

PA 11-105

HB6227

Children	7-8, 21-27, 29-33, 52-53, 59, 61, 78, 110-112, 115-118, 138, 140-142, 169-170, 178-183	38
House	3797-3807	11
<u>Senate</u>	<u>6558, 6573-6578</u>	<u>7</u>
		56

**JOINT
STANDING
COMMITTEE
HEARINGS**

**SELECT
COMMITTEE
ON CHILDREN
PART 1
1 – 307**

**2011
INDEX**

1 February 3, 2011
 cip/gbr SELECT COMMITTEE ON CHILDREN 2:00 P.M.

CHAIRMEN: Representative Urban

VICE CHAIRMEN: Senator Musto
 Representative Fawcett

MEMBERS PRESENT:
 SENATORS: Markley

REPRESENTATIVES: Betts, Candelaria,
 Mushinsky, Rebimbas,
 Thompson, Wood

REP. URBAN: Good afternoon, everyone, and welcome to the public hearing on the Select Committee on Children. And we're going to start with some of our agency heads, and we are particularly delighted this afternoon to have Commissioner Joette Katz with us to testify. Commissioner, at your leisure.

Commissioner, I'd just like to take this opportunity to welcome you and to tell you how enormously pleased we are with your appointment and how much we look forward to working with you and trying to do the best that we can for children and families in Connecticut. So a hardy welcome to you.

COMMISSIONER JOETTE KATZ: Good afternoon, Representative Urban, Members of the Select Committee on Children. (Inaudible) and House Bill, thank you, 6227, that were suggested by the Department previously, and we hope that you will favorably report out each of these bills.

Senate Bill 846, AN ACT CONCERNING THE TRANSFER OF EDUCATIONAL CREDITS, ensures that the children and youth who transition from DCF care receive the appropriate education credits

SB844

when they transfer to other school districts. We have suggested a minor amendment on line seven for the purpose of consistency with the current statute.

House Bill 6227, AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES, repeals several obsolete reporting requirements and various advisory boards and commissions. I would also like to make modifications to several DCF statutes.

The Department requests the Committee's consideration of substitute language, which is included on our written testimony and contains additional modifications to the statute necessary for compliance with federal requirements allowing maximization of federal revenue for subsidized guardianship expenses.

Regarding Senate Bill 844, which is AN ACT ADOPTING A FOSTER PARENT BILL OF RIGHTS, we support the spirit behind this legislation, and we would be happy to include much of it in our internal policies.

But, frankly, we do have concerns of enacting this language in state law can subject the state to litigation in which the plaintiffs assert that the state is legally responsible to provide the services that support the specific provisions of this legislation.

As you all know, the Department has been cited by the DCF court monitor for not meeting our recruitment goals for new foster homes. Clearly, we need to attract new families, and we also need to do a much better job retaining our quality foster parents.

The Foster Parent Bill of Rights demonstrates

CAROLYN SIGNORELLI: (Inaudible) Committee Members.

Thank you for this opportunity to provide testimony regarding Raised Bill 844, a Foster Parent Bill of Rights, as well as Raised Bill 6227, regarding some changes to the Department of Children and Families statutes.

I want to start out, I don't want to just read my testimony. You have my written testimony. I just want to summarize and actually piggyback on some of the things that Commissioner Katz had said.

I don't want my opposition to this bill to in any way reflect or detract from the important role that foster parents play in the mission of the child protection system.

However, as the agency responsible for the representation of the children and parents that are the primary recipients and beneficiaries of the child welfare system, I just want to make some points regarding possible consequences of this Foster Care Bill of Rights in relation to the rights of parents and children.

First and foremost, the mission of the child protection system is for the best interest of the children it serves. Foster parents are agents of the department within that system serving the system's goals. Their role is to support the case plan for the child.

My concern about this bill is it sets up separate and distinct legal rights and interests in foster parents other than the legal rights and interests of the parents and the children to be served.

The failure of DCF to follow these very

important principles, all of which I agree with, outlined in this act regarding the effect of the planning for and care of a particular child should be seen as a violation of the rights of the families to reasonable efforts by the Department and children to safety and wellbeing, not an infringement on a separate or distinct right or interest of a foster parent.

Foster parents already have a right to be heard in child protection proceedings under our statutes. I believe that right does need to be strengthened and enforced more, because I do believe foster parents have critical and important information that the courts need to hear when making assessments of children's best interests.

In my mind, the more important policy directive from the Legislature in this regard would be to require DCF to recruit and train foster parents as resource families required to actively participate in the reunification of children and their biological families.

Studies have shown that foster parents as resource families promotes positive relationships between biological families and caregivers, decreases behavioral problems in children who are able to maintain greater contact with their families, increases the likelihood of successful reunification or continued ties with biological families if reunification cannot occur, and it also aids in foster parent retention.

Those type of policies are more inclusive than a collaborative approach. This bill creates separate and distinct interested parties within the system and possibly increasing conflicts within the juvenile court.

Granting access to the juvenile court to address foster parent differences with DCF and virtually creating an additional party in interest in these cases would not only detract significantly from the court's ability to address the cases and issues over which it currently has jurisdiction, it would substantially increase all costs associated with litigation, including worker, attorney, and court staff time.

Many foster parents who could not afford their own attorney to commence such litigation, they would have to either act pro se, which would create further inefficiencies within the juvenile court or be provided with an attorney for these rights to be meaningful, which is costly.

Currently, we have a system where the rights and legal interests of the parents and children in these cases are not adequately supported.

And now we're going to set up a system where there's another party in interest with rights that need to be supported and protected when we have yet to act sufficiently to support the legal interests and rights of the parents and children that we're serving in the system. I think that such step is premature.

In fact, if parents and children were provided with adequate legal resources to protect their interests, in many respects, the interests and concerns of foster parents for the children that they care for would also be adequately protected.

If a foster parent disagrees with DCF regarding a case decision but is aligned with

one of the parties, one of the legal parties in the case, the parent or the child, their interests would be represented and protect by a legal party already on the case.

If they are not aligned with such a party, but they have their own separate interests and desires in relation to the case plan for that child and the case direction of a particular child in your care, then it violates the rights of the parents to bid them the legal interest.

We're looking at a potential system where a foster parent, in their own jurisdiction, brings an action against DCF until they disagree with a plan that DCF has for the family and the child.

Perhaps they disagree with reunification, so now we're starting litigation before another juvenile court, another juvenile judge, regarding the very same issue which is maybe the subject of litigation in the court for the child (inaudible).

I don't think that this would benefit our child protection system right now creating possibly two different tracks. And if we needed to consolidate the cases in the interest of judicial economy, the foster parents or somebody would end up having to travel to another court to precede costs as well.

And it's just going to make these cases more unruly and more difficult to manage. Every time another adult is granted a right to assert their own interest, agenda, and needs separately and distinctly from those of a child, the voice of the child in the very proceedings designed to protect his or her

best interest is diminished and weakened.

It is the responsibility of the child's and the parents' attorneys to determine if DCF is taking any actions contrary to the interests of the child.

If by not following policies intended to include foster parents in case planning and to enable them to provide the best care to children, DCF violates the rights of a parent or a child, then the failure should be brought to the court's attention by the attorney for the aggrieved party, the parent or the child.

And these attorneys should be adequately supported in that mission. I, therefore, respectfully request that this Committee oppose this bill as it is currently drafted. The purpose of the rights enumerated is to benefit the children served.

It would be more consistent with the rights of children and parents and the principles of judicial economy to include these rights in a children's or a parents' bill of rights, which we have yet to pass in this state. Such a bill would give the right of redress to the child or parent. They are already parties in litigation already in court.

In this way, the policy can be enforced for the benefit of the children and families served by the system with the creation of new rights, additional parties and costly court proceedings avoided. Thank you.

