based health center. They have a school-based health center. But when they came together as a community, they decided, what is the best thing we can do for our children, and that was to have a school-based health center because the kids didn't have access to dental care often or even to healthcare.

Well, they established that and they got it going. Now they have their own dental service right in the school. They really cover most of behavioral health but it's integrated with the community and they also work with a community-based hospital.

And it just seems to me to make a lot of sense. They have a youth service commission that's wonderful, and there's a law on the books that enables communities to, it's optional with the community, to create a community-based person, like we have the agent to the elderly. There would be an agent for the youth, who would, you know, report to the town council annually and give him an idea and do, you know, all that local feeling out and sounding out, what can we do to make things better for our kids.

So we are doing things to improve healthcare. We are doing things to improve children's readiness for school. We do have the Birth to Three, which is a national program, which works, and there are good things happening.

But you guys have, and I don't mean to make too much of this, you have the most difficult job, I think, in dealing with your, and you need more help rather than trying to absorb things that are already working.

You can coordinate with them and so on, so that's the end of my statement. I hope you'll take it in stride and work with us.

REP. URBAN: Thank you, Representative Thompson. And Brian, thank you for answering the questions and I would just like to say that any time I have had to deal with somebody at DCF and it's been you, you've done a tremendous job.

BRIAN MATTIELLO: Thank you.

REP. URBAN: And I thank you for the job that you are doing. You've been very responsive, and I also thank you for being in the hot seat this morning. I know it's not easy, but you do a terrific job, Brian, so thank you.

BRIAN MATTIELLO: You're very kind. Thank you.

REP. URBAN: We have gone over the one-hour limit for the public officials, so now we're going to go back and forth between the public themselves and the public officials.

We did have somebody cancel at the first, so I'm going to exercise the chairman's ability to indulge in this and ask that the first person be Kate Nicoll from Soul Friends.

KATE NICOLL: Good morning.

REP. URBAN: Good morning, Kate. Thank you for being here.

contact by DCF with a child who has a non-custodial parent and informing the non-custodial parent of any contact with DCF.

But I did want to give you a chance to have your say as it were. I think, you know, personally, I think it's important whenever government at any level has dealings with children, that the parents, you know, be informed of that. It's essential to, certainly our way of life that government is in many aspects of our life already.

Especially when you're dealing with children, that parents should be aware of that, should be told, certainly, that government is somehow dealing with their children, especially if the child is in any danger.

I think it's extremely important, and so with that little salvo for you, I'll let you get to whatever you want to say.

REP. AYALA: Thank you, Senator Musto, I appreciate all the attention to the details and the numerous emails and phone calls that have gone both ways, so I really appreciate you really being supportive of this.

Good morning, Chairman Musto, Chairwoman Urban, Ranking Members and the members of the Select Committee on Children. I'm here to testify on behalf of Senate Bill Number 877, Senate Bill Number 878, and Senate Bill Number 879.

The reality of it is that actually I wanted to submit testimony on behalf of House Bill Number 5692, which was a bill that I co-sponsored, which is An Act Requiring The Department Of Children And Families To Notify Non-Custodial Parents Of Certain Abuse And Neglect Investigations.

It is my understanding that this, that a series of bills and recommendations will be passed by this Committee and I would like to suggest that somehow, some way, we include language that will require DCF to notify non-custodial parents of whatever abuse or neglect investigations they are having.

The reason why I submitted this bill is because I have a constituent who ran into a problem with DCE. The non-custodial parent was paying his child support and his child was living with its mom who eventually remarried and had her own family.

Unfortunately, a situation occurred, which resulted in a DCF investigation. The non-custodial parent was not aware of the investigations because the mother of the child threatened the child about going to his dad with any information.

In the meantime, DCF conducted an interview of that child and as a result, the child was sort of, didn't want to go to dad because mom had told him not to and he still needed an outlet, still needed someone to be able to talk about, but he couldn't do it, and as a matter of fact what ended up happening was his grades dropped.

There was noticeable anxiety on the child, and not until several months after the interview did the child finally tell the dad listen, all this stuff is going on. I can't control it any more. I have no other person to talk to this about and he finally talked to his dad about it, and as a result, the dad was then able to address the concerns of his child and deal with the issue at hand and just ease his concerns, make the kid feel better.

How difficult would it have been for DCF to pick up the phone, call the non-custodial parent and say listen, there's something going on in the house, maybe not give all the details of it or whatever if it's a touchy situation, but at the very least give the heads up to the dad or the mom, whoever the non-custodial parent is, so that at the very least the child has the support from the other parent to ensure that everything will be okay, to ensure that if there are any worries whatsoever that not only is he getting it from the custodial parent but from the non-custodial as well.

You know, we often say, we often go and put all these demands, and rightfully so to ensure that child support payments are made, that visitation rights are being met. But then when the non-custodial parent is doing everything that the state requires them to do, and to not get a phone call from an investigating agency who takes their child into whatever room, and asks him or her questions, I just think that legislatively if there's a way for us to find a resolution to that, that we should.

A parent has a right to know. Maybe not all of the details within that particular investigation, but at least let them know that they're being interviewed by that agency. And that's my testimony.

SEN. MUSTO: Thank you, Representative Ayala. Are there any questions from any member of the Committee? Representative Jarmoc.

REP. JARMOC: Thank you, Representative. Just a quick question. Are you aware, and I'm not familiar with this, is there a policy, are there policies within DCF currently that require them?

I would make sense that if your child is being interviewed by a DCF social worker, you should know that as a parent.

REP. AYALA: Well, interestingly enough, when contacted by the constituent I made several phone calls and in speaking with the liaison, the fact of the matter is, it's sort of almost like the will of the investigator.

I mean, sometimes it may happen. Other times it may not. I just find it utterly ridiculous that a phone call is not made. I mean, you have a parent that is involved and a phone call doesn't take too much to make just to inform the non-custodial parent.

REP. JARMOC: So there's no consistent policy in place, and no consistency in regard to how a social worker from DCF would approach this situation?

REP. AYALA: As I understood the response from the person that I spoke with in regard to this constituent, no.

REP. JARMOC: Okay.

REP. AYALA: Only after the inquiry was made were they then willing to discuss some of the issues around that particular case.

REP. JARMOC: All right. Thank you very much.

REP. AYALA: Thank you.

SEN. MUSTO: Representative Hovey.

REP. HOVEY: Thank you, Mr. Chairman. Thank you, Representative for your testimony and just to speak a second to Representative Jarmoc's question.

My experience is that non-custodial parents have in lots of ways limited rights and so, or, I guess it would be a lack of thought about their rights. It's not that people have limited their rights, it's that there's a lack of thoughtfulness around their rights.

And so you've gotten caught in one of those scenarios through DCF, but also within the context of public schools. The non-custodial parents often do not have access to report cards and different things unless they specifically go out of their way to attain them, and in fact I had a constituent who came to me to talk about the fairness of needing to provide to the school self-addressed stamped envelopes in order to get school newsletters and school report cards for their children.

So there are issues for non-custodial parents and there is a subcommittee, the Fatherhood Subcommittee and it's my hope that we'll be addressing some of those very issues in that because the propensity is for the non-custodial parent to be the father, I'm not sure what the percentage is, but I would bet it's at least probably 80 percent of the time.

So thank you for your testimony. I appreciate it.

REP. AYALA: Thank you for those comments, and I would agree with you. I don't necessarily know what the percentages are but the non-custodial parents unfortunately have to jump over a bunch of hoops just to stay involved in their kid's life and oftentimes what I find is the fact that they just, that's exactly what they want to do, stay involved in their kid's life.

They're doing everything the state requires them to do as far as visitation and paying their child support, and even going beyond. But unfortunately, those rights sometimes aren't extended and hopefully the task force, I am working with Representative Morris to ensure that we can do something about this, so I appreciate those comments. Thank you.

SEN. MUSTO: Other questions from the Committee? Thank you, Representative Ayala.

REP. AYALA: The only thing in closing, Senator Musto, I know that we had several back and forth with some of the clerks in this Committee and with yourself, and I just, the message that I just want to leave the Committee with is that I don't know if your language is specifically contained within these specific bills.

But in the homework that you folks do as you go forward, before anything comes out of this Committee, I just hope that you can see it fit to include the language in the bill so that we can make sure that we can at least tighten up that one little loophole. I appreciate it. Thank you.

SEN. MUSTO: Thank you, Representative. We'll go back to the members of the public, and I believe Sarah Chasse, is it Sarah Chasse? Chasse? Good afternoon, Miss Chasse.

SARAH CHASSE: I'm Sarah Chasse. I'm an MSW student and an intern--

SEN. MUSTO: Excuse me, I'm sorry, Miss Chasse. Could you, did you submit written testimony?

SARAH CHASSE: Yes, I did.

SEN. MUSTO: Okay, thank you.

SARAH CHASSE: I'm also an intern at the Connecticut Chapter of the National Association of Social Workers. I'm testifying in regards to Senate Bills Number 877 and Senate Bill Number 879 and House Bill Number 6411.

All three bill concepts, reducing child poverty, establishing a task force to study DCF, and implementing the recommendations of the Program Review and Investigations Committee concerning DCF, center around the issue of prevention.

While working for a private child welfare agency, I witnessed the growing need for a prevention-based system. As a direct service worker, I saw numerous children, youth and families who could have exited the system much sooner and with better outcomes had preventative services been in place to meet their basic needs and stop the cycle of poverty.

It was this experience in the social work field, which drove me to pursue my MSW in policy practice, as I saw a need and great potential for change on a policy level.

The bills before you today hold this potential, and are the very essence of the change in focus that the child welfare system so desperately needs from reactive to preventative.

Senate Bill Number 877 speaks to the need for DCF to implement recommendations for comprehensive service delivery, mainly concerning prevention. At present, DCF has a very difficult task of balancing the needs of many at risk children and families with limited staff and prevention driven funding, resulting

in large caseloads and leading to a very reactive nature of service delivery.

In order to adequately meet the needs of the child welfare population, there is a need for preventative policies programs and services to restore balance to the currently crisis oriented system.

Establishing a state advisory council to monitor the implementation of prevention based services would create a level of oversight necessary for such an initiative.

Senate Bill Number 879 also addresses prevention as it seeks to establish a task force to study DCF policy, practice and procedure, as well as to consider changes in DCF structure or possibly the transfer of key functions to other agencies.

It is necessary to establish such a task force in the interest of examining current DCF operations for several reasons. Not only is there a need for oversight to ensure high quality of service delivery, but also to explore options and realities of a restructuring plan against past attempts to reorganize DCF for purposes of increased efficiency and improved outcomes.

Should such a task force be established, it will also be important to ensure a balanced representation of child welfare policy and practice experts as outlined in Senate Bill Number 877 for the State Advisory Council.

Just in summation, all three bills focus on the need for prevention in child welfare, and all three provide key steps to meeting the needs of vulnerable at risk populations within the state.

With the current level of only one percent of DCF's total fiscal year '09 budget allocated to prevention, these steps have the potential for considerable improvement to the structure and delivery of current child welfare services. Thank you for your attention.

SEN. MUSTO: Thank you. Are there any questions from the Committee? Yes, Representative Thompson.

REP. THOMPSON: Good morning.

SARAH CHASSE: Good morning.

REP. THOMPSON: Thank you for your testimony. Good luck on your master's work.

SARAH CHASSE: Thank you.

REP. THOMPSON: You heard some of our testimony earlier, and I don't know whether you've been monitoring the Legislature for the last couple of weeks, but there are services that Governor Rell has recommended be transferred to DCF and be absorbed, and there's been opposition both from professional and practitioners and others.

