
Department of Children and Families



Legislative Summary 2023

Department of Children and Families Summary of Legislation

The following is a compilation of legislation of interest to the Department of Children and Families that passed during the 2023 Regular Session of the General Assembly. These summaries are based largely upon the bill analyses prepared by the General Assembly's Office of Legislative Research. Click on the Public Act Number below to review the statutory language of the Public Act. Please contact Vincent Russo (VINCENT.RUSSO@ct.gov) with any questions.

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Public Act 23-16 - S.B. 1103 - AN ACT CONCERNING ARTIFICIAL INTELLIGENCE, AUTOMATED DECISION-MAKING AND PERSONAL DATA PRIVACY

The act requires the executive and judicial branches to conduct an inventory of all their systems that employ artificial intelligence (AI) and to develop and set policies and procedures on developing, procuring, using and assessing systems that use AI. It also requires the branches to post the inventory and policies and procedures online. Beginning February 1, 2024, the executive and judicial branches are prohibited from implementing any system that uses AI unless they have done an impact assessment to ensure the system will not result in any unlawful discrimination or disparate impact against specified individuals or groups (e.g., age and race).

EFFECTIVE DATE: July 1, 2023

Public Act 23-20 - S.B. 1117 - AN ACT IMPLEMENTING ADDITIONAL MEASURES TO PREVENT TRAFFICKING IN PERSONS AND EXPANDING THE COMPOSITION OF THE TRAFFICKING IN PERSONS COUNCIL

The act prohibits hotel, motel or similar lodging operators that provide rooms with sleeping accommodations from offering or providing a financial discount or benefit that is based on an hourly rate or an occupancy period that is for 12 hours or less. The act also adds the Department of Developmental Services (DDS) commissioner, or the commissioner's designee, to the Trafficking in Person Council.

EFFECTIVE DATE: October 1, 2023; the provision adding the DDS Commissioner to the council is effective July 1, 2023.

Public Act 23-44 - H.B. 6569 - AN ACT CONCERNING THE MINIMUM AGE TO BE ELIGIBLE TO MARRY

The act prohibits a person under the age of 18 from getting married by repealing language that permitted a 16- or 17-year-old, in limited circumstances, to obtain a marriage license with Probate Court approval.

EFFECTIVE DATE: July 1, 2023

Public Act 23-56 - S.B. 3 - AN ACT CONCERNING ONLINE PRIVACY, DATA AND SAFETY PROTECTIONS

Sections 1 through 4 strengthens existing privacy laws by protecting consumer health data and prohibiting certain private entities that do business in Connecticut from selling or sharing the data online or with other entities without the person's consent. It also prohibits establishing geofences near behavioral and medical health centers in order to capture patient data.

Certain entities are exempt from the act, such as those that contract with the state for the purpose of reporting data to state agencies (i.e., 2-1-1- and the United Way).

Section 7 requires a social media platform to remove a minor's social media platform account within 15 business days of receiving a request to do so from the minor or the minor's parent or legal guardian if the minor is under age 16. The act also requires a social media platform, within 45 business days after receiving such request, to delete the social media platform account.

Sections 8 through 13 establish a framework and sets requirements for how individuals or entities who offer online services, products, and services manage, process, and get consent to use the personal data of minors. For example, they cannot use online advertising targeted to minors for products or services that may be harmful to minors. They also cannot track the exact geolocation of minors.

Section 17 establishes the CT Internet Crimes Against Children task force within DESPP's Division of Scientific Services. The task force is charged with investigating and prosecuting Internet crimes against children.

EFFECTIVE DATE: July 1, 2023, except the social media provision is effective July 1, 2024, and the minors and online services provisions are effective October 1, 2024.

Public Act 23-66 – H.B. 6642 – *AN ACT CONCERNING A TITLE IX COMPLIANCE TOOLKIT FOR SCHOOL DISTRICTS*

The act requires the Commission on Women, Children, Seniors, Equity and Opportunity to convene and lead a working group to identify or develop a Title IX compliance toolkit for use by local and regional boards of education, students and parents and guardians of students. DCF is a member of the working group. Under federal law, Title IX of the Education Amendments of 1972 prohibits sex-based discrimination in education programs and activities that receive federal financial assistance.