In relation to Bill 6227, the vast majority of the bill I have no opposition to. In Section 3, it appears to be a minor change to 17a-101(h) at line 87 where the word neglect is added.

Generally speaking, this statute requires consent of a parent whenever DCF desires to interview a child. There is currently an exception if the allegation being investigated is that the child has been abused and the alleged perpetrator of the abuse is the parent, the guardian, other person responsible for the care of the child or member of the child's household.

The logic behind this exception, of course, is that if a child is alleged to have been abused and the Department seeks consent from the parent, guardian or caretaker that has abused the child or who lives with the abuser, the consent may be denied and the Department unable to gather necessary information to protect the child from serious physical harm.

The risk of harm to the child, being considered greater than the deprivation of a parent's right to control the child, consent is not constitutionally required. However, by adding neglect allegations to this exception, there would virtually be no more exception.

The vast majority of allegations of neglect made to or investigated by the Department concerns the care being provided by the child's custodial parent, guardian, caretaker, or someone in the child's household.

Neglect, without an allegation of abuse, represents in most cases a much lower risk of harm to the safety of the child and, therefore, insufficient grounds to usurp the parent's right to control who speaks to his or her child under what circumstances.

By including neglect allegations in the exception to consent, the Department would be

able to interview the majority of children without parental consent, even where there is no allegation of abuse or imminent physical harm. The rule would be swallowed by the exception.

Therefore, I respectfully request that this bill not be voted upon favorably as drafted and that Section 3 be eliminated. I have nothing further at this time. If anybody has any questions --

REP. URBAN: Thank you, Carolyn.

Senator Musto, do you have questions? Senator Musto.

SENATOR MUSTO: Thank you, Madame Chair. Hi.

CAROLYN SIGNORELLI: Good afternoon.

SENATOR MUSTO: Good afternoon. Regarding the Parent, Foster Parents Bill of Rights here, you know, just having looked it over, I think I generally agree with your comments regarding the court proceedings and the fact that you're giving, sort of setting up a conflict where one would not otherwise exist and also to the fact that the guardianship that DCF placed with foster parents is really up to DCF and that having the foster parents be able to have a conflict to sue DCF in this case would sort of, well, the foster parents really shouldn't be having this interest in the child.

Their obligation is to take care of the child at DCF's request more than anything rather than take a position as to the child I think is, is that basically what you were saying?

CAROLYN SIGNORELLI: I, and I think so, and I do recognize that that's easier said than done

SB844

of them are pretty good ideas, and maybe it doesn't need to be a law. Maybe it can be a regulation that DCF adopts or something.

Is there, and I don't want to get into a whole conversation about all of them, but is there any particular one here that you would say under no, and I'm not talking about being able to bring a right of action or anything that, you know, but is there any particular one here that you would say is a particularly bad idea?

CAROLYN SIGNORELLI: No, actually, and I think my written testimony indicated that every single right, one through ten, is appropriate and is consistently (inaudible) and those are what DCF should be doing.

It's giving them a right of action, creating new proceedings in juvenile matters that could be in direct conflict with what's going on on the child's actual (inaudible) is problematic.

So there is really nothing, I don't have a problem with any of the practices and principles and policies contained in this Foster Care Bill of Rights. It's the notion of giving another non-leader party an interest, that, that level of interest in the case that I --

SENATOR MUSTO: So your real concern's with Section (b) it sounds like and maybe with --

CAROLYN SIGNORELLI: Eleven --

SENATOR MUSTO: -- number eleven as well.

CAROLYN SIGNORELLI: -- (a), 11, and (b).

SENATOR MUSTO: Yeah, (a), 11, and (b). Okay. All right. And moving on to two, excuse me, 6227,

the addition of neglect at line 87, you've been doing this for a long time, and so, obviously, we're looking a little bit for your expertise in this.

But have you had experiences and not just anecdotally, but, you know, as a common issue where the parents who are being charged with neglect may be just as hesitant to talk to DCF or allow the child to be interviewed I guess is the issue here.

Or is it more that, I don't know, maybe they're looking for services, or they're looking for vindication, saying, no, I'm not neglecting your child, here's what we've been doing, you know, because our goal here is to make sure the children are being taken care of and not being neglected.

So if the issue is that the parents don't want their child interviewed because DCF will find out that in fact they're not being fed appropriately or clothed appropriately or whatnot, then maybe this is not the worst thing in the world.

But on the other hand, if this is going to interfere with certainly some of the work you do or with the investigation DCF has with any of these children, then maybe it is a bad idea. I'd just kind of like your sort of experience on that point.

CAROLYN SIGNORELLI: Well, I think that the level of parents' willingness to cooperate with DCF investigations is really more correlated to the way in which the social worker or the investigator attempts to engage the parent and whether or not they're going to be willing to grant consent.

I mean, from my perspective, because my agency is also responsible for providing legal representation to parents and protecting their constitutional rights and legal rights, I have to be concerned with legislation that starts chipping away at a parent's right to control access or other adults to their children when there's, when the allegations are perhaps not sufficiently serious enough to require ex parte action on the part of the Department or emergency action on the part of the Department.

I mean, I do appreciate the goal here, and, you know, at one point in time, I was an Assistant Attorney General representing the Department of Children and Families, and, you know, I can understand why you would want to make sure you can interview every child that you have allegations on, but, you know, we attempt to balance the rights of the parents with the risks that are being brought to the Department's attention and, you know, every neglect allegation.

Perhaps if you amended it to include, to not, to say neglect in general if they talk about maltreatment cases where the allegations are, you know, deniable, medical care, or proper nutrition or things like that, so just your general, you know, neglect covers a very, you know, wide family of the (inaudible), and it really would swallow the exception to allowing parents that consent.

You might as well just, you know, have a policy that says when there's an allegation of abuse or neglect, and the Department wants to investigate, they don't need parental consent. That's essentially what would be happening if this is passed the way it is.

And, obviously, that's a policy that the Legislature might choose to adopt in the interests of protecting children, but in relation to a parent's right, you know, we do try to balance those rights with our need to protect children.

SENATOR MUSTO: Thank you. We appreciate the work you're doing --

CAROLYN SIGNORELLI: Thank you.

SENATOR MUSTO: -- in the state to have your expertise on these matters.

REP. URBAN: So, Carolyn, if I can just revisit that for a second. Your fear is that the use of the word neglect would lead to overzealous focus on the child and not the parent.

CAROLYN SIGNORELLI: Right. I mean, the way the state is moving with DRS and with best practice, additional best practice training for social workers on how to engage families to basically say you really, anytime you're investigating neglect, you don't need to get parental consent to talk to the child.

You know, that will enable workers and possibly encourage workers to just go directly to the child, and that's going to, that's sort of antithetical to the goal of approaching the parents with the carrot versus this investigatory tactic where I'm going to interview your child behind your back to start building a case against you.

So if we're really serious about starting to engage families, especially in cases where the neglect is the issue in a positive, strength-based, collaborative means, this could cut against that, those goals.

REP. URBAN: So you're, what you're advocating for, and I'm seeing exactly what you're saying here is a more holistic approach as opposed to a directed right to the child approach. So the holistic approach involves the family, the need to the family and the child anyway.

CAROLYN SIGNORELLI: Right. I mean, I've been advocating for some time now that the Department needs to start more actively and consistently following some of its own policies around family case planning and making sure that family conferences are conducted when they're supposed to be as soon as possible in cases.

And that approach is sitting down with the parent first and talking to the parent and listening to the parent and figuring out what it is that you need and how can we help as opposed to a more investigatory approach which this statute, letting workers go right to the child without getting parental consent is more in line with that old approach that, where I think we're trying to get away from.