Have you any opinion on that? Does that encompass some of your research on this question?

SARAH CHASSE: Yes. I do agree with what was said earlier that prevention does need to be a part of DCF. I don't think that it can be completely separate. It needs to be integrated.

But I do think that the work that's being done specifically by, not mentioning a specific agency but that's being done outside of the

Department, is also very important and has been particularly effective.

REP. THOMPSON: I think the long-range question, should all of this be unified in one agency?

SARAH CHASSE: I don't believe that it should be, no. But I do believe that prevention should be integrated in DCF.

SEN. MUSTO: Senator Boucher.

SEN. BOUCHER: Thank you, Mr. Chairman, and thank you for your testimony. You're advocating a new task force. Is that correct?

SARAH CHASSE: Yes.

SEN. BOUCHER: And previously we heard about all of the various task forces that were convened in the past and the many, many advisory boards that currently are meant to be there for the benefit of improving the functioning and services.

Tell me how this new one could somehow do a better job than what we're currently doing?

SARAH CHASSE: Well, I know that there is some current legislation up suggesting certain restructuring plans for the Department, and I think before any of that is put into place there needs to be a comprehensive study on what the current structure is, and also looking at, I know, some of the history was presented to you earlier.

There's been numerous attempts to restructure the Department. I just think before any action is taken on that, there needs to be a comprehensive look and that study may just include looking at past studies that have been

done, but there needs to be a comprehensive overview of that before any restructuring is put into place.

SEN. MUSTO: Thank you. Are there any other questions from members of the Committee? Thank you very much.

SARAH CHASSE: Thank you.

SEN. MUSTO: Our next speaker from the legislator agency list is Carolyn Signorelli. How did I do on that one? Better? Okay. Good afternoon.

CAROLYN SIGNORELLI: Good afternoon, Senator Musto, distinguished Committee members. Thank you for this opportunity to address you today.

My name is Carolyn Signorelli and I'm the Chief Child Protection Attorney for the State of Connecticut, and I've submitted testimony to you on all the bills that are on the agenda today, because they all affect the clients that my agency serves.

But instead of going through my testimony in the interest of time, I'd just like to address some of the sort of macro-concerns that are being raised by all of these bills and sort of being addressed by all of these bills, and address some of the questions that you have, that the Committee members have brought up today.

One of the things that was pointed out was that, one of the questions that's being asked is, where should prevention lie?

And I agree with Brian Mattiello that DCF has to be engaged in prevention, and the issue around prevention isn't whether DCF should have

all of prevention or whether some other agency should have all of prevention because prevention occurs across the board at every level of entry where somebody in need is interacting with state government.

So you know, for example, DSS engages in prevention when they help somebody find supportive housing. That's preventing homelessness.

Then we have DCF is engaging in prevention when they remove an abused child to prevent them from being further abused.

So I think the question that we're really grappling with is, how encompassing should DCF's mission be? Who are the people that DCF should be serving and focusing their prevention efforts upon?

I also agree with Brian Mattiello that, you know, prevention has to do more with a way of thinking and a way of approaching folks.

What I would like to submit to you when you're sort of thinking about these issues and about DCF's mission, and whether or not it's capable of achieving its mission. All of these bills are taking a look at that.

Is that DCF's primary mission is its protective mission, and I think a lot of folks would agree that having a protective mission and a sort of an early prevention mission interferes with what folks are talking about the disconnect.

Representative Jarmoc said you have these great policies in place. Your policy is to engage with relatives and families, yet there's this disconnect, and people come before the

Legislature and say the Department isn't meeting our needs, isn't serving us.

And what I would submit to you is that having this protective mission and attempting to engage with families who may be lower risk or who may be, you don't, can't substantiate neglect and abuse with, creates the disconnect because it's very difficult for families to engage with the agency that they know has the authority to severely intrude in their lives and remove their children.

So what I've sort of proposed throughout my comments on all these bills is that the differential response system, and what I've said in my comments on Senate Bill Number 878 is that I don't think you need a task force to look at that. I think that differential response system definitely needs to be implemented. I think July 1, 2009 is too soon. I am on the steering committee working on implementing that, and I think that a deadline should probably be set but July 1, 2009 is too soon.

But what I would submit is that DCF needs to recognize that a differential response system where they're trying to engage families on a voluntary basis should not really look like a DCF program in the community. That's part of the problem. That's part of the disconnect, is that many families don't want to engage voluntarily with the Department that they know can remove their children.

So, and I say this with all due respect to the efforts that the folks at DCF are making to engage prevention, but I think we need to look at which families DCF is primarily responsible for prevention with, and those families who can be identified by a differential response system

that are low risk and who could be served directly by the community should be served directly by the community, and DCF should really be more in a background, more supportive role.

And you know, just to sort of comment on the issue about family engagement and relatives and you know, being told that DCF is not following their policies, you know.

In defense of DCF, you know, the way the community and families see their decision is not, you know, they're often not going to be happy with the decision by DCF to say we are not going to place a child with you.

And that also brings into play DCF's protection role, you know. DCF always has to have in the back of their mind you know, is it really safe to put the child back into the family system, and they don't necessarily engage with the families in some of the ways that say a DRS model with family conferencing or family strengthening approach would.

Or, Brian Mattiello pointed out that the Department wants to do better in utilizing the family conferencing model, and the family conferencing model is a model where you know, these family members would sit down at the table with the Department and do some problem solving. But that's a collaborative effort, and if your mission is protection, sometimes it's very difficult to engage in that collaborative effort.

And the issue of trust goes both ways, because you know, some community members and families don't trust DCF because they're afraid they're going to remove their children.

But when I have conversations with folks in DCF about letting the community or allowing another agency who is already in the community and whose primary focus is prevention, to be the face of this program, you know, their reaction is well, we have to make those kids are safe first, and that DCF worker needs to be in that home and those sorts of things.

So DCF also doesn't necessarily trust the community providers or the family strengthening models to really address the needs of those lower risk children, and I think that it's time that when we take a look at these task forces and what these task forces are looking at to say, DCF, you really need to focus on protection, and you really need to focus on these higher risk families.

And yes, prevention has to be a part of that, but as far as prevention for lower risk families that may be facing issues of poverty or, you know, you may not necessarily be able to substantiate actual neglect or abuse yet.

The DRS model is a good way to shift those families from a child protection system, and engage them in problem solving and you know, addressing their needs before there's actual neglect or abuse or before a child has to be removed.

Are there any questions?

SEN. MUSTO: Thank you. I have a couple questions, and I understand you talked about a lot here about prevention, and DCF's role and other people's role, and I know it's sort of all jumbled up together.

But what I'd really like to do is try to separate it a little bit, so I'm going to ask

you to really focus on the question I ask because I've got three or four questions about DCF's role and other people's role in prevention. I'd like to see if we can kind of break some of the things out without aggregating them.

CAROLYN SIGNORELLI: Sure.

SEN. MUSTO: The first question is the potential for duplication if DCF and one or more other groups gets involved in prevention.

And what I'd like you to specifically address is, what would DCF's role be in prevention versus someone else's role and would you have to have one other or two other, or how do you see, how would you prevent duplication itself?

CAROLYN SIGNORELLI: Well, I think that the issue isn't duplication because you're talking about perhaps intervention at different stages in a family's life, and intervention based upon the issues or the severity of the risk that families are facing.

So let me try to give you an example of what I sort of envision with implementing the DRS model, which I think is an excellent way to start addressing some of these concerns about family engagement and prevention.

Right now I believe the model that DRS is proposing is that the DCF social, that this is going to be a DCF program primarily, and that the DCF social worker is going to be very involved with these families that have been identified by the Hotline as sufficiently low risk that DCF does not need to start an investigation on.

So the idea is, they will receive a differential response track, and that track will include being referred to community providers that are obligated as part of a contract requirement, to engage the family in a family conferencing model and problem solving.

Let's sit down and see why this family was brought to the attention of the Department, you know, why somebody made a Hotline referral. What are the issues that this family is facing, and how we as community providers and varied other resources for the family can come to the table to solve those problems, address those issues, sort of nip them in the bud, provide the family with supports, community supports or ways to solve their own problems so that hopefully they will never have another referral made on them and they will never come to DCF's attention.

So that's not a duplicative service. That's a service that's getting to that family early enough before DCF has to take greater measures such as doing an investigation, doing forensic evaluations of children, possibly filing a neglect petition or removing the child.

So the other issue is with a prevention agency that's primarily focused on what is termed primary prevention. That means let's try to help families who are at risk never come to DCF's attention.

Those type of programs need to be made available to all families that are identified in need of support or help or intervention. So for example, there are currently programs in the state that identify at risk mothers in the hospital or in clinics because you know, this is their first pregnancy and perhaps they have mental health issues, or perhaps they struggle

with substance abuse issues or perhaps they're struggling with housing, you know, just issues that might affect their ability to support and properly care for a child.

And that sort of primary prevention is addressing a risk, but it's not a child protection prevention. It's a pure prevention. It's trying to make sure that that family starts addressing the child's needs and meeting a child's needs and raising healthy children right off the bat.

And those programs would not be duplicative. They should be provided. The hope is that they prevent a child ever coming to DCF's attention. But if a child eventually does, you know, if for some reason that program fails, and if a child does come to DCF's attention it's not duplication. It's DCF interceding at a new sort of risk, a continuum of risk that families might deteriorate to or arrive to that DCF then comes in and provides services.

SEN. MUSTO: Wouldn't that in some ways, though, it seems to me, I don't know, but I'd like a comment on this.

But wouldn't that in some ways mean that people would sort of view DCF in general as completely adverse. I mean, that there would be no chance that once you're involved in DCF it would just be a completely adverse relationship.

Because if what you're doing is saying, we're going to put all the nice parts as it were of DCF prevention, take them out of DCF, that once DCF does sort of come knocking on the door, somebody gets referred to DCF, that it would really at that point be completely adverse. There would be no view on the family part that people would be able to actually work with DCF

but at that point DCF would be just completely adverse to them.

CAROLYN SIGNORELLI: Well, I disagree that that's the way it would have to be, and I think that Brian Mattiello pointed out that prevention is more a way of thinking. It's not necessarily where or when something's happened, it's how interventions are conducted.

So there's, even if we were to take primary prevention out of DCF, which it really isn't there now in any event, and I don't think it should be put there, but this issue of family engagement, you know, to my mind if DCF did make a more concerted effort to follow its own policy regarding conducting family conferencing meetings early on in every case that comes to their attention, that they decide the allegations are at high enough risk that they need to investigate, that perhaps the family would see them as a more benign intervention and would be able to work better with them.

I don't, I think it really has to do with more how you engage the family and the issue becomes, which families are you engaging and which families are you identifying that DCF needs to engage with and provide services to, versus which families can receive a differential response and be, you know, placed in the hands of the community or community provider that has a contract with the fee agencies.

SEN. MUSTO: So who makes the second, who makes that decision? Once we get a family at risk in some way, there's been some referral, or even if it's just you identify some risk factors and try to get in early, which I think probably we can all agree would be the ideal world, but if

possible, or to what extent it's possible is a different question.

But who makes the secondary determination as to okay, this has now gone to the next level. We need to get a more interventionalist response?

CAROLYN SIGNORELLI: Well, DCF has their Hotline, and the DCF workers that man the Hotline, they have to assess the allegations that are made to them for risk level, and what the level of risk is that those allegations support.

So it would be the DCF Hotline worker that's making, and probably in consultation with the supervisor there, or perhaps even a program supervisor, that's making the determination of which track the case can go on.

Is it going to go to differential response, or are we going to refer it to an investigation, or in some instances they decide not to accept the referral because the allegations are not sufficient to support a finding of neglect at all.

