

Legislative History for Connecticut Act

PA15-71

HB6973

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Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

**VOL.58
PART 10
3146 – 3496**

/pt
HOUSE OF REPRESENTATIVES

20
May 19, 2015

Have all the members voted? Have all the members voted? Will members please check the board to make sure your vote is properly cast.

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

CLERK:

House Bill 6738	
Total Number Voting	133
Necessary for Passage	67
Those voting Yea	133
Those voting Nay	0
Absent and not voting	18

SPEAKER SHARKEY:

The bill passes. Will the Clerk please call Calendar 245.

CLERK:

On Page 52, Calendar 245, Mr. Speaker, Favorable Report of the Joint Standing Committee on Judiciary, Substitute House Bill 6973 AN ACT ADOPTING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT OF 2008.

SPEAKER SHARKEY:

/pt
HOUSE OF REPRESENTATIVES

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May 19, 2015

Representative Abercrombie, you have the floor.

REP. ABERCROMBIE (83rd):

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

SPEAKER SHARKEY:

Question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, madam?

REP. ABERCROMBIE (83rd):

Thank you, Mr. Speaker. Mr. Speaker, this bill adopts revisions to the Uniform Interstate Family Support Act. This adoption will allow us to continue to get federal funding under the Child Support Enforcement Program.

Mr. Speaker, the Clerk has an amendment, LCO 7149. I ask that it be called and I be granted leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 7149, which will be designated House "A."

CLERK:

/pt
HOUSE OF REPRESENTATIVES

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May 19, 2015

House Amendment "A," LCO 7149 introduced by
Representatives Abercrombie, Gentile and Rojas.

SPEAKER SHARKEY:

The Chairwoman has sought leave of the Chamber to summarize. Is there objection? Seeing one, you may proceed with summarization, madam.

REP. ABERCROMBIE (83rd):

Thank you, Mr. Speaker. Mr. Speaker, simply, this eliminates the term foreign central authority, which is not listed anywhere else in the bill. I move adoption.

SPEAKER SHARKEY:

The question before the Chamber is adoption of House "A." Will you remark? If not, let me try your minds. All those in favor of House "A" please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay? The ayes have it. The amendment is adopted. Would you care to remark further on the bill as amended? Further on the bill as amended? Representative Case.

REP. CASE (63rd):

/pt
HOUSE OF REPRESENTATIVES

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May 19, 2015

Good afternoon, or good morning, Mr. Speaker, once again. I rise in great support of this bill in Human Services Committee. I did vote against it in Committee as a over a 2,500 line bill, and to the good, a question to the good Chairwoman of Human Services, Mr. Speaker.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CASE (63rd):

Given this bill and the headlines to support the Act of 2008, we as a Legislature have adopted parts of this bill in the past, and now what this is doing is bringing us in compliance with the federal laws. Is that correct, through you, Mr. Speaker?

SPEAKER SHARKEY:

Representative Abercrombie.

REP. ABERCROMBIE (83rd):

Through you, Mr. Speaker, yes, because the President did not sign it until September 29, 2014, through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Case.

REP. CASE (63rd):

/pt
HOUSE OF REPRESENTATIVES

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May 19, 2015

Mr. Speaker, I thank the good answer from the Chairwoman of Human Services, and I ask for great support from my other colleagues in the House. Thank you very much.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark? Would you care to remark further on the bill as amended?

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

CLERK:

The House of Representatives is voting by
roll. The House of Representatives is voting by roll. Will members please report to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Will members please check the board to make sure your vote has been properly cast.

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

CLERK:

/pt
HOUSE OF REPRESENTATIVES

25
May 19, 2015

House Bill 6973 as amended by House "A"

Total Number Voting	134
Necessary for Passage	68
Those voting Yea	134
Those voting Nay	0
Absent and not voting	17

SPEAKER SHARKEY:

The bill, as amended, passes. The Chamber
will stand at ease for a moment.