REP. URBAN: Thanks. I think we've got exactly what you're talking about, and I, too, would like to thank you for all the good work you do and see if there are any other questions from the Committee? Representative Rebimbas.

REP. REBIMBAS: Thank you, Madame Chair. Good afternoon. Thank you for your testimony. Just a few follow-up questions. First, did you have an opportunity to speak with, or did anyone from DCF or Connecticut Voices for Children contact you for your input?

SB 844

CAROLYN SIGNORELLI: Regarding the Foster Care Bill of Rights?

SHARON LANGER: Thank you. Representative Urban and Members of the Committee, I'm Sharon Langer. I am a Senior Policy Fellow from Connecticut Voices for Children. I'm actually here today in two capacities.

Jeff Walter, who chairs the Behavioral Health Partnership Oversight Council couldn't be here today, and I agreed to represent the Council. I am also representing Connecticut Voices for Children.

I'm here today to oppose House Bill 6227, AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES. I'm specifically just testifying about one section of House Bill 6227, Section 6, which is the repealer provision.

It would repeal several different statutes. And the one that I'm specifically speaking about today is 17a-22m, which requires an annual evaluation of the Behavioral Health Partnership, a Report to the General Assembly.

And, essentially, the position of Connecticut Voices for Children and the Behavioral Health Partnership Council is that we strongly disagree with this proposal to repeal reporting to the General Assembly about the progress that the Behavioral Health Partnership has made since it began operation in 2006.

I won't read what I wrote here, but essentially what we're saying is that it's been a great partnership between the Department of Children and Families and the Department of Social Services.

That partnership is being expanded to include the Department of Mental Health and Addiction

Services in the provision of critically needed mental health and substance abuse services to HUSKY families, and, most recently, it's going to be providing services to the entire Medicaid population.

And while those of us on the Council believe that this partnership has been very successful, it's a really great exercise in accountability and transparency.

Nonetheless, we believe that given, particularly given the budget problems that the state is facing, that this body, the Committees of Cognizance, as well the General Assembly in general, really needs to know very directly what's going on in this \$150 million project and in addition to which in 2005, although the statute specifically called for an evaluation of the program, the money for that independent evaluation was rescinded, and, you know, we've never had that.

You know, we get great reports from the Department of Children and Families and DSS on a monthly basis, but what we really need is to be able to step back and have an independent evaluation and to make sure that all of the stakeholders are on board, that the goals that were set, the objectives, are being met.

And the only way to do that, frankly, is through an independent evaluation process. So for all those reasons, on behalf of the Council and on behalf of Connecticut Voices for Children, I would urge you to reject House Bill 6227. And I would be happy to entertain any questions.

REP. URBAN: Thank you, Sharon. Do we have questions? Whoops, just made it to the bell.

53 February 3, 2011
cip/gbr SELECT COMMITTEE ON CHILDREN 2:00 P.M.

CAROLYN GOODRIDGE: I thought you took me
(inaudible).

SENATOR MUSTO: Okay. Well, thank you (inaudible).

CAROLYN GOODRIDGE: Okay. Well, thank you.

SENATOR MUSTO: Next speaker is Jon Clemens from
the Connecticut Association of Nonprofits.
Welcome, Mr. Clemens.

JON CLEMENS: Thank you. Representative Urban,
Senator Musto, Representative Fawcett,
Distinguished Members of the Committee, thank
you for your time and attention to the issues
before you today.

My name is Jon Clemens, and I'm a Policy
Specialist at the Connecticut Association of
Nonprofits, the largest trade association
that's dedicated exclusively to nonprofits.

We are a collaborative of more than 500 member
organizations, with a Children's Sector
representing 150 organizations providing child
and youth-related services across the full
continuum of care. I have submitted testimony
that is expanded, so I'm just going to hit on
some of the major points.

The first bill that I'd like to speak to you
about today is House Bill Number 6225, AN ACT
REQUIRING A RESULTS-BASED ACCOUNTABILITY
REPORT CARED ON OUT-OF-STATE RESIDENTIAL
TREATMENT OF CHILDREN.

I applaud the Committee's intention behind
this bill. Ensuring the safety and wellbeing
of kids in out-of-state placement is of
paramount importance. And holding out-of-
state providers to a higher bar will go a ways

SB 846 #B6227
SB 844

Investment in the re-specialization efforts of providers, along with a proper service needs projection, will result in ending the undesirable stalemate of youth continuing to be sent out of state while programs within Connecticut are closing.

Next, I'd like to discuss my support of Senate Bill Number 846, AN ACT CONCERNING THE TRANSFER OF EDUCATIONAL CREDITS. This really is a matter of getting credit where credit is due.

Currently, kids who return to a community school system oftentimes don't have their credits recognized. The result is an unfair situation, and it undermines the progress that the student made. Senate Bill 846 would rectify this wrong.

Very briefly, I just also would like to echo what it was that Ms. Langer said previously about 6227. The review process of Behavioral Health Partnership is essential.

I would actually really encourage that and was disappointed when I saw two years ago the budget line item rescinded to do an independent review. So many decisions are made by that body that, to remove any type of recourse and review would, is problematic.

And, lastly, I'd like to bring to your attention some submitted testimony by Debra Tadduni. Debra is a member of Connecticut Nonprofits, and she also works over at Family and Children's Agency.

Additionally, she is a fostering adoptive parent of three special needs children. Unfortunately, she couldn't be here today, but she's given written, very strong written

like a timeout in a corner, but, you know, there's some school districts that do have seclusion rooms where a child cannot get out. They're supervised by a window, the room looks in, but most of the school districts report that they don't use that.

We just don't think it's really an educational intervention. It should never, it shouldn't even be in an IEP. And you may know that there's federal legislation that failed recently where the federal government was trying to step in to kind of monitor the usage of it.

They were going to say that they couldn't use it as an educational intervention at all, and then at the last couple of weeks they added the piece in there that if a child had a history of violence near two years, and there's a lot of disability advocates that really didn't like, they just flat out, and that's how our concept is to the, it's just not appropriate with children.

REP. URBAN: All right. Well, thank you. Do we have any questions? Then thank you for your testimony.

MARGARET COHAN: Thank you so much.

REP. URBAN: Next on our list is Chris Lacey from the Waterford Country School. Welcome, Mr. Lacey, and also very grateful for the work that the Waterford Country School does.

CHRIS LACEY: Thank you, Senator Urban. Representative Urban, Senator Musto, and Representative Fawcett, in addition to my work at the Waterford Country School where I'm the Program Director for Therapeutic Foster Care and Community-Based Services, I feel I should

HB 6227
SB 844

REP. WOOD: I mean, hearing people who are working with these kids helps us help you. Thank you.

KAREN COTON: Thank you. Thank you.

SENATOR MUSTO: The next person is, or two people, Kimberly and Kyle Wigglesworth.

KIMBERLY WIGGLESWORTH: Kyle is (inaudible).

SENATOR MUSTO: Okay. Well, Miss Wigglesworth. Did I get your name right?

KIMBERLY WIGGLESWORTH: You got it perfect.

SENATOR MUSTO: Excellent. Thank you. Good times. Okay.

KIMBERLY WIGGLESWORTH: My name is Kimberly Wigglesworth. I do not have a written statement. I'm just going to tell you a little bit about me, and I am going to break down. I want to thank the foster parents, because they were wonderful.

SB 845 HB 6227

- My son was in foster care for six weeks, and I had unsupervised visitation with that child with the foster parents, and I'm only going to support them. I did hear of vindictive things that were said against the foster parents that if they didn't support lies that DCF was making up, that they would go after them.

They are not only vindictive to the foster family, they're vindictive to nonprofit. My nonprofit agency woman who was in my house 14 hours a week, all right, to do ISP, which is really just (inaudible) for helping people get services through the system, was in my house more as a fishing extradition because they had custody of my child.