So that's where the initial decision for the track, which track the family is going on, is made. But once it's determined that it goes to the investigations track, there's no reason that at that stage the Department can't engage in intervention that the families perceive is more helpful.

But we're never going to be, you know, as long as DCF is the agency that has the authority to do removals of children when the risk is high enough, you know, I don't think that you're ever going to necessarily be able to get every family to see their intervention as benign and helpful.

And a large part of that, if you know how the investigation social worker intervenes with that family, reacts, you know, interacts with that family, that's a large piece of it.

But you know, investigation workers always have in the back of their minds, safety first and that's as it should be. You know, I'm not arguing that it shouldn't be that way. That's why we need child protection, and that's why DCF was initially created.

So you know, there are families that do successfully engage with DCF even after the children have been removed. It's not really all black and white, but I think that if we want to, if the state wants to start engaging in earlier lower risk levels to truly prevent families from deteriorating into crisis, that it would be important to not have the child protection agency be the agency that's engaging at that stage.

SEN. MUSTO: Okay. Thank you. The second sort of question I had is, is there, and I guess unfortunately I'm going to have aggregate a little bit because it seems like this is part of the first one as well.

If you have an agency in general or any group that has experience at later levels in the proceeding, once there's a removal, once there's reunification issues, once there's treatment, that sees the end result, how does that information get back to the beginning, to the prevention to know what things to focus on if you end up taking the prevention out to a certain extent from that organization?

If that was not clear, please let me know because I know it's a little bit complicated.

CAROLYN SIGNORELLI: Yeah, and you know, there's so much here and all the issues are so complicated, it's really sort of hard to cover everything, and you know, the reality, I'm not proposing that DCF should have nothing to do with DRS, because I think that the reality is, is that all the agencies that are involved in providing the various types of services that families present in needing, need to be collaborated in the system.

So, you know, for example, you know, if a family is put on the DRS track, they may need the Department of Mental Health and Addiction Services. They may need housing services.

So I think that the reality is that it's still, it's a state intervention, but the issue is, you know, which state agency is going to be more directly involved with engaging the family, and I think that once they're, I believe that DCF plans on continuing to track, whether they've, when they receive a referral, whether they've accepted the referral and whether it's been placed onto the differential response track.

So if that family were to come back at a later time with a new referral and the presumption being perhaps differential response was that this family did not work, did not resolve the problems, I believe that DCF would still have that information in their records, that there was a referral and the family did receive a differential response.

So they would be able to track back and say, we tried to intervene. DCF typically in their investigations, if it comes to their attention that a parent has received prior substance treatment, they ask a parent to sign a release.

So you know, that in this situation the investigations worker would probably say, you know, please sign a release for the community service providers that you received services from through differential response, so that at that point the Department can begin to get the whole picture of the family and what the family's needs are and what the nature of, if the intervention needs to be at that point.

SEN. MUSTO: Thank you. Are there other questions? Yes, Representative Thompson.

REP. THOMPSON: I think what you were describing was a healthcare model of a kid who breaks his arm. He's immediately taken into the hospital where he's going to be seen and his needs addressed and repaired. At that point there may be a, you know, determining how that break happened, there will be a determination whether to bring in DCF or so on.

But at that point coming through that system, DCF would be looked upon as a support, making sure if there is some question, making sure that the child is safe from that point forward. Am I following you correctly?

They have a different role, but it can be constructed so that the role is supportive and interpreted by the public as supportive.

CAROLYN SIGNORELLI: Well, I mean, the reality is that when DCF gets called by hospitals because of a break in the arm, that's because typically the hospital or somebody at the hospital made a determination that that break may not have been accidental.

REP. THOMPSON: Right.

CAROLYN SIGNORELLI: So that's going to be, you know, your (inaudible) at the child protection investigation, and depending upon how the investigative worker engages with that family, and what information they begin to discover about how that break occurred, that's what's going to determine what the need for intervention is.

REP. THOMPSON: Okay. But if in the public eye it can be construed as being helpful and supportive, the role of DCF on a community basis, I would think a police officer might be called in as well, and that's a community person.

My thought is that for a basic model the healthcare system, which in some of the programs, you mentioned one from the Children's Trust Fund program, what is it, Nurturing Connecticut? And that's a good model. People are reassured and so on.

My problem with all of this is when, if we go back six years to 2003, we had a program, a number of programs that affected this population, which was badly damaged by reduction of funding.

One of them was Birth to Three. Children, they changed some of the eligibility standards for children getting into that system, and I think in all due respect to the Legislature, they made a big mistake by increasing, you know, the level of birth weight and so on, and so many kids were denied services.

Our neighbors in Massachusetts and Rhode Island were going the other way. We were going up, and as a result the number of children did not get into that program until sometime later, and the, it's been well documented that a child who

receives that care from birth, the kind of care they were denied, will be 50 percent less likely to need special education.

That's now up to 65 percent, so it was almost a no brainer, but I think in the stress, and it was like the situation we're in now. People thought, well, we'll just cut a little here and a little there and the consequences were long range, was very expense to the community, but even more expensive to the child and to the family.

I don't know how you can do that any other way than having a community based system that works with the state agencies and the state providers and with the local police, the local youth groups, the local education groups and so on and so forth, are all involved in looking at the children.

And I would suggest that we have models around the world, and certainly I think the French childcare system is you know, superior to ours because there is that involvement right from day one, involving both the healthcare, the education and so on.

So if you can answer that question, how do we get the community so well informed about the good things that DCF can be doing, the good things that other agencies are doing probably the good things you're doing.

CAROLYN SIGNORELLI: Well, you know, I mean, I think that question was, you know, posed earlier about being able to articulate the positive and you know, the reality is that the folks who have been satisfied by DCF intervention, they don't call their legislators and they don't come up to public hearings to testify.

But you know, I did spend nine years representing DCF in the courts, and they do do some tremendous work, and they do prevent children from being further damaged, and they do get children back to healthier families and that goes on all the time. And you know, those aren't necessarily the things that you hear about up here at the Legislature, and that's a little unfortunate.

Because what happens is, as a result of hearing only the bad stories, you start looking at making sweeping changes in the opposite direction, you know, when the issue is how to better carry out, you know, existing policies and things like that.

And you know, I think that we have a lot of families in Connecticut that need early intervention, and I agree with you that, you know, cutting Birth to Three and eligibility for Birth to Three, you know, is not the way to go.

We're talking a lot about focusing more on prevention, and I think one of the last bills on the agenda, House Bill Number 6411 talks about taking some more concrete measures to actually achieving what the Governor set out to achieve, and this Legislature set out to achieve when it talked about transitioning 10 percent of all social service states agencies' budgets to prevention.

And if, I mean, if we were to actually accomplish that, you know, when you think about the budgets of DSS and DCF and Corrections and all those agencies, when you think about what we could accomplish with early intervention and how much we could truly prevent, it's pretty staggering.

And I think that this combination of bills that are before you today, if they can be consolidated in a way where we're really looking at, how do we create that shift to prevention where the state is able to successfully engage the families early on and make sure that their children's needs are being met early on, we're going to see, you know, resolution of a lot of problems, including, you know, school readiness and future incidents of neglect and abuse, you know, future incidents of juvenile delinquency cases and things like that.

So hopefully, this is a great start, what's going on with these bills of making that transition, and one of the other things that I commented in my written testimony is that several of the task forces that are being proposed, some of what they're looking at overlap to a certain extent for, you know, if you make a certain decision on leadership issues, it's going to have an effect on organizational and structural issues.

Or if you make a decision about where, which agency should be the face of DRS or should be handling DRS or doing the quality assurance, that's going to affect issues of the leadership organization and the structure of the Department as well.

So I think that they really need to be looked at in concert and although some, each task force is very specific, there's definitely overlap and it would probably make more sense for there to be sort of an overriding task force or maybe just to see back in Program Review so there isn't this duplication because I think this is a great opportunity to enable DCF to focus its mission on protection and preventing further neglect or further abuse, or

helping children who are already experiencing the problems of neglect.

That's a huge mission in and of itself, or just appropriately caring for the children that they have in their custody. That's also a huge mission, and I think that this is an opportunity to enable DCF to focus on that, and for other state agencies to have more experience and a proven track record with actual prevention and preventing neglect and abuse to begin to be more involved in the shift to greater prevention efforts by the state overall.

REP. THOMPSON: Thank you very much. I agree with you.

CAROLYN SIGNORELLI: Thank you.

SEN. MUSTO: Are there any other questions from members of the Committee? Representative Hovey.

REP. HOVEY: Thank you. Hi, Carolyn.

CAROLYN SIGNORELLI: Hello.

REP. HOVEY: So, Carolyn, when we're trying to sum up all of the conversations and we've had quite a few conversations about many and varied issues with regard to children, would it be safe to say that the differential around prevention is voluntary prevention versus prevention and protection, and that if we divided, just divided that out, that that would make the differential between DCF, DCF involvement and private public provider involvement?

CAROLYN SIGNORELLI: I would agree with that, and I think I spelled that out a little more

articulately in my testimony because just the idea behind differential response is that those families are going to engage voluntarily.

REP. HOVEY: Okay.

CAROLYN SIGNORELLI: And voluntary services, as you said earlier, families are being proactive in seeking help, so it's really not necessarily a child protective case of a family voluntarily willing to try to solve their own problems and address their children's needs, and I think that that is a logical place to sort of make the differential.

SEN. MUSTO: Any other questions? Thank you very much.

CAROLYN SIGNORELLI: Thank you.

SEN. MUSTO: There's a, we'll go back to a member of the public. It looks like Tamara Kramer. Did I get that one right?

TAMARA KRAMER: Kind of.

SEN. MUSTO: Close enough?

TAMARA KRAMER: It's actually pronounced Tamara, but.

SEN. MUSTO: Tamara.

TAMARA KRAMER: I think my parents might have mispronounced it when they chose that name, so I don't blame anyone who says it incorrect.

SEN. MUSTO: Puts them in good company.

TAMARA KRAMER: They'd be so proud that I come in public. Good afternoon, Senator Musto, Representative Urban, not here right now, and

distinguished members of the Select Committee on Children.

My name is Tamara Kramer, and I'm a Policy Fellow testifying on behalf of Connecticut Voices for Children, a research-based public education advocacy organization that works statewide to promote the well being of Connecticut's children, families and youth.

I'm here today concerning five different bills, so I'll keep my comments short on each. We support with revisions, which we have filled out in detail in our written testimony, which I hope you have before you, the following proposed legislation.

Senate Bill Number 877 An Act Implementing The Recommendations Of The Program Review and Investigations Committee Concerning The Department Of Children And Families, Senate Bill Number 878 An Act Concerning The Prevention Role Of The Department of Children And Families, House Bill Number 5915 An Act Concerning "Stuck Kids", House Bill Number 6419 An Act Concerning Transparency And Accountability Of The Department of Children And Families, and House Bill Number 6420 An Act Concerning A Leadership Audit Of The Department Of Children And Families.

Regarding the recommendations of the PRI report, Voices strongly supports their adoption. As the Committee report finds, *Juan F.* litigation has done much to increase the resources available to DCF.

However, it also notes that the court monitoring is an expensive and time-consuming endeavor. DCF must further enhance its internal processes for ensuring high quality care, and not only for children in the foster

care system, but also for children with mental health needs and who are in the juvenile justice system who are often neglected.

This is particularly critical with regards to the monitoring of contracted services and addressing the identified inadequacies in its performance-based contracting, giving DCF's extensive reliance on contracted providers to deliver so many of its programs and services.

SB878

On the prevention role of the Department, we applaud the serious consideration of prevention that's addressed in this bill as prevention is often neglected in DCF budgeting.