EFFECTIVE DATE: July 1, 2023

Public Act 23-70 - H.B. 5441 - *AN ACT CONCERNING CLINICAL PLACEMENTS FOR NURSING STUDENTS, REPORTING BY THE OFFICE OF WORKFORCE STRATEGY, PROMOTION OF THE DEVELOPMENT OF THE INSURANCE INDUSTRY AND CONNECTICUT HIGHER EDUCATION SUPPLEMENTAL LOAN AUTHORITY STUDENT LOAN SUBSIDY PROGRAMS FOR VARIOUS PROFESSIONS*

The act makes various unrelated changes affecting higher education statutes and programs.

Section 1 creates a task force to develop a plan to establish clinical placements for nursing students at public and private colleges and universities. The DCF Commissioner must appoint a

registered nurse employed by DCF within 30 days of the effective date.

The task force shall examine:

1. The types of state facilities that can accommodate these clinical placements, including state correctional facilities and facilities operated by DCF, DMHAS and DDS;
2. The number and type of clinical placements that may be established at each state facility;
3. The staffing requirements for providing the clinical placements and the facilities' compliance with them; and
4. The total and per-student cost to state facilities to provide the clinical placements.

Effective date: July 1, 2023

Public Act 23-93 - H.B. 6900 - *AN ACT CONCERNING THE TRANSFORMING CHILDREN'S BEHAVIORAL HEALTH POLICY AND PLANNING COMMITTEE*

The act changes the name of the new children's behavioral health committee established last year to Transforming Children's Behavioral Health Policy and Planning Committee and defines behavioral health as mental health and substance use disorders, as well as overall psychological well-being. It also specifies that the committee will hold its first meeting by September 1, 2023, and change its initial reporting deadline to December 1, 2023, and its final reporting deadline to December 1, 2024.

EFFECTIVE DATE: From passage

Public Act 23-97 - S.B. 9 - *AN ACT CONCERNING HEALTH AND WELLNESS FOR CONNECTICUT RESIDENTS*

Section 6 requires prescribing practitioners, when prescribing an opioid (whether to an adult or minor patient), to encourage the patient to obtain an opioid antagonist (e.g., Narcan). If the patient is a minor, the prescriber must also encourage the patient's custodial parent, guardian or other person with legal custody to obtain an opioid antagonist, if they are present when the prescription is being issued.

EFFECTIVE DATE: October 1, 2023

Section 28 creates a 10-member task force to study childhood and adult psychosis. Under the act, "psychosis" is a severe mental condition in which disruptions to thoughts and perceptions make it difficult for a person to recognize what is real and what is not, with these disruptions often experienced as seeing, hearing, and believing things that are not real or having strange, persistent thoughts, behaviors, and emotions, including hallucinations and delusions.

The study must examine the following:

1. Establishing clinics staffed by mental health care providers in various fields who provide comprehensive care for children and adults experiencing early or first episode psychosis, to prevent the symptoms from becoming disabling;
2. Early evaluation of children and adults with psychosis symptoms and management of these symptoms, including starting treatment and making necessary referrals for additional treatment or services;
3. Creating care pathways that include specialty teams that treat children and adults experiencing early or first episode psychosis;
4. Creating a statewide model for coordinating specialty care for children and adults experiencing psychosis, as recommended by the National Institute of Mental Health;
5. Creating services for these children and adults, including collaboration on psychotherapy and pharmacotherapy, family support, education, coordination with community support services, and collaboration with employers and education systems; and
6. Strengthening existing clinical networks that treat people experiencing psychosis, with a focus on collaborative research and outcomes.

The DCF Commissioner, or designee, is a member of the task force. The chairpersons of the task force must schedule the first meeting within 60 days after the act's passage. The task force must report its findings and recommendations to the Public Health Committee by January 1, 2024.

EFFECTIVE DATE: From passage

Sections 29 through 34 require DCF, the Department of Mental Health and Addiction Services (DMHAS), and other state agencies to evaluate or report on various supports and related issues for parents, other child caregivers, or pregnant individuals with substance use disorder. Section 34 specifically requires the DCF commissioner, by January 1, 2024, to report to the Children's and Public Health committees on DCF's efforts to mitigate child safety concerns in the home when the child's caregiver has a substance use disorder.