And to go back a little bit, I'm the one who told CCMC to call DCF. I'm the one who had him arrested. I am the one who had her case during the appeal appearance, the substantiation, reversed.

But on December 2nd when my son was in court, we were in court, I was told if I did not take the plea for protective services, I would more likely only get to see my son an hour a week, and my son would be in permanent care.

The reason why I'm pointing this out to you, you hear these numbers, 40 percent, 40 percent, 48 percent, 49 percent for all the things with DCF, let's break it down to numbers.

Over the national average, we take children away at a 40 percent rate higher than anyone else. That breaks down to 1,000 children that are in DCF care that should not be there. Now going back to my case, DCF got in contact with my mom.

My mom has two spare bedrooms in an affluent neighborhood in Stamford. They refused to get her phone call. They refused to give her the child. They wanted my son in foster care to force me into a plea.

Do you realize, do you really want to know what the high risk that I had done, what made it so imperative for them to have custody of my child to the point where they didn't tell the criminal court, the criminal court about what happened in the second scan, the CAT scan, where Dr. Livingston from (inaudible) scan which is the child abuse network, was calling up DCF saying he should have more charges added to him, because my son showed up with a fractured skull, and they chose not to

give that information to the prosecutor, because my high risk was I was sexually assaulted as a child.

That DCF felt it was more important that my son lose his grandparents, lose everything because of a crime that happened to me when I was five. Now I filed the CHRO complaint. All right? The CHRO complaint is down there.

The assistant director, legal director of DCF said, no, we did not hold that as an excuse. We use all legal medical terms. Well, the ISP workers normal for the situation had a psych evaluation that said I was acting normal for the situation.

The Morris Foundation, who, by the way, DCF has a tendency to schedule a drug test and a visitation on the same day so they can get people into, sorry, a drug program when they've never done drugs in their life, which is a waste of money, \$6500 per children.

We have over 300 children in out-of-state industry where most of those probably could be here in the state. We are wasting millions of dollars by vindictive, rotten DCF workers who should not have jobs, and we protect them with immunity.

And I'm against these bills, because just like the drug law, you know, if you miss a drug program, you have to take a drug class. They're just going to find ways to abuse it. They're just going to be vindictive, and they're just going to hurt our children. Thank you.

SENATOR MUSTO: Thank you very much. Is there questions from Members of the Committee?

that you notated. It's very useful for us to have those and your prior experience with it.

So I would just ask if there are any Members of the Committee who have any questions. We really appreciate your being here. Thank you.

LISA TAYLOR-AUSTIN: Thank you, Representative Urban and all of you.

REP. URBAN: And the last person I believe on our list to testify is Cheryl Martone. Welcome.

CHERYL MARTONE: Good afternoon, Distinguished Members of Select Committee on Children. I know that you're all aware who I am, and the new Members, good afternoon as well. I'm Cheryl Martone from Westbrook, Connecticut.

And two years ago, for the ones that don't know, I started the U.S. Concerned Parents Support Group, because my child was kidnapped by DCF two years ago, and I could say that out and out rightly, because at the trial, the malicious trial that was brought up against me, I was not afforded to present my witnesses and evidence. Therefore, my child was kidnapped by DCF.

And recently, I had a, and I started a website as well pertaining to some of the laws and some of the things that I'm working on as an activist because of what was done to my child and I, and, because I was a very good parent, and they tried to make me look like I was an unfit parent when I was not, because I took my child out of a horrible situation at a school at Westbrook Middle School where a principal was harassing and badgering my child.

So I'm here to talk about most of these bills, because, and particularly 6227, AN ACT

HB6227

CONCERNING CHANGES TO GENERAL STATUTES
CONCERNING DCF. I didn't get to really absorb
the whole bill, but most of it that I did
read, I'm kind of opposed to, because I just
feel that there's too many laws and too many
statutes to distract parents from being
parents.

There's not too many elements in this, in
these bills, which I spoke out recently at a
juvenile justice forum. Not one person at
this juvenile justice forum that I attended a
few months ago spoke about parents.

Where's the parent element in children's
lives, parent, the big word, six letters,
parent, parent in the child's life, which DCF
seems to neglect themselves, the neglect by
DCF that neglects the parent involvement in
the child's life.

So what I'm asking the Committee is to serve
the parent in these bills or just abolish the
bills. The bills need to be abolished because
of not having about parents in these bills. I
think it's terrible. I think it's inhumane
what DCF does to parents.

They just take over a child's life. And
they've destroyed my child's life. They've
made up so many false reports about my child
and I that my child's life is, my child had a
good life. I just wrote a letter to the
Department of Children and Families Department
Head.

I had a recent, last week, I had a meeting
with Rudy Brooks, who's the Director of the
Bureau of Prevention, you know who he is, of
the Prevention and the area administrator,
because I just feel that there's too much
false reporting going on, way, way, way too

much.

We need to have a bill about false reporting by DCF workers. We need to start straightening out and stabilizing the Department of Children and Families, because it's very, I see that it's very, very unstable and investigating.

That's what I do. I'm investigating what DCF does, and I've found so many inconsistencies, so many irrefutable, it's unbelievable what they, I can't, I'm like in shock the more I get into this, and there's too many, too much monetary incentives going on by way of foster parent.

Nothing against foster parents, but there's too much foster parent, I discovered on the irs.gov that there's major foster parent, I don't know if you know about that. There's major foster parent incentives.

Too much monetary incentives going on, and this Bill 6226, AN ACT CONCERNING CROSS-REPORTING OF CHILD ABUSE AND THE ANIMAL CRUELTY, well, you can't always, you can't go by how a child treats an animal.

That's nonsensical, because an animal is an animal is an animal. And if the animal attacks a child, or if a child's allergic to an animal, you can't like, you know, say that's any kind of behavior. You can't justify that behavior.

SENATOR MUSTO: Ms. Martone, could you wrap up your comments, please?

CHERYL MARTONE: Okay. What I'm saying is I kind of have to write a written report for you on Bill 6227, because there's a lot of

inconsistencies in it, and it needs to be tweaked, and so does DCF.

So because of children's lives being destroyed and the parent not being able to, a good parent, like my website, I state on my website that, you know, a lot of parents have been falsely accused and wronged by DCF, and there's a lot of fraud and waste going on. If you have any questions, I'd be happy to answer them.

SENATOR MUSTO: Okay. Thank you, Ms. Martone. Are there any questions from Members of the Committee? Seeing none, okay, thank you, Ms. Martone.

CHERYL MARTONE: Appreciate it. Thanks. Have a good day.

SENATOR MUSTO: Is there anyone else who did not sign up who would like to speak? Seeing none, we'll adjourn the public hearing. Thank you very much.



STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony of
Commissioner Joette Katz

Select Committee on Children

February 3, 2011



S B. No. 844 - AN ACT ADOPTING A FOSTER PARENT BILL OF RIGHTS

The Department of Children and Families appreciates the intent behind S.B. No. 844 - An Act Adopting a Foster Parent Bill of Rights, but has some concerns regarding the language of the bill as written.

While we support the spirit behind this legislation, but do have concerns that enacting this language in state law can subject the state to litigation in which plaintiffs assert that the state is legally responsible to provide the services that support the specific provisions of this legislation.

S B. No. 845 - AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND FAMILIES TO NOTIFY NONCUSTODIAL PARENTS OF CERTAIN ABUSE AND NEGLECT INVESTIGATIONS

The Department of Children and Families is generally supportive of S.B. No. 845 - An Act Requiring the Department of Children and Families to Notify Noncustodial Parents of Certain Abuse and Neglect Investigations.