However, we feel that in regard to the differential response system and the privatization of volunteer services, it would not be necessary.

We strongly feel that the creation of task forces (inaudible) program will only be another setback and will result in a delay and implementation of these critical prevention efforts.

The differential response system program is currently operative in a least 26 different states, and is recognized in the child protective services field as a great step forward in truly engaging families, providing community-based services and preventing future abuse or DCF involvement.

We urge you to leave the July 1, 2009 implementation deadline so DCF will be mandated to commit to the program.

The January 1, 2010 task force date should be amended to be a date that an implementation

needs be educated in a way that provides them with the correct level of expertise.

We believe this leadership audit should also look at areas where there is too much management and bureaucracy, which is bogging down the system and potentially preventing the Agency from fully meeting its mandate to protect kids.

And I want to thank you for this opportunity to testify. I apologize for speaking so quickly.

SEN. MUSTO: Yeah, that was good. You're going to be in politics soon if you can keep that up.

I do want to reiterate for those of you who may not have heard it, we did talk in the beginning that the task force recommendations, we are going to be looking at those and where there's a task force whether we're going to be taking some of those recommendations and implementing them directly.

So there were some discussions about that. I want to make that clear again.

From what I could gather from, you seem like you're supporting the Stuck Kids, the transparency and accounting and the leadership audit.

HB5915
HB6419
HB6420

TAMARA KRAMER: That's correct.

SEN. MUSTO: Those are all three clear supports.

TAMARA KRAMER: Yes.

SB877

SEN. MUSTO: The first one you're supporting with your one, excuse me, one exception.

TAMARA KRAMER: Yes. We don't believe that it would be productive to remove the accountability when it comes to this Department of Education within DCF. We think that's a great shock and it would make, when we're going toward more transparency it would not make sense to remove that requirement.

SEN. MUSTO: Okay, and the oversight and reorganization of the Department, you just got a couple of points under here. You're generally, generally what's the call on that one from your point of view?

TAMARA KRAMER: I don't believe we submitted written testimony on that bill.

SEN. MUSTO: I'm just, I'm just, Connecticut Voices for Children, it just says oversight and reorganization of the Department of Children and Families, and it says differential response, which you talked about.

(SB879)
(SB878)

TAMARA KRAMER: Yes, that's correct, as well as the privatization.

SEN. MUSTO: I'm sorry?

TAMARA KRAMER: As well as the privatization of the voluntary services.

SEN. MUSTO: Are you in favor of both?

TAMARA KRAMER: We are generally in favor, yes.

SEN. MUSTO: Could you tell us a little bit about Connecticut Voices for Children?

TAMARA KRAMER: Sure. We are obviously an organization that basically what we do is, we do research based advocacy work, and then we use those policies that we research to promote

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SEN. MUSTO: Next on the legislators and agency heads, Jeanne Milstein. Good afternoon, Miss Milstein.

JEANNE MILSTEIN: Good afternoon, Senator.

SEN. MUSTO: I would also like to thank everyone who remains here for their patience with us. I know this is a long day with a lot of testimony. It is very valuable to those of us who are legislators who are trying to make decisions about these things, to hear from everyone, so I appreciate your staying around to give us your opinion, and certainly the agency folks who do have some particularized knowledge and experience regarding these things. Thank you very much.

JEANNE MILSTEIN: Thank you very much, Senator Musto. Good afternoon, members of the Select Committee on Children. My name is Jeanne Milstein. I'm the Child Advocate for the State of Connecticut.

I've prepared some written testimony on two bills, and unfortunately there's two more bills I support, but because I'm computer challenged somehow they didn't make it into the written testimony, so I will get that additional testimony to you.

But what you do have, my testimony in support of Raised House Bill Number 6420 An Act Concerning A Leadership Audit Of The Department Of Children And Families, and also House Bill Number 6419, which is regarding transparency and accountability of the Department of Children and Families, which I support in part and oppose in part.

The two pieces of testimony that didn't make it to this particular document are Senate Bill SB877 SB879

Number 877, which is implementation of the Program Review and Investigations recommendations, which I support, and also pieces of Senate Bill Number 879. I support cross reporting of child abuse and neglect and questions related about animal abuse and child abuse.

But I'd like to focus my attention right now on House Bill Number 6420, the leadership audit, and I'd like to sort of bring together some of the comments that were made today.

I think Representative Jarmoc and Representative Hovey really articulated a very significant problem at the Department of Children and Families, and that is the disconnect between policy and mission and practice.

In October and November of last year, this Committee, along with the Human Services Committee held investigative hearings into the functioning and operations of the Department of Children and Families.

At the hearing on October 20th, I shared my belief that DCF while it's made tremendous progress in many different areas, is still an agency in peril. I described how the work of my office during my eight and a half years as Child Advocate has documented a pattern of deficient leadership, management and quality assurance.

I'm very happy to give you my testimony from October and November if it would be helpful to you, where I document very specific examples of what I'm referring to here.

I testified that these deficiencies are echoed in the report from the *Juan F.* court monitor

prevention, child protection, mental health and juvenile justice, because they can't be generic kinds of job descriptions in all of those entities.

SEN. MUSTO: Any follow up from the Committee based on that testimony? Okay, thank you very much.

JEANNE MILSTEIN: Thank you very much.

SEN. MUSTO: We're back to the public. I believe there are no more agency heads or public officials on the list, so we just go the public, and Gwen Samuel, I believe Connecticut Parent Power is our next speaker. Good afternoon, Miss Samuel.

GWENDOLYN SAMUEL: Good afternoon.

SEN. MUSTO: Thank you again for waiting.

GWENDOLYN SAMUEL: And I just need to clarify. I'm here in the parent role. I was formerly employed with Connecticut Parent Power so I'm here as a parent leader.

HB 5915
SB 878
SB 877
SB 879
HB 6411
HB 6420

And I'm from Meriden, Connecticut, but a lifelong resident of Middletown, so again, good afternoon, Senator Musto and esteemed members of the Select Committee on Children.

I'm here as a parent leader and a community activist, advocate, for children and families just based on my personal experiences.

So I'm a product of Head Start, which is an anti-poverty program. So with the right supports in place, families can succeed.

I'm a recent graduate with my bachelor's degree a couple of years ago through the support of Head Start just encouraging me, placing focus

on my children in Head Start, but in doing so, it said as a parent I need to take responsibility.

And in regards to the Representative that spoke earlier, we also had a non-custodial parent, which was my children's father, and it's important that we support non-custodial parents as well, because Head Start said, it's not about you, Gwen. It's not about him. It's about the child. So you and him are going to have to work out your differences. You're going to work as a family to best meet the needs of children.

So early interventions and prevention is key because I'm wondering if I didn't have the support services that I had years ago, I always ask myself the question, where would I be? So I'm glad where I am today, but that's the importance of anti-poverty programs as such.

I'm here to support, actually the majority of the bills. I'm here to support House Bill Number 5915, which is An Act Concerning "Stuck Kids", because I'm very concerned about the children that are out of state. We have over 300 children that are out of state and the bottom line is, they're Connecticut residents.

But because for whatever reasons, we don't have the systems in place or the services in place or the children's needs, they had to be placed out of state. That does not mean that we don't have a responsibility to those children out of state.

So we need to be looking at how we're monitoring those children out there to make sure that their needs are being met out of state. Again, out of sight out of mind can

become so easy, and so I would ask you to consider House Bill Number 5915.

I'm actually looking at also Senate Bill Number 878, which is An Act Concerning The Prevention Role Of The Department Of Children And Families, and Senate Bill Number 877 An Act Implementing The Recommendations Of The Program Review And Investigations Committee Concerning The Department Of Children And Families, Senate Bill Number 879 An Act Concerning Oversight And Reorganization Of The Department Of Children And Families.

I'm so 110 percent behind Elaine Zimmerman in the Commission on Children in regards to An Act Concerning The Reduction Of Children In Poverty And Investment And Prevention. HB6411

But I want to go back to the parent leadership piece because I've heard how the esteemed leaders are going to be making these decisions on behalf of the families. HB6420

But I'm a parent, that you want me to, I'm legally and morally obligated to my children, so I have a responsibility to take care of them. So it needs to be a shared leadership role in making these decisions, because it's parents like me that you want to prevent my children from getting in DCF system.

So I have a problem. I have a concern with the fact that we're hearing it so top heavy of what people think parents need to be without communicating with the families you're trying to protect.

So with that being said, with all due respect to the DCF lawyer that was here earlier that said you know, as an attorney, she was an

REP. URBAN: Yeah.

ELIZABETH BROWN: Representative Urban and members of the Committee, thank you for, appreciate the opportunity to testify today having, you know, been involved with these discussions for many years. I think we're kind of peeling the onion and coming down to some really good decisions that have to be made to move forward.

SB 878
SB 877

I'd like to, last year I had, well let me start. Just for the record, my name is Elizabeth Brown, and I am the Legislative Director for the Commission on Children. I appreciate the opportunity to testify this morning on bills pertaining to DCF that seek to renew the Agency's mission and performance to become more effective in serving Connecticut's most vulnerable children and families in the 21st century.

I'd like to support implementation of the Program Review and Investigations Committee concerning DCF but I think some of the language needs to be changed in terms of, instead of a plan we should be more specific in language, adopt s results based accountability framework.

We really want them to develop these strategic plans based on outcomes and to build on what a lot of you had said, especially Representative Thompson, the planning, strategic plan should be done with benchmarks on a community level.

It should not just be about the DCF agency. It should be about the health of the children in specific communities. So it's a little bit different about them doing a strategic plan for their agency than doing a broader outcome-based strategic plan in partnership with communities.

So I would put that there, and building on what Gwen said, that would allow the parent voice of, you know, how are we doing and specifically focus on what is working and not what we have always done, and I think that's been a message that we've heard today.

I really want to use the bulk of my time before you, to talk about Senate Bill Number 878 An Act Concerning The Prevention Role Of The Department Of Children And Families. And I want to get right to some real recommendations.

If we are going to keep prevention in DCF, they have to, it can only be done as them as a partner with other state agencies and community partners. It cannot be done, DCF cannot do prevention on their own. I think that's clear from everything.

The law authorizing DCF should be amended to include language that clearly prioritizes prevention and family support services in the community.

And then I go on to talk about some of the results of the Program Review and Investigation, which you're all very familiar with.

So the mission would be something like to develop a comprehensive coordinated, efficient and effective family focused system of policies, practices and services for families that assist parents in their role as parents.

So the mission of, and I would even make it a bureau, we can call it the Bureau of Prevention and Child Well Being, ratchet it up. If we're going to do this, we really have to ratchet up the whole level, so that family support and prevention services has a more equal footing.

REP. THOMPSON: Yeah. Well, keep talking. Thank you.

ELIZABETH BROWN: Thank you.

REP. URBAN: Thank you, Representative. Any other questions from the Committee? Senator Boucher.

SEN. BOUCHER: Thank you, Madam Chairman. I apologize for not being here as we have so many other meetings that are going on at the same time--

ELIZABETH BROWN: Oh, I known.

SEN. BOUCHER: --and this may have already been asked to you, and I apologize if it's a repetition. But in some of your bullet points on Senate Bill Number 877, you mention building strong local partnerships to get results.

Did you delineate who some of those local partners should be, or has that already been discussed?

ELIZABETH BROWN: No, but that's an excellent question and I think that's a great opportunity. Right now in Connecticut with funding from the state and in a partnership with inaudible) matching dollars, there are over 60 communities who have developed early childhood strategic plans that we shouldn't let just sit on a shelf, that we should honor their work.