EFFECTIVE DATE: From passage

Section 35 adds eight members to the Opioid Settlement Fund Advisory Committee by (1) increasing the number of Governor-appointed municipal representatives from 17 to 21; (2) adding two members with experience supporting infants and children affected by the opioid crisis, appointed by the DMHAS commissioner; and (3) adding the Public Health Committee chairpersons or their designees (the designees must have experience living with a substance use disorder or have a family member with such a disorder). By law, the committee ensures Opioid Settlement Fund moneys are allocated and spent on specified substance use disorder

abatement purposes and robust public involvement, accountability and transparency in allocating and accounting for the funds.

EFFECTIVE DATE: July 1, 2023

Public Act 23-101 - S.B. 2 - *AN ACT CONCERNING THE MENTAL, PHYSICAL AND EMOTIONAL WELLNESS OF CHILDREN*

Section 1 requires the Department of Public Health (DPH) to hire an employee by January 1, 2024, to assist social workers with obtaining their licenses.

Sections 4 through 6 amend the Birth to Three program by requiring individualized family service plans to be translated into Spanish for families whose primary language is Spanish. It also entitles Spanish speaking families to work with personnel and service coordinators who speak Spanish.

Section 9 permits the Department of Social Services (DSS) to seek Medicaid reimbursement, within federal law, for suicide risk assessments and other mental health evaluations provided at a school-based health center or public school.

Sections 10, 11 and 21 establish the Office of Behavioral Health Advocate within the Insurance Department to advocate for and assist behavioral health providers.

Section 12 reduces the application fee for a clinical social worker license from \$315 to \$200 and for a master social worker license from \$220 to \$120. Renewal fees shall be \$200 for LCSW and \$125 for an LMSW.

Section 15 extends the Task Force to Study the Comprehensive Needs of Children in the State termination date to July 1, 2025 and requires the task force to analyze services and programs established using ARPA funding, which programs should be continued and what service gaps remain.

Section 18 requires a public defender who is appointed by the juvenile court to represent a child in any court proceeding to continue representing the child for the duration of the proceeding even if the child turns 18.

EFFECTIVE DATE: July 1, 2023

Public Act 23-106 - S.B. 5 - *AN ACT STRENGTHENING THE PROTECTIONS AGAINST AND RESPONSE TO DOMESTIC VIOLENCE*

The act expands the Judicial Branch's electronic monitoring pilot program for family violence offenders by requiring the Branch to establish the program in each judicial district by October 1,

2025. The monitoring is designed to warn law enforcement agencies, a statewide information collection center, and the victim when the person is within a specified distance of the victim.

The act prohibits the court from ordering an injured spouse to make temporary or permanent alimony payments to a spouse who is convicted of any of the following crimes after the marriage date:

1. criminal attempt or conspiracy to commit murder, murder with special circumstances, felony murder, or arson murder of the other spouse;
2. 1st degree sexual assault and 1st degree aggravated sexual assault of the other spouse;
3. a class A or B felony offense of 2nd degree sexual assault or 3rd degree sexual assault with a firearm when the spouse was the victim;
4. a class A or B felony family violence crime; or
5. any crime in another state with essential elements that are substantially the same as the crimes listed above.

EFFECTIVE DATE: July 1, 2023, except the provisions related to alimony orders are effective October 1, 2023.

Public Act 23-113 - S.B. 1204 - AN ACT CONCERNING THE CONNECTICUT INDIAN CHILD WELFARE ACT

This act codifies into state law the federal Indian Child Welfare Act of 1978 (ICWA), which governs jurisdiction over the removal of American Indian children from their families in custody, foster care and adoption cases. Under existing federal law, ICWA only applies to federally recognized tribes (e.g., the Mashuntucket Pequots and Mohegans). This act expands ICWA's coverage to the state-recognized Golden Hill Paugussett, Paucatuck Eastern Pequot and Schaghticoke Tribes.