While the language on lines 19- 24 provides important safeguards to protect persons from risk of physical harm, given the legislature's focus on domestic violence issues, there may be a need to further refine this language and the Department will be happy to participate in further discussions with the proponents of this legislation.

S. B. No. 846 - AN ACT CONCERNING THE TRANSFER OF EDUCATIONAL CREDITS

The Department of Children and Families supports S. B. No. 846 - An Act Concerning the Transfer of Educational Credits. This proposal is part of DCF's legislative package this year and we thank the Committee for raising the bill.

This bill builds upon Public Act 09-82 - An Act Concerning the Readmission of Students, by extending the same provisions regarding the transfer of education credit that currently exists for Unified School District # 1 (Department of Correction) to Unified School District # 2 (Department of Children and Families). Unified School District # 2 provides educational services in the three DCF-operated facilities: Riverview Hospital; Connecticut Children's Place; and the Connecticut Juvenile Training School and we want to ensure that the children and youth who transition from our care receive the appropriate education credit when they transfer to other school districts.

HB 6225
HB 6226
HB 6227

**H. B. No. 6227 - AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES
CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families **supports** H. B. No. 6227 - An Act Concerning Changes to the General Statutes Concerning the Department of Children and Families. This bill would repeal several obsolete reporting requirements and various advisory boards and commissions. It would also make various modifications to DCF statutes. This proposal is part of DCF's legislative package this year and we thank the Committee for raising the bill.

Section 1 repeals a reporting requirement in § 17a-98a regarding the Kinship Navigator Program. The Department participated in the establishment of the Kinship Navigation Program with the Department of Social Services and did submit the initial required report on January 1, 2008; however, we are not the custodian of the data maintained by the 211 Infoline, which operates the program. While we believe that it was important to submit the initial report, we do not think that it makes sense going forward. Please note we are not recommending repeal of the program, only the reporting requirement.

Section 2 amends § 17a-6b to add "a review of safety and security issues which affect" Middletown to the responsibility of the Connecticut Juvenile Training School (CJTS) Advisory Board. Section 6 deletes a requirement of a separate CJTS Public Safety Committee contained in § 17a-27f, which we believe is a responsibility that can be handled capably by the CJTS Advisory Board.

Section 3 amends § 17a-101h to clarify that DCF has the authority to interview a child without the consent of a parent when "neglect" by that parent or a member of the household is suspected. The existing statute only permits an interview without the consent of a parent when "abuse" is suspected. The Department believes, and national data supports, that many incidents of child neglect can be even more harmful to the physical well-being of a child than incidents of physical abuse. It is important to note that the protections of the existing statute remain: consent will continue to be required if the parent is not the suspected perpetrator, and interviews conducted without consent will occur in the presence of a disinterested party, except in cases of emergency.

Section 4 amends § 17a-126 to make technical modifications to DCF's subsidized guardianship program. The Department **requests the committee's consideration of substitute language (attached to this testimony)** which contains additional modifications to the statute necessary for compliance with federal requirements allowing maximization of federal revenue for subsidized guardianship expenses.

Section 5 simply removes a reference to § 17a-91, which is recommended for repeal in section 6 of the bill.

Section 6 includes the elimination of the following obsolete mandated reports or advisory bodies:

- § 17a-22m - annual evaluation of Behavioral Health Partnership;
- § 17a-27f - a committee that is currently required to make quarterly reviews of safety and security issues at CJTS that affect Middletown (the responsibility of this committee is incorporated into the CJTS Advisory Board in section 2); and
- § 17a-91 - report on the status, (1) as of the January first preceding, of all children committed to the commissioner's custody, including in such report the date of commitment with respect to each child, and (2) of the central registry and monitoring system.

PROPOSED SUBSTITUTE LANGUAGE

Section 4 of H. B. No. 6227 - An Act Concerning Changes to the General Statutes Concerning the Department of Children and Families.

Section 4. Section 17a-126 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(a) As used in this section, (1) "relative caregiver" means a person who is caring for a child related to such person because the parent of the child has died or become otherwise unable to care for the child for reasons that make reunification with the parent and adoption not viable options within the foreseeable future, and (2) "commissioner" means the Commissioner of Children and Families.

(b) The commissioner, shall establish a program of subsidized guardianship for the benefit of children in foster care who have been living with relative caregivers, who are licensed foster care providers pursuant to section 17a-114, and who have been in foster care [~~or certified relative care~~] for not less than six consecutive months. A relative caregiver may request a guardianship subsidy from the commissioner.

(c) If a relative caregiver who is receiving a guardianship subsidy for a related child is also caring for the child's sibling who is not related to the caregiver, the commissioner shall provide a guardianship subsidy to such relative caregiver [~~if the sibling has been in foster care for not less than eighteen months, and the commissioner shall, within available appropriations, provide a guardianship subsidy to such relative caregiver~~] in accordance with regulations adopted by the commissioner pursuant to subsection (e) of this section. For purposes of this subsection, "child's sibling" includes a stepbrother, stepsister, a half-brother or a half-sister.

(d) The commissioner shall provide the following subsidies under the subsidized guardianship program in accordance with this section and the regulations adopted pursuant to subsection (e) of this section: (1) A special-need subsidy, which shall be a lump sum payment for one-time expenses resulting from the assumption of care of the child and shall not exceed two thousand dollars; (2) a medical subsidy comparable to the medical subsidy to children in the subsidized adoption program [~~if the child lacks private health insurance~~]. The subsidized guardianship program shall also provide a monthly subsidy on behalf of the child payable to the relative caregiver that is based on the circumstances of the relative caregiver and the needs of the child and shall not exceed the foster care maintenance payment that would have been paid on behalf of the child if the child had remained in licensed foster care.

(e) The commissioner shall adopt regulations, in accordance with chapter 54, implementing the subsidized guardianship program established under this section. Such regulations shall include all federal requirements necessary to maximize federal reimbursement available to the state, including, but not limited to, (1) eligibility for the program, (2) the maximum age at which a child is no longer eligible for a guardianship subsidy, including the maximum age, for purposes of claiming federal reimbursement under Title IV-E of the Social Security Act, at which a child is no longer eligible for a guardianship subsidy, and (3) a procedure for determining the types and amounts of the subsidies.

(f) At a minimum, the guardianship subsidy provided under this section shall continue until the child reaches the age of eighteen or the age of twenty-one if such child is in full time attendance at a secondary school, technical school or college or is in a state accredited job training program or otherwise meets the criteria set forth in federal law. Annually, the subsidized guardian shall submit to the commissioner a sworn statement that the child is still living with and receiving support from the guardian. The parent of any child receiving assistance through the subsidized guardianship program shall remain liable for the support of the child as required by the general statutes.

(g) A guardianship subsidy shall not be included in the calculation of household income in determining eligibility for benefits of the relative caregiver of the subsidized child or other persons living within the household of the relative caregiver.

(h) Payments for guardianship subsidies shall be made from moneys available from any source to the commissioner for child welfare purposes. The commissioner shall develop and implement a plan that: (1) Maximizes use of the subsidized guardianship program to decrease the number of children in the legal custody of the commissioner and to reduce the number of children who would otherwise be placed into nonrelative foster care when there is a family member willing to provide care; (2) maximizes federal reimbursement for the costs of the subsidized guardianship program, provided whatever federal maximization method is employed shall not result in the relative caregiver of a child being subject to work requirements as a condition of receipt of benefits for the child or the benefits restricted in time or scope other than as specified in subsection (c) of this section; and (3) ensures necessary transfers of funds between agencies and interagency coordination in program implementation. The commissioner shall seek all federal waivers and reimbursement as are necessary and appropriate to implement this plan.