And I think these are the kinds of local collaboration has lead, and remember, most of them are building on the school readiness councils, which has to have the mayor's office and the superintendent's office.

So they're ready. They have been working diligently. They know their families. They know their kids, and those are the partnerships that we have to put in place strategically so that we can be focusing our dollars on what the community has already assessed, so I think those are the community partnerships that we're talking about.

REP. URBAN: Any other questions? My Co-Chair.

SB878

SEN. MUSTO: Thank you. Regarding the prevention role, we've been talking a lot about this today, and I know you talked about it as well some, but I'm still sort of, you know, wondering really DCF's role in prevention versus an outside group, whether it's an agency or a commission or someone else.

I'm just not, well, why don't you give me your view on it real quick.

ELIZABETH BROWN: (Inaudible) okay? So if there were dollars for community-based services, that would happen. But right now, with so little dollars for community-based services for families who are at risk, and as Gwen said, we know the zip codes. We know where our fragile families are because of a lot of risk indicators, again, that have been studied.

So if there were dollars in DCF in a real bureau of prevention, then we could build the family capacity. But right now there are no dollars in DCF so it's almost a blank slate right now.

So if we were to make a commitment to put dollars that we could put into prevention, then we could have a joint administrative body similar to Behavioral Health Partnership as one

If I can be of any help in connecting the Committee to the private provider community, or if you have any questions for me, please don't hesitate to be in touch.

SEN. MUSTO: Thank you very much. Are there any questions from any members of the Committee? Thank you all.

JON CLEMENS: Thank you very much.

SEN. MUSTO: And that was, yes, very well done. I do appreciate your being concise. You addressed the issue before that you wanted to come here and it's very helpful for us, very helpful for us to be able to put everything in order to focus on what you really want to talk about. We do appreciate it.

JOHN CLEMENS: Thank you.

SEN. MUSTO: Thank you. And is it Nancy DeWitt=Smith? And I see that Shirley Williams, your sister? She's here with you as well.

NANCY DEWITT-SMITH: Yes, she's here.

SEN. MUSTO: Miss Williams, would you like to join your sister? There should be a chair right there. You can bring it over if you like. It's completely up to you.

NANCY DEWITT-SMITH: Thank you.

SEN. MUSTO: Thank you.

NANCY DEWITT-SMITH: Good afternoon, Chairman and Committee members. I'm here to actually, there's three bills I would like to, there's components in each bill that kind of touch what I'm here for, House Bill Number 6419, Senate Bill Number 878 and Senate Bill Number 877.

I would like to read my statement. I also have submitted statements to everybody. Once I read my statement I think it will be much clearer of what I'm here for.

My name is Nancy DeWitt-Smith. I came here today to urge you to please revise the Department of Children and Families OTC document as a form JD-JM-58, and to take a closer look at their policies and regulations.

I would like to begin with my personal story and then my concern. My 25-year-old daughter who had been diagnosed as bipolar disorder was residing in supportive housing when she became pregnant. At this point my daughter, the biological father and I met with her psychiatrist regarding her meds, at this point, I'm sorry, regarding her meds and the side effects it would have on her unborn child.

At the consultation, the psychiatrist was not able to determine the outcome of the medication. At that time, I was in agreement with my daughter's decision to resume her medications after the baby was born.

My daughter was in compliance with all her medical appointments, which I sometimes accompanied her to. Further along in her pregnancy she moved back home so my husband and I could help assist her with anything that she might have needed.

My nightmare began Tuesday, February 28, 2006 when my daughter was transported to Bridgeport Hospital in labor. Prior to the transportation, my daughter became distraught, resisted any assistance from the EMT staff.

Upon arrival to the hospital, she was calm. Approximately 12:15 a.m. Wednesday morning or shortly thereafter, she delivered a full-term healthy baby boy. I remained with my daughter during the entire delivery and I didn't have the hospital, and I didn't leave the hospital until they were preparing to remove her to her room.

Upon my departure at 2:30 a.m. she was calm and there did not appear to be any concern. After I worked, I'm sorry, after work I went to visit my daughter and grandson. When I arrived at the hospital, to my surprise I discovered my daughter had been transferred to the psychiatric unit in Bridgeport Hospital while the baby remained in the nursery on another floor.

My daughter informed me that she not been allowed to have any contact with her baby. My daughter also informed me that the Department of Children and Families had been notified and will be coming to speak with her.

After speaking with my daughter, I attempted to make an inquiry of the staff regarding their reason for a referral to the Department of Children and Families. I spoke to the covering obstetrician, Dr. Parapurath who stated that she did not make the referral and was unaware of any reason why a referral would have been made.

Later during the trial it came to light that the social worker at the Bridgeport Hospital made the referral but neglected to file a mandatory form DCS 136 with the Department of Children and Families.

Because of all the confusion and chaos with the Department of Children and Families, I did not

pursue who made the decision and why my daughter was transferred to the psychiatric unit. Later, my daughter informed me it was because she resisted the EMT staff.

On Friday I received a call at my place of employment from my daughter who was very upset that a social worker from the Department of Children and Families came to the hospital and stated that he was there due to the fact that the hospital called to make a referral based on my daughter's psychiatric state of mind during labor.

Once I arrived at the hospital, the social worker spoke with me privately regarding the plan for the baby. After giving him names and phone numbers of my support system, which included my sister, a clinician social worker, a licensed foster parent, another sister who is a substitute teacher, a brother who works for GE, and my 22-year-old daughter at home, and our daycare provider.

After the social worker called back his supervisor, he met with the doctor in private. After he returned back to my daughter's room he informed us that my daughter would not be going home right away.

I then stated, if my daughter cannot go home, I would like to take the baby home with me. As for me and my husband, we are professionals. The social worker stated he had to check with his supervisor.

Not long after speaking with his supervisor, the social worker informed my daughter and I that the Department of Children and Families had made the decision to place my grandson in foster care, and proceeded to hand my daughter an order of temporary custody.

After consulting with various mental health professionals, I believe that my daughter's civil rights were violated. At no time was I aware that a mental health professional in the hospital deemed my daughter psychotic or a danger to herself or others. Consequently, my daughter was not allowed access to her baby for the first eight hours of his life and after that time, only with close supervision.

This greatly impeded the crucial bonding that must occur between mother and child shortly after birth. This had a great impact on my daughter to this day. She is extremely over-protective of her son.

On the third day after disputing with the Department of Children and Families, my grandson was placed in my home that evening. However, the Department of Children and Families conditions in the order of temporary custody were restricting my daughter's return to her home with me, and she was ordered to get treatment.

The social worker also stated that the Department of Children and Families would determine when the correct amount of and the type of treatment was received before my daughter would be able to return home.

Where she lived with her family for over 20 years was no problem. This was detrimental to my daughter to have had her baby removed and to be banished from her own home, own residence all at the same time.

This entire situation with Bridgeport Hospital referral to the Department of Children and Families and the Department's decision to place my grandson in foster care based entirely on my

daughter's mental health history appears to be unfounded.

At no time was my grandson in any imminent danger and had more than appropriate placement options. Furthermore, the Department of Children and Families demands appeared to supercede their authority.

It is my belief that there are specific federal laws that protect the rights of the mentally ill, where they live and the right to seek treatment.

Another problem I've had with the Department of Children and Families, any time a person is competent regarding their situation, the Department documents it that the person is minimizing their situation. This is a frequently used statement.

They also conveniently leave out information when it's not in the Agency's best interest to report it. Racism and discrimination is evident in the Department's percentage of number of African-American and Hispanic children versus Caucasian children that are removed from their families on a regular basis.

All Department of Children and Families is to a society is a modernized legal slavery system that breaks down the family structure by ripping children from their families and siblings to distribute throughout the country.

I'm almost done. With everything said and done, my daughter opted to go to trial to regain custody of her son. During the trial the judge asked each attorney to submit similar cases like my daughter's. Prior to my daughter's case, no other case existed where a newborn baby was removed from its parent's custody on

pre-neglect, when the mother had no previous abuse history of any kind.

With all my family's efforts to seek justice for my daughter and grandson fell on deaf ears, and now there is a precedent set at my daughter's expense that will allow the Department of Children and Families to use as they choose.

I'm not sure what can be done at this time regarding the Appellate Court decision to uphold the Department of Children and Families neglect status, but the OTC form used to obtain custody of my grandson and used at the adjudication hearing needs to be revised.

Within the rules of the Department of Children and Families, everything is either neglect or non-neglect. There are no gray areas. Every case is compiled and compressed into one of these two categories.

The form did not apply to my daughter's situation so the Department of Children and Families made it apply by deeming her neglectful.

The following areas are what the Department of Children and Families accused my daughter of. The child is being denied proper care and attention physically, educationally, emotionally or morally.

Two, the child is being permitted to live under circumstances, conditions, circumstances or associations injurious to his or her well being.

As you might have derived by now, the Department of Children and Families' forms were designed for ordinary people, with no

consideration given to individuals with mental illness.

The anguish that my daughter and my family have gone through will never be erased from our souls. It is critical that there be an extensive review of the Department of Children and Families' policies, regulations, forms, to be revised immediately to incorporate the needs of the mental health community. Thank you for your time.

SEN. MUSTO: Thank you very much, ma'am. And if you, I don't know how much time you were here today, but you must have heard some people talk about the prevention aspects, and how DCF sometimes does things that not many people are happy about and how we're going to try to oversee some of that.

This certainly seems like a case that fell into the differential response category that we've been talking about all day.

And it is testimony like this and individual experiences like this that do help us sort of evaluate what some of the needs are and what we can do about them.

So just, Miss Williams, we'll get to you in a second. But are there any questions for Miss DeWitt-Smith at this point? Yes, Madam Co-Chair.

REP. URBAN: I would just like to echo the words of my Co-Chair. Your testimony is very compelling. It's the kind of testimony that helps us figure out what we can do to prevent that kind of situation from happening.

So, I know it's not easy to come out and tell these stories, and I know it's painful, so I really appreciate your being here today.

SEN. MUSTO: Representative Hovey.

REP. HOVEY: Thank you, Mr. Chairman. I am, actually wanted to inquire as to how your daughter and grandson are doing now?

NANCY DEWITT-SMITH: With my fight, we were able to go back to court to obtain her full custody of him because she has moved back out on her own. He will be three next month, actually, and they're doing great.

I still support her, of course, and my husband and my family, so she just loves being a mom.

REP. HOVEY: So her medications are being managed?

NANCY DEWITT-SMITH: Oh, yes.

REP. HOVEY: And she's back on track? Because sometimes, you know, postnatal, we can have some issues there, so she's really recovered well and everyone's doing well.

NANCY DEWITT-SMITH: Yes.

REP. HOVEY: So it's a happy outcome in spite of the issues that you testified to.

NANCY DEWITT-SMITH: Yes. That's one of the reasons why I was really propelled to come and speak because there are other families that don't have the fight or the energy or means or support to come forward.

I really feel for the two people who were just up here, because the hurt, when you have been

through the ordeal, the hurt is so deep. It's almost un-repairable.

REP. HOVEY: It is, and thank you for your testimony. And I would say that your daughter's very lucky to have such a strong advocate in her mom.

NANCY DEWITT-SMITH: Thank you.

SEN. MUSTO: Yes, Representative Jarmoc.

REP. JARMOC: Good afternoon. Thank you for your testimony. Can I just ask a few questions? One would be, could you please leave your contact information with the Clerk, just so that I might be able to get in contact with you later as we move forward with DCF and reorganization.

Also, which DCF office did the social worker work through?

NANCY DEWITT-SMITH: The social worker worked through the New Have office.

REP. JARMOC: The New Haven office? Now I'm not surprised. Okay.