Under the act, an "Indian child" is an unmarried person, under age 18, who is (1) a member of a federally or Connecticut-recognized Indian tribe or (2) eligible for tribal membership and a biological child of a tribe member.

EFFECTIVE DATE: From passage

Public Act 23-133 - H.B. 6909 - AN ACT CONCERNING STATE AGENCY COMMUNICATIONS RELEVANT TO THE LATIN AMERICAN COMMUNITY

This act requires state agencies and employees, when referring to the Latin American community in an official communication or form, to use the terms "Latino," "Latina," and "Latine," effectively prohibiting the use of "LatinX."

EFFECTIVE DATE: October 1, 2023

Public Act 23-137 - H.B. 5001 - AN ACT CONCERNING RESOURCES AND SUPPORT SERVICES FOR PERSONS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY

Section 9 requires DDS, DCF and DESPP, by December 1, 2023, to jointly develop guidelines and best practices for municipalities for the creation and implementation of emergency services awareness programming for children and adults with autism spectrum disorder, cognitive impairments, nonverbal learning disorders, intellectual disabilities and other developmental disabilities. Once completed, the departments must post the guidelines on their websites.

Section 10 requires the Department of Administrative Services (DAS), in consultation with the E-911 Commission established pursuant to section 28-29a of the general statutes and the Coordinating Advisory Board established pursuant to section 29-1t of the general statutes, to develop and procure sensory kits to be distributed by DESPP to emergency services personnel who interact with children and adults with autism spectrum disorder, cognitive impairments or nonverbal learning disorders. DCF is a member of the E-911 Commission and the Coordinating Advisory Board.

Any municipality may apply to DESPP to receive the sensory kits for use by emergency services personnel, however, distribution will be limited to 75 municipalities, based on criteria developed by DESPP.

Sec. 13 requires the Office of Policy and Management (OPM), in consultation with several state agencies including DCF, to create a plan to develop a secure online portal to facilitate sharing of basic critical information across agencies to ensure efficient and safe delivery of services.

Sections 26 & 30 require the Connecticut State Department of Education (CSDE) to employ a State-Wide Transition Services Coordinator within the Bureau of Special Education to coordinate transition resources and programs for youth. DCF must appoint an employee to be a liaison with the State-Wide Transition Services Coordinator on behalf of the department.

Section 36 revises state statute to align with a federal court ruling by requiring boards of education to provide special education to eligible students up until the student graduates high school or until the end of the school year during which the child reaches the age of 22. Prior law required school boards to provide special education up to age 21. This includes a child placed outside of the child's home by DCF or a facility licensed by DCF.

Sections 45 and 46 requires CSDE to employ a Mediation Services Coordinator within the Bureau of Special Education who will facilitate the expansion of mediation services offered by the department and oversee and coordinate the mediation services for each school district in the state. DCF, on behalf of a child in the department's custody, may seek mediation services for the child through the Mediation Services Coordinator.

Sections 65 through 68 provide additional flexibility for community residences or child-care residential facilities (i.e. group homes) licensed by DDS, DMHAS and DCF. Community residences can now have a maximum of 8 residents (previously 6) and may be within 1000 feet of each other.

EFFECTIVE DATE: October 1, 2023

Public Act 23-147 - S.B. 986 - *AN ACT PROTECTING MATERNAL HEALTH*

Sections 10 and 11 create an infant mortality review program and an Infant Mortality Review Committee within DPH to conduct a comprehensive, multidisciplinary review of infant deaths to reduce health care disparities, identify factors associated with infant deaths, and make recommendations to reduce these deaths.

The DCF Commissioner, or a designee, is a member of the committee.

The DPH commissioner, or a designee, and a representative designated by the American Academy of Pediatrics' Connecticut chapter, co-chair the committee. The co-chairs must convene a committee meeting when the commissioner requests it.

Within 90 days after completing an infant mortality review, the act requires the committee, in consultation with the Office of the Child Advocate, to report its findings and recommendations to the DPH commissioner in a way that meets the confidentiality requirements established in the act.