(i) In the case of the death, severe disability or serious illness of a relative caregiver who is receiving a guardianship subsidy, the commissioner may transfer the guardianship subsidy to a new relative caregiver who meets the Department of Children and Families foster care safety requirements and is appointed as legal guardian by a court of competent jurisdiction.

(j) Nothing in this section shall prohibit the commissioner from continuing to pay guardianship subsidies to those relative caregivers who entered into written subsidy agreements with the Department of Children and Families prior to October 5, 2009.



Testimony before the Select Committee on Children
February 3, 2011
Support for HB 6225
Opposition to HB 6227

Good afternoon Representative Urban and members of the Select Committee on Children. My name is Alicia Woodsby, and I am the Public Policy Director for the National Alliance on Mental Illness, or NAMI-CT. We are the largest member organization in the state of people with mental illnesses and their families.

NAMI-CT is in support of HB 6225, AN ACT REQUIRING A RESULTS-BASED ACCOUNTABILITY REPORT CARD ON OUT-OF-STATE RESIDENTIAL TREATMENT OF CHILDREN, and opposes HB 6227, AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.

The lack of an appropriate and accessible continuum of community based behavioral health and substance abuse services for kids has resulted in significant numbers of children utilizing inpatient and residential services and being sent out of state. Children and youth with specialized treatment needs have extremely limited access to in-state treatment programs and are routinely referred out of state.

According to a recent article in the Hartford Courant, it cost the state at least \$35 million last year to care, treat, educate and visit the 367 children in out of state placements. Millions of dollars are flowing out of Connecticut to pay for intensive inpatient mental health care.

This makes it more difficult for parents to visit their children and interferes with effective discharge and transition planning back into the child's home and community.

All funds used to treat high needs children using inpatient hospitalization or residential placement should be spent in Connecticut, in order to bolster the state's child mental health infrastructure and create more jobs in our state. Furthermore, investing in community-based services using evidence-based programs will help divert children from expensive inpatient hospitalization or residential placement, **saving hundreds of thousands of dollars per child per year.**

Although we support this legislation, a results based accountability report card does not go far enough – the state should develop a DCF led and coordinated planning process with CT's Child Guidance Clinics, children's residential providers, families and advocacy organizations, and other relevant stakeholders to bring out of state placements back into Connecticut and strategically plan for the mainstreaming of these children back into their communities.

We also urge the state to spend DCF money differently and more productively through specialized services that wraparound the child and the family and are based on individual need.

We repeatedly hear stories of children who are placed in a particular service type or level of care because it was the only slot available, and not because it is actually what the child needs.

Lastly, we oppose the elimination of the annual reporting for Connecticut's Behavioral Health Partnership as outlined in HB 6227. The annual report is only way the advisory council and the public can gain an understanding of the program. The state already rescinded the funding for an independent evaluation of the Behavioral Health Partnership in 2009. Repealing both the independent evaluation and the annual report will leave the state and public stakeholders with no clear picture of the program or the use of over \$150 million in state funds. This is unacceptable and not at all in line with the state's focus on results based accountability and transparency.

Thank you for time and attention. I am happy to answer any questions that you may have.

greater than the deprivation of the parent's right to control the child, consent is not constitutionally required.

However, by adding "neglect" allegations to the exception, there would virtually be no more exception. The vast majority of allegations of neglect made to or investigated by the Department concerns the care being provided by the child's custodial parent, guardian, caretaker or someone in the child's household. Neglect, without an allegation of abuse, represents in most cases a much lower risk of harm to the child and therefore insufficient grounds to usurp the parent's right to control who speaks to his or her child under what circumstances. By including neglect allegations in the exception to consent, the Department would be able to interview the majority of children without parental consent, even where there is no allegation of abuse or imminent physical harm. The rule would be swallowed by the exception.

Therefore, I respectfully request that this bill not be voted upon favorably as drafted and that Section 3 be eliminated.

Respectfully Submitted,

Carolyn Signorelli

**CONNECTICUT
VOICES
FOR CHILDREN****Testimony Opposing****H.B. 6227: An Act Concerning Changes to the General Statutes concerning the Department of Children and Families**

Sharon D. Langer

Before the Select Committee on Children

February 3, 2011

House Chair Urban, Acting Senate Chair Musto, and Members of the Committee:

I am testifying today on behalf of the Connecticut Behavioral Health Partnership Oversight Council (the Council) of which I am appointed member, and as Senior Policy Fellow with Connecticut Voices for Children. Connecticut Voices for Children is a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

The Council oversees the successful partnership between the Departments of Children and Families (DCF) and Social Services (DSS) to provide critically needed mental health and substance abuse services to HUSKY families and children in DCF care. The CTBHP was launched in 2006 after much planning and collaboration among the state agencies, providers and advocates to "carve out" behavioral health services from managed care organizations. The CTBHP is managed by Value Options, which provides utilization management and other administrative services on a fixed cost basis. The providers are paid directly by the Departments and the federal government pays at least half of most services through Medicaid and CHIP. The over-arching goal of this experiment was to improve access to community-based services for children and their families in order to reduce the numbers and lengths of stay of children in emergency rooms, in-patient hospitalizations and other settings. In so doing, the CTBHP would improve health outcomes and reduce the costs associated with the most expensive care, e.g., hospitalization and in-state and out-of-state residential treatment.

Recently, the Department of Mental Health and Addiction Services (DMHAS) became a member of the Council. DMHAS and DSS have now launched another Partnership, the CT Behavioral Health Recovery Plan (CTBHRP) to provide utilization services to the adults in Medicaid fee-for-service. This latest partnership is just getting off the ground. Value Options was awarded the contract through a competitive bidding process, and now is managing both Partnerships.

Although we on the Council are generally pleased with the level of transparency provided by the Departments and their contractor, Value Options, we nonetheless oppose H.B. 6227 (Sec. 6) which would repeal General Statutes Sec. 17a-22m. "Annual evaluation of Behavioral Health Partnership. Report to General Assembly."

Sec. 17a-22m requires the Departments to conduct an annual evaluation of the CTBHP and report to the Appropriations, Public Health and Human Services Committees of the General Assembly concerning "the provision of behavioral health services under the Behavioral Health Partnership, including information on the status of the administrative services organization implementation, the status of the collaboration among the Departments of Children and Families and Social Services, the

services provided, the number of persons served, program outcomes and spending by child and adult populations.”

We on the Council believe strongly that the General Assembly should receive regular reports on how well this \$150 million program is fulfilling its goals and objectives as set forth in statute. In addition, although required by law, *there has never been an independent evaluation of the CTBHP*. In 2005, the evaluation was rescinded. Many of us on the Council protested this penny-wise and pound-foolish decision.

The CTBHP has now grown to encompass virtually the entire Medicaid population – low-income adults, persons with disabilities and seniors. This is no time to eliminate the Departments reporting responsibilities to the General Assembly.

Given these difficult budgetary and economic times, it is more important than ever that the committees of cognizance in the General Assembly know how each scarce dollar is being spent. For all the reasons stated above, we urge this Committee to oppose H.B 6227.

Thank you for this opportunity to testify. If you have any further questions or need additional information, please do not hesitate to contact me.

February 3rd, 2011

**Testimony of Chris Lacey, Program Director of Therapeutic Foster Care-
Waterford Country School,
Related to House Bill Number 6227:
**AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES
CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.**
And
Senate Bill Number 844:
AN ACT ADOPTING A FOSTER PARENT BILL OF RIGHTS.**

Representative Urban, Senator Musto, Representative Fawcett and other distinguished member of the committee thank you for your time and attention to the matters before you today. My name is Chris Lacey and I am the Program Director of the Waterford Country School's Therapeutic Foster Care Program. I am also a member of the Connecticut Association of Nonprofits and the co-chair of its Foster Care Sector. Additionally, my wife and I have been foster parents with the Department of Children and Families for over 10 years in my hometown of Norwich.