NANCY DEWITT-SMITH: I didn't reveal that, but I also, I have this rarity. I work for the Department of Children and Families, so I'm also an employee for 20 years.

REP. JARMOC: What do you do?

NANCY DEWITT-SMITH: My husband is a Bridgeport police officer.

REP. JARMOC: What do you do for the Department of Children and Families?

NANCY DEWITT-SMITH: I'm a secretary, so I work for the (inaudible) program supervisor.

REP. JARMOC: So, it's interesting the Commissioner, Susan Hamilton actually testified before the Human Services Committee last week in regard to some DCF bills as well, and she has always maintained and even last year, a year ago when we were discussing these issues, still, that DCF wholeheartedly seeks out family members. That's part of their mission and their policy to place children with family, as opposed to immediately in foster care, and it appears that they really did not follow their policy or their mission by not utilizing family resources. Would you say that's correct?

NANCY DEWITT-SMITH: That's correct.

REP. JARMOC: So, if you wouldn't mind leaving your contact information, that would be really helpful. Thank you very much.

NANCY DEWITT-SMITH: Thank you.

SEN. MUSTO: Representative Hamm.

REP. HAMM: I actually do a little work in the juvenile court and so I'm going to ask you some questions to help me understand where the process went wrong, if that's okay.

They removed the baby at the hospital and took the child to stranger foster care, right?

NANCY DEWITT-SMITH: (inaudible)

REP. HAMM: And then you had the ten-day hearing in court on the order of temporary custody?

NANCY DEWITT-SMITH: Not exactly. When they removed him from the hospital that Friday it

was the weekend, so Saturday and Sunday. Then Monday I was able to contact the office to talk with the program supervisor.

REP. HAMM: Okay. And at that point they placed the child with you?

NANCY DEWITT-SMITH: Yes, that evening.

REP. HAMM: So you, what happened? Did they vacate the order of temporary custody or it was just a 96-hour hold? You never got to court.

NANCY DEWITT-SMITH: Ninety-six hour hold.

REP. HAMM: Okay. And so what was the trial you're talking about? Was that the neglect trial?

NANCY DEWITT-SMITH: Yes.

REP. HAMM: And it was predictive neglect that the allegation was based on?

NANCY DEWITT-SMITH: Yes.

REP. HAMM: And it went to full trial, so it sounds like you had witnesses and a lawyer and all of those things. Did you hire private counsel or did you have court-appointed lawyers?

NANCY DEWITT-SMITH: Private counsel.

REP. HAMM: Okay. Very good. And there is an appeal?

NANCY DEWITT-SMITH: Well, that was the Appellate Court decision based on, the attorney, there were so many components to this piece that the attorney argued the neglect piece more, where they kind of overlooked the mental health area--

REP. HAMM: I see.

NANCY DEWITT-SMITH: --so the court upheld the neglect piece.

REP. HAMM: And so when you say that the form didn't have the ability to make any issues about the mental illness, you're talking about both the order of temporary custody and the neglect forms, right?

So you're saying you think there needs to be a defense of some nature so that you can raise those issues through the process.

NANCY DEWITT-SMITH: Yes. The forms need to be more individualized. It's just that it's really, it's not specific enough. It's just one way, and all cases aren't the same.

REP. HAMM: Well, the forms actually are drafted based on the statute of what neglect is defined as in our state.

So I think the concern that you're raising about how mental illness and mental health issues contribute to the neglect issue is something that is ongoing. We hear it a lot, quite frankly, and trying to figure out how to do it is really kind of the hard part.

The thing that's hard to explain to clients like yourself is that the neglect is not against the parent. It always feels that way, of course, because it involves a removal.

But the neglect is about the status of the child, so the allegation was that, whatever happened because of her bipolar contributed to putting the child in a circumstance that denied proper care and attention.

So it's so hard to explain like all of us because it feels very criminal when you're going through it, but it's not.

NANCY DEWITT-SMITH: Well, one of the things that they did do at one point is put her on the neglect registers. So, she worked in a daycare before and she worked around children, so with that being on the record--

REP. HAMM: Well, yeah.

NANCY DEWITT-SMITH: --it would have been—

REP. HAMM: So it was more than denied proper care. It sounds like there was a factual basis that ended up putting her on the registry. Were you able to get that off through them?

NANCY DEWITT-SMITH: Yes.

REP. HAMM: Okay, thank you.

UNIDENTIFIED SPEAKER: May I just say something to Representative Hamm.

SEN. MUSTO: Ma'am, if we could. I want to make sure that we get any questions for Miss DeWitt-Smith first, and then you certainly have a chance to talk. I believe Representative Mushinsky, and then Senator Boucher both had questions.

REP. MUSHINSKY: I wanted to ask you. Did the HIPAA law come in here at all where you said that you weren't even told that the baby was not united with the mother. Is that because of the HIPAA law preventing release of information about your daughter's mental health condition?

NANCY DEWITT-SMITH: No. I'm sorry, you said, I didn't quite understand the question because--

REP. MUSHINSKY: You said in your testimony that they didn't tell you that your daughter--

NANCY DEWITT-SMITH: Was moved to another floor. It was my daughter's information they didn't reveal to me.

REP. MUSHINSKY: Okay. So is that the federal HIPAA law that they just can't give you any information on your daughter's medical state?

NANCY DEWITT-SMITH: No, because I went to visit her and I didn't know where she was, so it was told to me previously when I was there with her before I left that she was going to a certain location. As far as I was concerned, she was going to a room.

REP. MUSHINSKY: Okay. I think that's federal law because I have a mental, a family member with a mental illness and they won't tell me sometimes, even though I'm there to help or visit the person, they sometimes won't even confirm they're in the hospital. I know perfectly well they're in there but they won't confirm it because of the federal HIPAA law requires them to protect patient privacy, so some of that might be a federal law rather than DCF is my guess.

NANCY DEWITT-SMITH: I don't even think that was DCF as much as the hospital. I think it was really the hospital that gave me difficulty, even visiting my grandson. They had me go through so much just to go into the nursery. That was the hospital, too.

REP. MUSHINSKY: Yeah, that might be federal law again. Well, thank you for coming and thank you for putting it in such clear, easy to

follow, in a clear, easy to follow story. Appreciate it.

SEN. MUSTO: Senator Boucher.

SEN. BOUCHER: Yes, I'd also, thank you, Mr. Chairman, compliment you on coming forward and providing your story because it certainly highlights the issues of mental illness and how to manage it through the bureaucratic process that you have to go through.

And in particular, you know, pointing out that it could be basically a clerical change that could occur on forms it might be extremely helpful to the individuals.

For those of us that know something about this area, we know how long and how much medicine has made a big change in the ability for someone that has children to be able to live a more normal life.

But it's also probably very problematic and you went probably through a lot if they're off of their medication for an eight-month period of time and you know full well it takes months once their start their medication again for it to actually go into effect.

So it does require a lot of family supervision and your daughter's lucky to have that family of support. Many others don't have that and often present a severe problem, both to themselves or to a young infant as well.

So I'm sure that there's also issues with regards to feeling of liability on the part of the state but it should definitely be more user friendly and more understanding of the modern advances that are being made, and hopefully we could take a better look at the way that

application is put together and whether it's reflective now of the changes in medicine. Thank you very much.

NANCY DEWITT-SMITH: You're welcome. Thank you.

SEN. MUSTO: Are there any other questions for Miss DeWitt-Smith. Yes, ma'am, is there anything that, we obviously asked your sister quite a few questions. She was a lot closer to it. Is there anything you'd like to add that you think she might have skipped?

SHIRLEY WILLIAMS: Well, yes. I just wanted to say that my sister's case with her daughter was unprecedented, and I'm sure they have a host of cases that are first-time cases of that kind.

And I just wanted to say that it should be just handled with a little common sense because if they had just, you know, a little sit down with the family at the hospital, all of that would have been prevented because we had a plan in place before, we went through the pregnancy and a plan in place right after.

So, we had tried to explain it. Her mental health professional that she was seeing, the psychiatrist knew that we had opted not to have the medication because the psychiatrist didn't know what it would do to the child.

So there are medications out there that they have no results from and there are some that are harmful, and she could not state which ones, so we opted to protect the child in that instance.

And also when her daughter did leave the hospital, she did stay with me because of DCF regulations, and she thrived very well on her

medication, and she instantly went back on because that was the plan from the beginning.

But because of the confusion of the worker and of them being called in, they refused to say, well, there's a plan in place. We agree with this plan. They just restated the plan.

So my concern with DCF is that if they have a worker who finds themselves in that position and speaking with the supervisor, it's okay to say that we want to agree with the family and we want to work with the family.

But we had difficult with them working with us. They wanted to work against us because that is their position, and we want to change that position.

Then also, I wanted to also, oh, I'm sorry.

REP. URBAN: You wanted to ask a question?

SHIRLEY WILLIAMS: Oh, no. I just wanted to also say there's a term called pre-neglect, which has no qualifying guidelines. They could not explain to us what that was and they could not, but they wanted to so state that about this case, and that they wanted to prevent any neglect to the child.

And I said, but there has not been any reason for your thoughts on that issue, you know, except for the fact that we're DCF and we want to protect children. And we agree with it. We want to protect children, too, and that's why we were all, we had a plan in place and we tried to explain it to them. We did state it to them, but it's like speaking to a robot and they're going according to their books, and if something is wrong with what you're not

agreeing with them, then you're wrong, and they have terms for that, too.

SEN. MUSTO: We all have terms for that. Yes, Co-Chair.

REP. URBAN: Thank you. I'd just like to say that as I look through your testimony again and listen to both of you, it just to me is so egregious, any of us that are moms, to have that baby taken away and not allow the mom to be with the baby for those first few hours.

It's, I don't understand in any circumstances unless the person was completely psychotic, that you would take a baby, newly born, away from a mom. So I fully understand where you're coming from about common sense, and again I thank you both for your testimony.

SEN. MUSTO: Representative Hovey.

REP. HOVEY: Thank you. I just wanted to inquire. Within the context of the hospital and the DCF worker that you were interfacing with there, was that individual a younger worker or an older worker?

NANCY DEWITT-SMITH: I don't know how old he was.

SHIRLEY WILLIAMS: He was young.

NANCY DEWITT-SMITH: He was, I would say in his late thirties. He wasn't too young.

REP. HOVEY: Well, you know, that's kind of a subjective comment, isn't it?

NANCY DEWITT-SMITH: He was young to me, because I'm--

REP. HOVEY: That's exactly right, and I know exactly how you feel. Some of these caseworkers look like they're 12, you know, to those of us that have been around for a while.

I guess what I'm trying to inquire about is sometimes because of the nature of the pay scale of DCF we encounter caseworkers who are very young and have, they're still going by textbook versus having been around enough to be able to use their own common sense and judgment. They haven't developed a sense of judgment around some of these things.

And then on the other end, we encounter people who have been around long enough that they have become skewed in one way or another, and so I was just trying to get a sense of whether or not there was any of that phenomena occurring there.

NANCY DEWITT-SMITH: Well, he had ten years of service with the state.

SHIRLEY WILLIAMS: And that was my next statement regarding the DCF worker, because they had stereotyped the issue instead of, like she was saying, there was only two categories and they had to choose one or the other and not, you know, think on their own.

SEN. MUSTO: Thank you. Are there any other questions from members of the Committee? Thank you again for coming in and for your time.

NANCY DEWITT-SMITH: Thank you.

SHIRLEY WILLIAMS: Thank you.