EFFECTIVE DATE: October 1, 2023

Public Act 23-148 - H.B. 6643 - *AN ACT CONCERNING INSURANCE COVERAGE FOR THE PROVISION OF MENTAL HEALTH WELLNESS EXAMINATIONS*

This act eliminates the requirement that commercial health insurance policies cover mental health wellness examinations by a primary care provider. The act maintains existing law's requirement that the policies cover the examinations when performed by a licensed mental health professional.

EFFECTIVE DATE: July 1, 2022

Public Act 23-176 - S.B. 1133 - *AN ACT CONCERNING CIRCUMSTANCES PRESENTING A SUBSTANTIAL RISK TO A CHILD'S HEALTH OR SAFETY*

This act limits the circumstances under which a parent or guardian may be found guilty of injury or risk of injury to a minor by leaving a minor unattended in a public place or motor vehicle.

Under existing law, it is a class A misdemeanor for any parent, guardian or person with custody, control or supervision of a child under age 12 to knowingly leave the child unsupervised in a place of public accommodation or motor vehicle for a period of time that presents a substantial risk to the child's health or safety.

When determining whether someone committed this violation, the act requires consideration to be given to whether the person exercised judgment that a reasonable person would use to determine if the child was of sufficient age, maturity, and physical and mental ability to be unsupervised under the circumstances.

The act also prohibits a finding of substantial risk based solely on the person allowing a child who is of sufficient age, maturity, physical condition and mental ability to participate in independent activities, if a reasonable person would not believe participating creates an obvious danger to the child's safety.

EFFECTIVE DATE: October 1, 2023

Public Act 23-186 - S.B. 989 - *AN ACT CONCERNING NURSING HOME AIR CONDITIONING, COST REPORTING TRANSPARENCY, WAITING LIST REQUIREMENTS, INVOLUNTARY PATIENT TRANSFER NOTICES AND TRANSPORTATION FOR RESIDENT SOCIAL VISITS*

Sections 2 and 3 establish a program to permit certain human service non-profit providers to maintain and reinvest surplus contract dollars at the end of each fiscal year. A plan must be developed by each provider in coordination with the state department who manages the contract in which a surplus is realized. DCF providers are among those that are authorized to maintain their surplus.

DCF must develop an application form and method for the providers to use when presenting their plan for reinvestment. Once a plan is submitted, DCF has 90 days to respond to approve, disapprove or modify the request.

EFFECTIVE DATE: July 1, 2023

Public Act 23-188 - H.B. 6888 - *AN ACT CONCERNING JUVENILE JUSTICE*

Section 1 establishes an implementation team to develop a plan for prearrest diversion of low-risk children. Members of the team include the commissioners of DCF, CSDE and the Department of Correction (DOC), or their designees, the executive director of the Court Support Services Division of the Judicial Branch, or the executive director's designee, and representatives of local and regional boards of education and a representative of a juvenile review board, appointed by the chairpersons of the Juvenile Justice and Policy Oversight Committee (JJPOC). The plan must be submitted to JJPOC by July 1, 2024.

Section 2 adds members to JJPOC: two persons under 26 years old with lived experience in the juvenile justice system, one community member who has some experience with the juvenile justice system, one member of the Mashantucket Pequot Tribe and one member of the Mohegan Tribe.

Section 3 requires the executive director of the Court Support Services Division of the Judicial Branch, or the executive director's designee, and the Commissioners of DCF, CSDE and DOC, or their designees, in consultation with the incarceration, community expertise and education subcommittees of the JJPOC, to develop a reentry success plan for youth released from DOC and facilities and programs under the jurisdiction of the Judicial Department. The plan will be sent to the JJPOC by January 1, 2024.

EFFECTIVE DATE: From Passage

Public Act 23-194 - S.B. 984 - AN ACT ACCELERATING THE STATE HIRING PROCESS

This act makes various changes in the State Personnel Act, which governs hiring employees for the state employee classified service. Under the act, an appointing authority is allowed to (1) immediately fill a position with someone on a candidate list, if doing so would maintain operational efficiency and productivity, and complete any pre-employment checks during the new employee's working test period, (2) fill a position, under certain circumstances, with someone on a candidate list for a comparable position class, and (3) begin the screening process as soon as the applicable job opening is posted. It also requires an appointing authority to notify DAS when a position becomes vacant because its previous holder was promoted and the appointing authority determines that it should be filled.