Today, I voice support for House Bill Number 6227 AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES. Specifically the provisions related to kinship care. Knowing first hand how difficult it is to recruit and retain therapeutic foster parents, and having witnessed countless disruptions of children from foster placements, I am heartened to see increased attention to kinship care.

Private foster care agencies in Connecticut are already in the practice of licensing relatives as therapeutic foster parents so that they and the children in their care can receive the support they need. I know in my agency that this has led to many successful adoptions that might otherwise not have been possible. There will continue to be children who, because of their mental and/or behavioral health needs, need our support in order to be successful in any family. And we are committed to helping.

There are, however, some impediments to private agencies working with kin. There is no distinction in private foster care regulations between relatives and traditional non-relative parents. Therefore, we are required to have relatives complete our full pre-service training program which can take anywhere from 2-6 months. The first few months of any new placement are the most critical. Currently these children are either delayed in being placed or under serviced at the most critical time. The Department is able to approve a relative home in one day, and then complete the required training afterwards. I believe there is room for improvement in these regulations that will further strengthen the services available to kin with therapeutic needs. Specifically: 1. Change DCF policy to allow for immediate placement of relative children by private providers in

the same manner the Department. 2. Allow private providers the same immediate access to background check information that currently takes us months to obtain. 3. Amend current therapeutic contracts to allow for this practice.

Regarding Senate Bill Number 844, I also voice my support. As a DCF foster parent I think the respect and recognition for the work we do is long overdue and will be much appreciated. As the Director of a private agency foster care program I would suggest modifying the language in the Bill to also include the hundreds of foster parents approved by all private agencies. The language in the Bill currently seems to only apply to foster parents licensed by the Department of Children and Families.

In closing I ask that you look upon these bill requested changes favorably and that you give some consideration to the constraints mentioned above. Please feel free to contact me if I can answer any questions or be of any assistance to you.

H - 1103

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 12
3772 - 4108**

Have all the members voted? Have all the members voted? Will the members please check the board to ensure that their vote has been properly cast. If all the members have voted the machine will be locked and the Clerk will take a tally. The Clerk would please announce the tally.

THE CLERK:

House Bill Number 6484 as amended by Senate "A" in concurrence with the Senate.

Total Number voting	143
Necessary for adoption	72
Those voting Yea	143
Those voting Nay	0
Those absent and not voting	8

DEPUTY SPEAKER ARESIMOWICZ:

The bill as amended is passed in concurrence with the Senate.

Will the Clerk please call Calendar 234.

THE CLERK:

On page 39, Calendar 234, Substitute for House Bill Number 6227, AN ACT CONCERNING A REGIONAL STRUCTURE FOR THE DEPARTMENT OF CHILDREN AND FAMILIES AND MISCELLANEOUS CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES,

cd/rgd
HOUSE OF REPRESENTATIVES

107
May 19, 2011

favorable report of the Committee on Finance Revenue and Bonding.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Urban, you have the floor, madam.

REP. URBAN (43rd):

Thank you, Mr. Speaker.

I move the joint committee's favorable report and passage of the bill.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Representative Urban, you have the floor.

REP. URBAN (43rd):

Thank you, Mr. Speaker.

This proposes some important changes in the organization of the Department of Children and Families. First there is a very fiscally important change. By conforming state law to federal requirements for foster care programs it makes us eligible for the 4 to 5 hundred thousand dollars, which we otherwise would have lost in Title 4E reimbursement funds from the federal government. And it removes obsolete language, Mr. Speaker, in order to do this.

However, the heart of this bill lies in creating distinct serviced regions for DCF. And, Mr. Speaker, the commissioner of DCF, who I think everyone in the Chambers has had a very positive interaction with, envisions a new system of providing services to our five regions in the state.

And this would be achieved by having six -- or establishing up to six unclassified regional directors and empowering these regional Directors to create what the commissioner refers to as mini DCFs. She wants to see us move from a focus on safety only to focusing on health, safety, learning for all, age-appropriate growth and development, fostering the special talents of each youth, encouraging civil engagement and tracking the success of our children in school and in life.

It includes a change, Mr. Speaker, from a focus on tracking how much we did to focusing on reporting how well we did it and is anyone better off? And I believe that is called results-based accountability which we are all familiar with in this Chamber. Mr. Speaker, it also repeals several obsolete areas of DCF. One is the annual reporting regarding the kinship navigator program. Another is the CJTS Public

Safety Committee which will now be under the auspices of the CJTS advisory group and thirdly, the DCF annual report on the status of children committed to its custody.

I move adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further on the bill before us?

Representative Betts of the 78th, you have the floor, sir.

REP. BETTS (78th):

Thank you very much, Mr. Speaker.

I rise in support of this bill, but I'd like to pose one question to the proponent if I may?

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed.

REP. BETTS (78th):

Thank you.

In the fiscal note here it says that there's four to five hundred thousand dollars against subsidized partnership program expenditures. Through you, Mr. Speaker, could you give us an idea of what some of those expenditures may be?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Urban.

REP. URBAN (43rd):

Through you, Mr. Speaker.

My understanding is that if we do not change the language of the bill that we would then not be eligible for any of the 4 or 5 hundred thousand dollars in expenditures in the foster care program.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Betts.

REP. BETTS (78th):

Thank you for that answer.

I just was just looking. Perhaps I can ask the commissioner if you don't know. I was trying to get an idea of what, whether it's housing or what type of expenditures are related to the foster care program that will make this eligible. I understand we're changing it to become eligible. I was just trying to get an idea of what some of those programs would be.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Urban.

REP. URBAN (43rd):

Through you, Mr. Speaker.

cd/rgd
HOUSE OF REPRESENTATIVES

111
May 19, 2011

From what I understand, one would be subsidized guardianship.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Betts.

REP. BETTS (78th):

Thank you very much.

And I would strongly urge my colleagues to support this. I think this is a very good bill and I thank the chair and the committee for all the work they did on this.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further?

Representative Wood of the 141st, you have the floor, madam.

REP. WOOD (141st):

Thank you, Mr. Speaker.

I rise in support of this bill as well for many of the reasons that Representative Urban outlined. The other thing I'd like to note is that four committees passed this unanimously: Children's Committee, Human Services, Finance and Labor all unanimously.

It does make sense for good reasons and in

particular we are, I think in state government, we tend to add layers rather than subtract layers and this does subtract some of the reporting requirements, which I think is good. It also allows us to qualify for federal funding of up to \$500,000 by changing the reporting requirements and how we do that.

I also would like to comment on Commissioner Katz. I think she's brought wonderful energy and I think the idea that she's bringing to this commission is great. And I think her idea for regionalization and not how much we're doing, but how well we're doing it is very important. And I urge you all to support this bill.

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Representative Gibbons of the 150th, you have the floor, madam.

REP. GIBBONS (150th):

Thank you, Mr. Speaker. Good afternoon.

DEPUTY SPEAKER ARESIMOWICZ:

Good afternoon, madam.

REP. GIBBONS (150th):

I too support this bill and I'm very pleased to

have Commissioner Katz on board with DCF.

I've served under several different commissioners and this is the first time I think we truly have one that not only understands the direction of the agency, but is trying to bring new scope and energy to the department and figure out how to best help these children.

That being said, I've got one question, if I may please, for the proponent of the bill?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Urban, please prepare yourself.

Madam, please proceed.

REP. GIBBONS (150th):

Thank you, Mr. Speaker.

As I recall that the bill asks the CJTS advisory group to review the safety and security issues that affect Middletown concerning with CJTS. Is that still in the bill, please? Through you, Mr. Speaker, and if so do you have any idea how this is going to be handled, please?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Urban.