SEN. MUSTO: We have Sal Jiuliano up next. Mr. Jiuliano. No? And I believe that is it. There's two more? Okay, could you, you have to

State of Connecticut
GENERAL ASSEMBLY

Commission on Children

Select Committee on Children
Public Hearing
February 19, 2009

Testimony Submitted by Elizabeth C. Brown
Legislative Director

HB5915

Senator Musto, Representative Urban and members of the Committee. My name is Elizabeth C. Brown and I am the Legislative Director for the Commission on Children. I appreciate the opportunity to testify this morning on bills pertaining to the Department of Children and Families that seek to renew the agency's mission and performance to become more effective in serving Connecticut's most vulnerable children and families in the 21st century.

SB 877 An Act Implementing the Recommendations of the Program Review and Investigations Committee Concerning the Department of Children and Families.

The Commission supports the overall need for strategic planning, but recommends the following:

- Adopt a results based accountability framework for a more outcome driven system.
- Bring in strategic partners in each region to determine what action steps need to be taken to improve the outcomes for children and families in each region from a prevention and early intervention perspective.
- Focus on what is working, not what we have always done
- Focus on building strong local partnerships to get results
- Enhance the role of the state Advisory Council by adding representative from the Select Committee on Children and more parent voice
- Include the Unified School District in the Planning Process to ensure quality of services and educational outcomes for children in their programs.
- Include an assessment of personnel and recommend necessary staff qualifications, experience and mindset necessary for a high performing organization

SB 878, An Act Concerning the Prevention Role of the Department of Children and Families.

The Commission recommends that the Department immediately begin the important work of strengthening the prevention arm of the Department to give an equal role to family strengthening as it does to child protection.

Recommendations

18-20 Trinity St. Hartford, CT 06106 Phone: (860) 240-0290 Fax: (860) 240-0248 Website: cga.ct.gov/coc

HB 6236
HB 6475
SB 878
SB 879
HB 6419
HB 6420
HB 5915

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES
PUBLIC HEARING TESTIMONY OF
BRIAN MATTIELLO

SELECT COMMITTEE ON CHILDREN
FEBRUARY 19, 2009

S.B. No. 877 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **is in general agreement** with **S.B. No. 877** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, which incorporates the recommendations from last year's report prepared by the Legislative Program Review and Investigations Committee concerning DCF Monitoring and Evaluation. In fact, we have already initiated implementation of the vast majority of the recommendation contained in report. Attached is a summary status report of department progress on implementing the various recommendations (see **ATTACHMENT A**). A more complete status report was made available to the Program Review and Investigations Committee last week in response to several questions that they posed.

Section 1 - Subsection (b) deletes the existing biennial 5-year master plan requirement (*PRI Recommendation # 21*) and replaces it in subsection (c) with a new comprehensive strategic planning process (*PRI Recommendation # 1*). The Department **supports this modification** and is in the process of finalizing an integrated agency-wide strategic plan in conjunction with the National Resource Center for Organizational Improvement.

Section 2 - This section would require that the four DCF-operated facilities have DCF facility advisory boards and mandates that all boards respond to their facility's annual report and require that they add recommendations deemed necessary (*PRI Recommendation # 30*). The Department **supports the intent of this recommendation** and is committed to ensuring that each of our facilities has an active advisory board, but we do not believe it is necessary to establish this as an independent statutory mandate. We are already explicitly permitted to establish such panels under statute and are committed to ensuring we have parity across all our facilities in the use of advisory boards.

Section 3 - This section requires that all DCF facilities produce an annual report for their respective advisory groups. The report shall contain at a minimum the following: (1) aggregate profiles of the residents; (2) description and update on major initiatives; (3) key outcome indicators; (4) costs associated with operating the facility; and (5) description of education programs and outcomes (*PRI Recommendation # 22*). The Department **supports this reporting requirement**. We would like to allow each facility to develop its own format in conjunction with their advisory groups. We believe that this could provide an instructive basis for systems improvements.

Section 4 - Repeals the statutory requirement for the CJTS Public Safety Committee (C.G.S. § 17a-27f) (*PRI Recommendation # 36*). The Department **supports this recommendation.**

Section 5 - This section adds a requirement that any state agency cited in a Child Fatality Review Panel report respond to recommendations from the internal special reviews of child fatalities and other critical incidents (*PRI Recommendation # 8*).

The Department **generally supports this recommendation** and currently has a strategy and protocol by which information and recommendations from internal reviews and child fatality reviews are collected and tracked. This data is aggregated on a regular basis and distributed to program and contract owners at senior management meetings. At that time, a decision is made to either: (1) implement the recommendation, (2) acknowledge that a recommendation is appropriate but determined at the time not right for implementation, or (3) implement an alternate course of action that addresses the findings. To build on this, our Bureau of Continuous Quality Improvement is preparing an annual report which provides a more formal compendium for tracking progress on recommendations over time. With regard to the specific language in this section, we would propose that the forty-five day time frame be extended to sixty days and that the response be submitted to the Governor as well as the General Assembly.

Section 6 - Subsections (a) and (b) modify the role of the State Advisory Council (SAC) to include monitoring the agency's progress in achieving its goals, as well as offering assistance and an outside perspective, and make other recommendations regarding the operation of the SAC (*PRI Recommendation # 31*).

The Department has been working to enhance the role of the SAC, and **this recommendation is generally consistent with the direction the Department has been moving**. (**see ATTACHMENT B**) However, elevating the SAC to having a Department oversight function raises potential conflict of interest issues as well as introduces multiple and duplicative oversight authorities. As for administrative supports, the Department can and does provide administrative support to the SAC and its members, including, but not limited to, the posting of agenda and minutes.

Subsection (c) incorporates the Connecticut Behavioral Health Advisory Council into the State Advisory Council, as opposed to remaining a separate entity (*PRI Recommendation # 34*). While the Department supported this recommendation last year, **we believe that we should retain the current structure and role of CBHAC**. CBHAC serves an important advisory role and has formal duties each year in the development of the children's portion of the Mental Health Block Grant.

Section 7 - Repeals the separate statutory provision regarding the Connecticut Behavioral Health Advisory Council (CBHAC) contained in subdivision (3) of § 17a-1. Subsection (c) of section 6 incorporates this group into the DCF State Advisory Council as opposed to keeping this as a separate advisory entity (*PRI Recommendation # 34*). As with our comment regarding the role of CBHAC in section 6, **we do not support this recommendation**.

Sections 8, 9, 10 and 11 - Eliminates the following statutory reports recommended by the committee in *PRI Recommendation # 21*: KidCare Community Collaborative annual self-evaluations (C.G.S. § 17a-22b); Licensed child care facilities annual reports (C.G.S. § 17a-145); DCF annual evaluation reports on Unified District #2 to the education commissioner (C.G.S. § 17a-37(d)); and DCF/DSS 5-year independent longitudinal evaluation of KidCare (C.G.S. § 17a-22c(c)).

The Department **supports the elimination of these obsolete or redundant reporting requirements.**

Section 12 - This section establishes a pilot program to assess the feasibility of conducting one treatment plan conference to be held at the court that combines the Specific Steps identified during the initial case status conference at court and the corresponding DCF treatment plan conference currently held in the area office (*PRI Recommendation # 26*).

While the intent behind this recommendation is well meaning and of interest to the Department, **DCF is opposed to this recommendation.** We believe that its implementation would be problematic and may not be conducive to promoting family engagement and a family-focused treatment planning process. The adversarial nature of many court proceedings would make elements of this recommendation difficult to achieve and not necessarily in the best interests of the children and families we serve. The Department will continue discussions with the Judicial Branch to improve the treatment planning process and to ensure that appropriate components of the Specific Steps are incorporated into the treatment plans and discussed as part of the Administrative Case Review process.

Sections 13 and 14 - These sections make technical statutory changes related to the Department of Mental Health and Addiction Services and the Department of Developmental Services, respectively.

Section 15 - Repeals the following statutory reports recommended by the committee in *PRI Recommendation # 21*: DCF annual report on CJTS (C.G.S. § 17a-6b and C.G.S. § 17a-6c); CBHAC annual local systems of care status report (C.G.S. § 17a-4a(e)); CBHAC biennial recommendations on behavioral health services (C.G.S. § 17a-4a(f)); Quarterly Hospital reports to DCF on psychiatric care (C.G.S. § 17a-21); and CPEC cost-benefit evaluation of juvenile offender programs (C.G.S. § 46b-121m). The provisions of this section are also included in **H.B. No. 6236** AN ACT CONCERNING THE ELIMINATION OF CERTAIN REPORTS AND ADVISORY COMMITTEES RELATED TO THE DEPARTMENT OF CHILDREN AND FAMILIES which was favorable reported out of the Select Committee on Children on February 10th and **H.B. No. 6373** AN ACT CONCERNING THE REPEAL OF CERTAIN OBSOLETE STATUTES, which is currently before the Government Administration and Elections Committee. We would also note that this bill does not include two reports that were recommended for repeal by the Program Review and Investigations Committee: DCF monthly report to legislature on children in sub acute care in psychiatric or general hospitals who cannot be discharged (C.G.S. § 17a-91a); and an advisory committee that studies and makes annual reports to DCF on programs to promote adoption of minority and hard-to-place foster children

(C.G.S. §17a-116b). The Department **supports the repeal of these obsolete or redundant reporting requirements.**

Please note that there are also two other similar bills that have been introduced this session which deal with the Program Review and Investigations Committee report. **H.B. No. 6236** AN ACT CONCERNING THE ELIMINATION OF CERTAIN REPORTS AND ADVISORY COMMITTEES RELATED TO THE DEPARTMENT OF CHILDREN AND FAMILIES, deals with the elimination of various reports and advisory committees as recommended by the Program Review and Investigations Committee. This bill was favorably reported by the Select Committee on Children last week. Also, there is **H.B. No. 6475** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, which was raised by the Program Review and Investigations Committee.

S.B. No. 878 AN ACT CONCERNING THE PREVENTION ROLE OF THE DEPARTMENT OF CHILDREN AND FAMILIES

S.B. No. 879 AN ACT CONCERNING DCF OVERSIGHT AND REORGANIZATION OF THE DEPARTMENT OF CHILDREN AND FAMILIES

H.B. No. 6419 AN ACT CONCERNING TRANSPARENCY AND ACCOUNTABILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **offers the following comments** regarding **S.B. No. 878** AN ACT CONCERNING THE PREVENTION ROLE OF THE DEPARTMENT OF CHILDREN AND FAMILIES, **S.B. No. 879** AN ACT CONCERNING DCF OVERSIGHT AND REORGANIZATION OF THE DEPARTMENT OF CHILDREN AND FAMILIES, and **H.B. No. 6419** AN ACT CONCERNING TRANSPARENCY AND ACCOUNTABILITY OF THE DEPARTMENT OF CHILDREN AND FAMILIES. Each of these bills are likely intended to serve as vehicles to address issues raised during the joint hearings of the Select Committee on Children and the Human Services Committee last fall.

The Department appreciates many of the concerns raised by Committee members and looks forward to working collaboratively to achieve consensus on a number of issues. We have already reached out to the leadership of both committees and welcome the continued dialogue.

The Department already produces numerous reports and data as part of its ongoing management and oversight of its programs and would be happy to discuss and share these reports with the committee members in our ongoing effort to educate the legislature about both the strengths of Connecticut's child welfare system as well as those areas needing improvement.

We recognize that the task force membership in these bills may just serve as a "placeholder," but we believe that if you are to establish a task force or multiple task forces, that they should include individuals with expertise in the subject area and should include both executive and legislative branch appointments.