EFFECTIVE DATE: July 1, 2023

Public Act 23-204 - H.B. 6941 - AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2025, AND MAKING APPROPRIATIONS THEREFOR, AND PROVISIONS RELATED TO REVENUE AND OTHER ITEMS IMPLEMENTING THE STATE BUDGET

This act establishes the state's biennium budget for fiscal years 2024 and 2025. The line items below indicate the funding for programs within DCF:

DEPARTMENT OF CHILDREN AND FAMILIES	FY 2024	FY 2025
Personal Services	305,497,883	309,141,905
Other Expenses	29,505,812	28,837,956
Family Support Services	1,037,746	1,037,746
Differential Response System	9,140,302	9,140,302

Regional Behavioral Health Consultation	1,792,453	1,792,453
Community Care Coordination	8,734,955	8,734,955
Health Assessment and Consultation	1,558,211	1,558,211
Grants for Psychiatric Clinics for Children	17,749,403	17,749,403
Day Treatment Centers for Children	8,014,992	8,014,992
Child Abuse and Neglect Intervention	9,751,391	9,751,391
Community Based Prevention Programs	9,212,132	9,212,132
Family Violence Outreach and Counseling	3,926,815	3,926,815
Supportive Housing	20,805,454	20,805,454
No Nexus Special Education	2,327,768	2,396,390
Family Preservation Services	7,062,473	7,062,473
Substance Abuse Treatment	9,738,188	9,738,188
Child Welfare Support Services	2,804,494	2,804,494
Board and Care for Children - Adoption	106,884,511	106,884,511
Board and Care for Children - Foster	121,399,713	121,399,713
Board and Care for Children - Short-term and Residential	68,855,247	68,855,247
Individualized Family Supports	3,821,264	3,821,264
Community Kidcare	47,294,772	47,294,772
Covenant to Care	181,332	181,332
Juvenile Review Boards	6,000,000	6,000,000
Youth Transition and Success Programs	991,421	991,421
Youth Service Bureaus	2,733,240	2,733,240
Youth Service Bureau Enhancement	1,115,161	1,115,161
AGENCY TOTAL	807,937,133	810,981,921

Section 107 allows DAS to perform background checks for prospective employees for DCF due to the centralization of human resources.

Section 197 changes the membership of the Commission on Racial Equity in Public Health by removing all Executive Branch agency commissioners.

Section 277 establishes an Autism Spectrum Disorder Advisory Council to advise the Secretary of OPM concerning policies and programs for persons with autism spectrum disorder and recommendations to improve coordination and address gaps in autism services. The DCF Commissioner, or a designee, is a member of the council. Several sections of the budget act transfers the oversight of autism spectrum disorder services from DSS to OPM.

Section 347 authorizes the Office of Early Childhood (OEC) to institute a protective service class in which the OEC commissioner may waive eligibility requirements for at-risk populations that meet the guidelines prescribed by the commissioner. Such at-risk populations are children

placed in a foster home by the DCF and for whom the parent or legal guardian receives foster care payments, adopted children for one year from the date of adoption and homeless children and youths. This will enable OEC to pay for childcare services for children involved with DCF.

EFFECTIVE DATE: July 1, 2023

Public Act 23-205 - H.B. 6942 - AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE AND CONCERNING GRANT PROGRAMS, STATE CONSTRUCTION RELATED THRESHOLDS, SCHOOL BUILDING PROJECTS, RESOURCES AND SUPPORT SERVICES FOR PERSONS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY, FAILURE TO FILE FOR CERTAIN GRAND LIST EXEMPTIONS, ELECTIONS, AND OTHER ITEMS IMPLEMENTING THE STATE BUDGET

Sections 105 and 106 permit state agencies to manage their own construction projects up to a threshold of \$1 million. Currently, any project costing over \$500,000 must be done in consultation with the Construction Services division of DAS. Each year, that threshold will change according to the Producer Price Index by Commodity: Construction (Partial) (WPU80).

EFFECTIVE DATE: July 1, 2023