REP. URBAN (43rd):

Through you, Mr. Speaker.

Yes, it is still in the bill and that was the -- that was changed from CJTS public safety commission because that commission was never put together. So now by putting it in the advisory group we will expect that this will actually take place.

Through you, Mr. Speaker.

REP. WOOD (141st):

Thank you.

And again, through you, Mr. Speaker, so am I to understand there will be an advisory group that will be appointed that will include representatives from the town and from CJTS to review some of the concerns that the town has with the training facility?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Urban.

REP. URBAN (43rd):

Through you, Mr. Speaker.

Yes. The good Representative is absolutely correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Gibbons.

REP. GIBBONS (150th):

Thank you.

I think that this goes a long ways towards solving some of the issues that Middletown has had, what CJTS has had and through hopefully making some necessary changes in the Department of Children and Families.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further? Will you remark further on the bill before us? If not, will staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is taking a roll call vote. Members to the Chamber, please.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? Will the members please check the board to determine if their vote has been properly cast. If all the members have voted the machine will be locked and the Clerk will take a tally. The Clerk would please announce the tally.

THE CLERK:

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HOUSE OF REPRESENTATIVES

116
May 19, 2011

House Bill 6227.

Total Number voting	142
Necessary for adoption	72
Those voting Yea	142
Those voting Nay	0
Those absent and not voting	9

DEPUTY SPEAKER ARESIMOWICZ:

The bill passes.

Will the Clerk please call Calendar 105.

THE CLERK:

On page 4, Calendar 105, House Bill Number 6508,
AN ACT CONCERNING TIMELY HISTORY REPORTS FOR
COMMERCIAL RISK INSURANCE POLICIES, favorable report
by the Committee on Insurance.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Megna of the 97th, you have the
floor, sir.

REP. MEGNA (97th):

Thank you, Mr. Speaker.

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

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint
committee's favorable report and the passage of the

S - 632

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 21
6546-6914**

mhr/cd/gbr
SENATE

505
June 7, 2011

Move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Calendar 552, House Bill Number 6413.

Move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Continuing calendar page 19, Calendar 553,

House Bill Number 6227.

Move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to calendar page 20, Calendar 554, House
Bill Number 5415.

Move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

mhr/cd/gbr
SENATE

520
June 7, 2011

Mr. Clerk.

THE CLERK:

Immediate roll call's been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call's been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

THE CLERK:

Madam President, the items placed...

THE CHAIR:

I would ask the Chamber to be quiet please so we can hear the call of the Calendar for the Consent Calendar.

Thank you.

Please proceed, Mr. Clerk

THE CLERK:

Madam President, the items placed on the first Consent Calendar begin on calendar page 5, Calendar 336, House Bill 5697.

Calendar page 7, Calendar 421, Substitute for House Bill 6126.

Calendar page 8, Calendar 449, Senate Bill 1149.

mhr/cd/gbr
SENATE

521
June 7, 2011

Calendar page 10, Calendar 470, Substitute for House Bill 5340. Calendar 474, Substitute for House Bill 6274. Calendar 476, House Bill 6635.

Calendar page 12, Calendar 499, Substitute for House Bill 6638. Calendar 500, House Bill 6614. Calendar 508, House Bill 6222.

Calendar page 13, Calendar 511, House Bill 6356. Calendar 512, Substitute for House Bill 6422. Calendar 514, House Bill 6590. Calendar 515, House Bill 6221. Calendar 516, House Bill 6455.

Calendar page 14, Calendar 517, House Bill 6350. Calendar 519, House Bill 5437. Calendar 522, House Bill 6303.

Calendar page 15, Calendar 523, Substitute for House Bill 6499. Calendar 524, House Bill 6490. Calendar 525, House Bill 5780. Calendar 526, House Bill 6513. Calendar 527, Substitute for House Bill 6532.

Calendar page 16, Calendar 528, House Bill 6561. Calendar 529, Substitute for House Bill 6312. Calendar 530, Substitute for House Bill 5032. Calendar 532, House Bill 6338.

Calendar page 17, Calendar 533, Substitute for House Bill 6325. Calendar 534, House Bill 6352.

mhr/cd/gbr
SENATE

522
June 7, 2011

Calendar 536, House Bill 5300. Calendar 537, House
Bill 5482.

calendar page 18, Calendar 543, House Bill 6508.

Calendar 544, House Bill 6412. Calendar 546,
Substitute for House Bill 6538. Calendar 547,
Substitute for House Bill 6440. Calendar 548,
Substitute for House Bill 6471.

Calendar page 19, Calendar 550, Substitute for
House Bill 5802. Calendar 551, House Bill 6433.
Calendar 552, House Bill 6413. Calendar 553,
Substitute for House Bill 6227.

Calendar page 20, Calendar 554, Substitute for
House Bill 5415. Calendar 557, Substitute for House
Bill 6318. Calendar 558, Substitute for House Bill
6565.

Calendar page 21, Calendar 559, Substitute for
House Bill 6636.

Calendar page 22, Calendar 563, Substitute for
House Bill 6600. Calendar 564, Substitute for House
Bill 6598. Calendar 566, House Bill 5585.

Calendar page 23, Calendar 568, Substitute for
House Bill 6103. Calendar 570, Substitute for House
Bill 6336. Calendar 573, Substitute for House Bill
6434.

mhr/cd/gbr
SENATE

523
June 7, 2011

Calendar page 24, Calendar 577, Substitute for
House Bill 5795.

Calendar page 25, Calendar 581, House Bill
6354.

Calendar page 26, Calendar 596, Substitute for
House Bill 6282. Calendar 598, Substitute for House
Bill 6629.

Calendar page 27, Calendar 600, House Bill
6314. Calendar 601, Substitute for House Bill 6529.
Calendar 602, Substitute for House Bill 6438.
Calendar 604, Substitute for House Bill 6639.

Calendar page 28, Calendar 605, Substitute for
House Bill 6526. Calendar 608, House Bill 6284.

Calendar page 30, Calendar number 615,
Substitute for House Bill 6485. Calendar 616,
Substitute for House Bill 6498.

Calendar page 31, Calendar 619, Substitute for
House Bill 6634. Calendar 627, Substitute for House
Bill 6596.

Calendar page 32, Calendar 629, House Bill
5634. Calendar 630, Substitute for House Bill 6631.
Calendar 631, Substitute for House Bill 6357.
Calendar 632, House Bill 6642.

mhr/cd/gbr
SENATE

524
June 7, 2011

Calendar page 33, Calendar 634, Substitute for
House Bill 5431. Calendar 636, Substitute for
House, correction, House Bill 6100.

Page 34, Calendar 638, Substitute for House
Bill 6525.

Calendar page 48, Calendar 399, Substitute for
Senate Bill 1043.

Calendar page 49, Calendar 409, Substitute for
House Bill 6233. Calendar 412, House Bill 5178.
Calendar 422, Substitute for House Bill 6448.

Calendar page 52, Calendar 521, Substitute for
House Bill 6113.

Madam President, that completes the item placed
on the first Consent Calendar.

THE CHAIR:

Thank you, sir.

We call for another roll call vote. And the
machine will be open for Consent Calendar number 1.

THE CLERK:

The Senate is now voting by roll on the Consent
Calendar. Will all Senators please return to the
Chamber. The Senate is now voting by roll on the
Consent Calendar, will all Senators please return to
the Chamber.

mhr/cd/gbr
SENATE

525
June 7, 2011

Senator Cassano, would you vote, please, sir.

Thank you.

Well, all members have voted. All members have voted. The machine will be closed, and Mr. Clerk, will you call the tally?

THE CLERK:

Motion is on option Consent Calendar Number 1.

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 1 has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

We might stand at ease for just a moment as we prepare the next item..

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)