(Chamber at ease.)

DEPUTY SPEAKER MILLER:

The House will come back to order. Will the
Clerk please call Calendar No. 384.

CLERK:

On Page 23, Madam Speaker, Calendar No. 384,
Favorable Report of the Joint Standing Committee on
Government Administration and Elections, Substitute
House Bill 7000 AN ACT CONCERNING THE DEPARTMENT OF
ADMINISTRATIVE SERVICES, EXAMINATIONS FOR STATE
EMPLOYMENT AND STATE WORKERS' COMPENSATION PAYMENTS
TO REFERRING PARTICIPATION, excuse me,
PRACTITIONERS.

**S - 686
CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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SENATE

214
May 28, 2015

So ordered, sir.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 14, Calendar 490, House Bill 6952, I'd like to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 14, Calendar 491, Senate Bill 795, 7-9-5. I'd like to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 16, Calendar 507, House Bill 6946, I'd like to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR DUFF:

Thank you, Madam President. On Calendar Page 27, Calendar 568, House Bill 6973, I'd like to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR DUFF:

Thank you, Madam President. And the next item, to be marked go, to be Calendar Page 37 -

May 28, 2015

SENATE

THE CHAIR:

Thank you. Mr. Clerk, will you please call the bills on the Consent Calendar?

CLERK:

On Page 3, Calendar 189, Senate Bill No. 23. Page 5, Calendar 330, Senate Bill 73. Page 8, Calendar 435, House Bill 6839. Page 10, Calendar 463, House Bill 6833. Also on Page 10, Calendar 461, House Bill 6403.

On Page 11, Calendar 470, House Bill 7007. On Page 12, Calendar 474, House Bill 6925. On Page 14, Calendar 490, House Bill 6952, and on Page 16, Calendar 507, House Bill 6946.

On Page 18, Calendar 514, House Bill 6787 and Page 24, Calendar 548, House Bill 6942. On Page 27, Calendar 568, House Bill 6973 and Page 30, Calendar 581, House Bill 6695. On Page 34, Calendar 138, Senate Bill 957 and also on Page 34, Calendar 92, Senate Bill 6, I'm sorry, Senate Bill 853.

Page 37, Calendar 249, Senate Bill 99, Page 38, Calendar 324, Senate Bill 451, and on Page 40, Calendar 401, Senate Bill 949.

THE CHAIR:

All the bills are called. At this time, Mr. Clerk, I'd call for a roll call vote and the machine will be open on the Consent Calendar.

CLERK:

Immediate roll call has been ordered in the Senate on today's Consent Calendar. Immediate roll call has been ordered in the Senate.

[pause]

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk, will you please call the tally.

/pt
SENATE

227
May 28, 2015

CLERK:

On today's Consent Calendar

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

The Consent Calendar is passed. [gavel] Senator Duff.

SENATOR DUFF:

Thank you, Madam President. Before we announce the time for tomorrow, I'll yield to any points of personal privilege or announcements.

THE CHAIR:

Are there any points of personal privilege or announcements? Senator Bye, are you standing for a reason? Senator Bye.

SENATOR BYE:

Thank you, Madam President, yes. I'm calling for purposes of an announcement.

THE CHAIR:

Please proceed, ma'am.

SENATOR BYE:

Tomorrow morning at 10 a.m., the Appropriations Committee will meet in Room 2C to consider bills. Thank you, Madam President. I should have said this morning.

THE CHAIR:

Yes, you're right. It is this morning, ma'am. Thank you very much.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**HUMAN
SERVICES
PART 5
1942 – 2195**

2015

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March 17, 2015

aac/gbr HUMAN SERVICES COMMITTEE

12:00 P.M.