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ATTACHMENT A

Status of Major Areas of Recommendation from PRI Study:

Recommendation	Current Status
Use provider feedback re. procurement and program enhancement	On 7/16/08 the Contracts Director was assigned to take the lead to complete agency policy including standard notification and degree of involvement. Procurement schedule approved by OPM for Executive Team review. Notice and an opportunity for input into new program deaths
All DCF facilities to produce annual report for their advisory groups	▪ CJTS report will be produced in January, 2009. ▪ CCP, High Meadows and Riverview are establishing advisory groups, and their annual reports will be ready in January 2010.
Area Advisory Councils (AAC) to be invited to attend office Quality Improvement Team (QIT) meetings	This was not a viable recommendation given the variability of the AACs and the QIT process across area offices. Many have incorporated QIT into their management team structure. Of the 3 offices that invited their AACs to attend QIT meetings, none attended.
Strengthen State Advisory Council (SAC) with statute change for strategic plan oversight and provide SAC with administrative support and funding	▪ The Director of the Policy and Planning Division continues to work with SAC. ▪ Consumer SAC members have been told that they can be established as vendors and reimbursed for travel. ▪ The Director of the Policy and Planning Division has provided information about the strategic planning process and explored options available regarding posting minutes. ▪ Statute change did not pass.
Establish electronic mechanism for SAC and AAC members to communicate	The Department will begin posting minutes without interactive component. SAC to take lead on the process.
Establish outcomes for each contract, collect data, compare provider performance, and take corrective action as necessary.	▪ The establishment of outcomes for all contracts and the time frame for accomplishment will be a part of the agency's strategic plan. ▪ The Department has worked closely with provider trade associations to develop core outcomes for all residential providers. ▪ Two meetings were held with Contracts and Fiscal representatives. Decision: to use performance indicators identified in the Logic Models as measures of performance.
Consider reallocation of Contracts Division staff	Agreed and decided it was not a viable option.
Require external evaluation of programs in excess of $20M	The Department will develop a protocol for determining the necessity of external evaluation that does not contain cost as a sole determiner.
Expand the role of the Service Enhancement Evaluation Committee (SEEC)	SEEC has been bi-furcated and other senior management meetings have been re-structured.
Establish repository for research and evaluation studies of the Department and its practices	Completed
Establish policy for responding to Special Review Unit (SRU) reports	Existing protocol is sufficient. The Bureau of Continuous Quality Improvement will do an annual statutes report of the results of the recommendations. Policy development underway.

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ATTACHMENT B

STEPS WE HAVE TAKEN WITH SAC IN 2008

a. SAC members have been involved in a number of agency planning and assessment activities over the past year. Members participates in the preparation for the recent Child and Family Services Review (CFSR) by serving on committees that helped assess DCF's performance on the federal safety, permanency and well-being outcomes. The SAC has also provided feedback on drafts of the DCF strategic plan.
b. Although the SAC is only required to meet quarterly by statute, the members have been meeting monthly for the past several years. There were 9 SAC meetings held during 2008, including a summer planning meeting in lieu of regular meetings in July and August. One meeting was cancelled due to inclement weather. Commissioner Susan Hamilton attends the majority of the SAC meetings, as does Fernando Muñiz, who provides staff support to the SAC as needed. Other DCF managers are invited to attend on an as-needed basis depending on the topics being discussed.
c. SAC meetings are generally held at the CAFAP office in Rocky Hill. One meeting was held in Gayle's Ferry to facilitate participation from the Area Advisory Councils in the eastern part of the state. SAC minutes are posted to the DCF website.
d. The SAC does not have a designated budget or line item in the DCF budget, but support is provided on an as-needed basis for special projects. Additionally, DCF provides as administrative assistant to take meeting minutes and coordinate meetings and a Program Director to serve as the DCF liaison for scheduling presentations and providing the SAC with data they request.
e. Parents who are members of the SAC are eligible for mileage reimbursement to attend the monthly SAC meetings.
f. The Department communicates with the advisory groups through e-mail. DCF has not implemented a blog or other electronic feedback mechanism for the advisory groups.
h. The Department facilitates the sharing of information between the SAC and CBHAC through sharing minutes and recommendations with each of the groups. A joint meeting of the two groups was scheduled by the SAC in December 2008, but was cancelled by the SAC chairs.

State of Connecticut

HOUSE OF REPRESENTATIVES

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VICE CHAIRMAN
FINANCE, REVENUE AND BONDING COMMITTEE

MEMBER
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PUBLIC HEALTH COMMITTEE

February 18, 2009

Good morning Chairmen Musto, Urban and the members of the Select Committee on Children. I am here to testify on behalf of HB 877, 878, 879. The reality of it is that I submitted HB 5692: An Act Requiring the Department of Children and Families to notify noncustodial parents of certain abuse and neglect investigations.

It is my understanding that a series of bills and recommendations will be passed by this committee and I would like to suggest that somehow, someway we include language which will require DCF to notify noncustodial parents of certain abuse and neglect investigations.

The reason why I submitted this bill is because I have a constituent who ran into a problem with DCF. The noncustodial parent was paying his child support and his child was living with his mom who had re-married and had her own family. Unfortunately, a situation occurred which resulted in a DCF investigation. The noncustodial parent was not aware of the investigation because the mother of the child threaten the child about going to his dad with any information. In the meantime, DCF conducted an interview of his child and because the child could not handle the situation his grades in school suffered and not until he finally broke down was the noncustodial parent able to understand what was going on.

What I am asking this committee to do is to ensure that a noncustodial parent who is living up to his/her obligation to be informed if DCF is conducting any investigations to which their child will be involved. Our families are not the "traditional" families which one might be accustomed to. IF any interviews are going to be conducted then both parents have a right to know and be there for the support of the child(ren) who are involved.

Respectfully Submitted,

Andres Ayala, Jr.

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Testimony of Sarah Chasse, BSW, MSW Student
Select Committee on Children Public Hearing
S.B. 877, S.B. 879, H.B. 6411
Thursday, February 19, 2009

Good Morning. My name is Sarah Chasse, and I am an MSW Student and Intern at the Connecticut Chapter of The National Association of Social Workers. I am testifying in regards to Senate Bills 877 and 879, and House Bill 6411. All three bill concepts; reducing child poverty, establishing a task force to study DCF, and implementing the recommendations of the Program Review and Investigations Committee concerning DCF, center around the issue of prevention.

While working for a private child welfare agency, I witnessed the growing need for a prevention based system. As a direct service worker, I saw numerous children, youth, and families who could have exited the system much sooner, and with better outcomes, had preventative services been in place to meet their basic needs and stop the cycle of poverty. It was this experience in the social work field which drove me to pursue my MSW in Policy Practice, as I saw a need and great potential for change on a policy level. The bills before you today hold this potential, and are the very essence of the change in focus that the child welfare system so desperately needs; reactive to preventative.

S.B. 877 speaks to the need for DCF to implement recommendations for comprehensive service delivery, mainly concerning prevention. At present, DCF has the difficult task of balancing the needs of many at-risk children and families with limited staff and funding, resulting in large case loads, and leading to a reactive nature of service delivery. In order to adequately meet the needs of the child welfare population, there is a need for preventative policies, programs, and services to restore balance to this currently crisis oriented system. Establishing a State Advisory Council to monitor the implementation of prevention based services would create a level of oversight necessary for such an initiative.

S.B. 879 also addresses prevention, as it seeks to establish a task force to study DCF policy, practice, and procedure, as well as to consider changes in DCF structure or possible transfer of key functions to other agencies. It is necessary to establish such a task force in the interest of examining current DCF operations for several reasons. Not only is there a need for oversight to ensure a high quality of service delivery, but also to explore options and realities of a re-structuring plan against past attempts to re-organize DCF for purposes of increased efficiency and improved outcomes. Should such a task force be established, it will be important to ensure a balanced representation of child welfare policy and practice experts, as outlined in S.B. 877 for the State Advisory Council.

H.B. 6411 address the pressing issue of child poverty, and the need to meet basic needs of children and families in order to reduce child poverty in the present, and invest in preventative efforts for the future. By increasing access to safety net services, identifying cost saving measures to prevent homelessness and increase housing stability, the proposed measure to establish an emergency response system will be the first step towards truly reducing child poverty in the state. In addition, maximizing federal funds and identifying long-term cost savings for prevention services will then move the state towards a minimum of ten percent total agency budgets directed towards prevention.

All three bills focus on the need for prevention in child welfare, and all three provide key steps to meeting the needs of vulnerable, at-risk populations within the state. With a current level of only one percent of DCF's total FY09 budget allocated to prevention, these steps have the potential for considerable improvement to the structure and delivery of current child welfare services.

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ELIZABETH BROWN: I will.

REP. CARSON: From today. Do you mind if we talk about that in the next couple of days?

ELIZABETH BROWN: No. I welcome that.

REP. CARSON: Just to see on the few points that they made that they would like a few things, maybe not in the bill, that you think.

ELIZABETH BROWN: I would be very glad to. Because as I said, you know DCF has, I think, done a really, under, you know, under strain -- really tried to move forward and address some of these things. And the proof is in the pitting -- pudding. To me, one of the indicators that I think that they should take pride in is less petitions to court; so that means they're doing something with the family. So I mean --
I'd be glad to.

REP. CARSON: And I am so appreciative of all the work that you do.

ELIZABETH BROWN: Thank you.

REP. CARSON: Of all the work that they do and the population that they serve and issues that they have to deal with. And it's refreshing to hear you point out some of those positive things. I appreciate that.

ELIZABETH BROWN: You're welcome.

REP. CARSON: Thank you.

REP. MUSHINSKY: One more question, Liz. You mentioned there's two bills that are similar. There's 877 in children and 6475, the one

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES
PUBLIC HEARING TESTIMONY OF
BRIAN MATTIELLO

PROGRAM REVIEW & INVESTIGATIONS COMMITTEE
FEBRUARY 26, 2009

H.B. No. 6475 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families **is in general agreement** with **H.B. No. 6475** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, which incorporates the recommendations from last year's report prepared by the Legislative Program Review and Investigations Committee concerning DCF Monitoring and Evaluation. In fact, we have already initiated implementation of the vast majority of the recommendation contained in report. Attached is a summary status report of department progress on implementing the various recommendations (**see ATTACHMENT A**). A more complete status report was made available to the Program Review and Investigations Committee last week in response to several questions that they posed.

Section 1 - Subsection (b) deletes the existing biennial 5-year master plan requirement (*PRI Recommendation # 21*) and replaces it in subsection (c) with a new comprehensive strategic planning process (*PRI Recommendation # 1*). The Department **supports this modification** and is in the process of finalizing an integrated agency-wide strategic plan in conjunction with the National Resource Center for Organizational Improvement.

Section 2 - This section would require that the four DCF-operated facilities have DCF facility advisory boards and mandates that all boards respond to their facility's annual report and require that they add recommendations deemed necessary (*PRI Recommendation # 30*). The Department **supports the intent of this recommendation** and is committed to ensuring that each of our facilities has an active advisory board, but we do not believe it is necessary to establish this as an independent statutory mandate. We are already explicitly permitted to establish such panels under statute and are committed to ensuring we have parity across all our facilities in the use of advisory boards.

HB6236
HB6373
SB877

Section 3 - This section requires that all DCF facilities produce an annual report for their respective advisory groups. The report shall contain at a minimum the following: (1) aggregate profiles of the residents; (2) description and update on major initiatives; (3) key outcome indicators; (4) costs associated with operating the facility; and (5) description of education programs and outcomes (*PRI Recommendation # 22*). The Department **supports this reporting requirement**. We would like to allow each facility to develop its own format in conjunction with their advisory groups. We believe that this could provide an instructive basis for systems improvements.

Please note that there is also a similar bill, **S.B. No. 877** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, which was heard last week by the Select Committee on Children.