CHAIRMEN: Senator Moore
Representative Abercrombie

MEMBERS PRESENT:

SENATORS: Markley, Slossberg

REPRESENTATIVES:

Buck-Taylor, Butler, Byron,
Case, Cook, Ferraro,
Morris, Porter, Rosati,
Santiago, Stallworth, Wood,
Zupkus, McGee

REP. ABERCROMBIE: Welcome to the Human Services Public Hearing. It's great to see everybody here today. We will start with the elected officials and the first person up is Commissioner Bremby. Good afternoon, sir. We're going to have you sit to the side. Thank you, sir.

COMMISSIONER RODERICK BREMBY: Good afternoon Senator Moore, Representative Abercrombie, distinguished members of the Human Services Committee. I am an appointed official and I'm here today to testify on one bill raised on one bill raised on behalf of the department and in addition I will offer remarks on several other bills on the agenda today which will impact the department.

SB 271
HB 5960

We'll start with House Bill 6973 AN ACT ADOPTING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT OF 2008. This bill adopts the 2008 revisions to the Uniform Interstate Family Support Act as recommended by the National Conference of Commissioners on Uniform state laws and required by public law 113-183, Preventing Sex Trafficking and Strengthening Families Act.

Connecticut adopted UIFSA 2001 in Public Act 07-247, effective January 1, 2008. UIFSA 2008 includes provisions to incorporate the Hague Convention on International Recovery of Support and Other Forms of Family Maintenance. This multilateral treaty, consented to by the senate, the US Senate in 2010, provides for the structured exchange of information and consistent enforcement of international cases of child support.

It is important for the Department to note that under Public Law 113-183, verbatim adoption of UIFSA is required as IV-D State Plan requirement to continue to receive federal funding for the IV-D Child Support Enforcement Program. Currently, the IV-D Child Support Enforcement Program receives sixty-six percent federal reimbursement for all costs. The cost of the program in Federal Fiscal Year 2014 is \$79 million, including a federal match of over \$52 million. Failure of the state to maintain and approve IV-D state plan also puts temporary assistance for needy families or TANF block grant funds at risk, In Federal Fiscal Year 14, funds for the TANF block grant totaled \$266.8 million. The state must adopt the act by July 2015 in order to remain compliant with federal requirements. We ask for your support on this bill.

Moving on to the next bill that impacts the department. Senate Bill 271 AN ACT CONCERNING MEDICAID REFORM TO PROMOTE AGING IN PLACE. This proposal establishes a pilot program to fund services under the Connecticut Home Care Program for Elders for specified number of applicants who require a skilled level of nursing care and who are determined to be presumptively eligible for Medicaid coverage.

The Department appreciates the committee's

referral agency to go interpret at Social Security Administration. They do not know the community here. How do they make that appropriate match? It's an impossibility. So it's a warm body situation which is disconcerting at best.

REP. ABERCROMBIE: So why do you think that our agencies would go outside of DORS? Is it lack of knowledge? I mean, I don't understand why if you're there why they're not going to DORS first.

SANDRA LEE: Well, this is my opinion. I'm not representing DORS. I do believe that when we were CDHI the Commission on the Deaf and Hearing Impaired, the community knew that. The state agencies knew that. And then when it was changed and we were merged and then became DORS I think some of that knowledge base kind of transitioned away and didn't realize. I think that that was a large part of the problem and I think that probably employee turnover also comes into play as well. And if DORS couldn't provide for whatever reason and couldn't negotiate a time and place where they can accomplish business in a timely fashion, then they sought an outside source.

REP. ABERCROMBIE: Thank you. Questions from committee members. No. Thank you very much for your testimony. We appreciate it.

Moving on to House Bill 6973. Barry Hawkins.

BARRY HAWKINS: Thank you committee co-chair Senator Moore, co-chair Representative Abercrombie, members of the Human Services Committee. My name is Barry Hawkins. I am a resident of Bridgeport, Connecticut. I practice law in Stamford Connecticut, as a partner of Shipman and Goodwin and in Connecticut I am a Uniform

Law Commissioner. I have been one since 1999, appointed and serving at the pleasure of the governor.

I'm here to testify in favor of House Bill 6973 and I've submitted written testimony, which I would like you to take a look at. I'm tempted to say, after Commissioner Moore -- I'm sorry, Commissioner Porter testified that one could stop at the point and say if we pass H.B. 6973 we can save \$62 million that the federal government will take away from us if we don't pass it. And that would be the end of the story. But I think that's a very poor story, or at least a very incomplete story.

I wanted to give you a little bit of background why the federal government would impose this mandate on us to do something by July 15 or cost us \$62 million. It requires a little bit of explanation but Interstate Family Support Act is a Uniform Law because it's not a federal law. It's not something that Congress passes. Family Support is a matter of state law historically in the United States. The Uniform Act, which created the Uniform Family Support Act, Interstate Family Support Act was done so that we can have unity among various states of the United States. So that if someone had a family support order from Connecticut and they moved to California, it can be enforced in California and vice versa.

From 1998 until 2008 all fifty-three jurisdictions in the United States, the fifty states, the District of Columbia, the Commonwealth of Puerto Rico and the US Virgin Islands all enacted the Family Support Act. It took that long to get all the states to do that. In 2007, Congress and the State Department negotiated and entered into a treaty, the Hague Convention.

The Hague Convention provides that Family Support Acts will be enforced in England or in India or Bangladesh if they are exported from the United States. So if somebody moves from the United States and they have a Family Support Act Order it will be enforced in Bangladesh and vice versa. But that only works if Congress has a way in which the Treaty of Gent, the Hague Convention can be adopted in the United States by each of these fifty three jurisdictions. It's so important to the federal government that it be able to enter -- internationalize the ability to have these agreements that they've asked the Uniform Law Commission to come up with the 2008 Amendments to the Uniform Family Support Act which would allow for reciprocity among countries as opposed to just states.

That's what you have before you today. It languished for a long time and congress said how can we juice it up and make sure that all the states enact this bill which will allow for reciprocity because if we don't have it in India it's not going to be any of use for someone who moves from Connecticut to India. We want to make sure that all of the states enforce it so that the United States is fully participating in this internationalization of Family Support Acts.

Twelve states have now enacted it. All of the remaining jurisdictions have it in their legislative agenda and the federal government in the Family Support Act of 2013 said we're going to impose a deadline on the states to get this act together and get this enforced so they adopted the 2008 amendments and we'll have reciprocity around the world as more countries enter into the Hague -- into this convention.

Without that, people from Connecticut would be disadvantaged if they moved to a foreign country and tried to get their support act from their court in Connecticut enforced in a country which had not adopted that convention.

Thank you very much. I have gone a little bit over and I'd be glad to answer any questions you may have.

REP. ABERCROMBIE: Thank you. Thank you for your testimony. Questions? Thank you very much for your testimony. We do appreciate it.

BARRY HAWKINS: You're very welcome.

REP. ABERCROMBIE: Moving on to House Bill 6960.
Karen Buckley Bates.

HB 6960
KAREN BUCKLEY BATES: Good afternoon. My name is Karen Buckley Bates. I'm the Director of Government Relations for the Connecticut Hospital Association and I'm joined today by Jennifer Cox of Cox and Osowiecki who is the outside counsel to CHA who's here to assist in answering any questions you may have.

The Connecticut Hospital Association appreciates the opportunity to submit testimony today concerning House Bill 6960 AN ACT CONCERNING MEDICAID PRESCRIPTIONS WRITTEN BY HOSPITAL RESIDENT PHYSICIANS AND INTERNS AND THE IMPLEMENTATION OF ELECTRONIC HEALTH RECORD STANDARDS and CHA supports the bill.

You have my written testimony so I'm just going to take a few moments to summarize and let you know that House Bill 6960 seeks to remedy two separate issues or problems that hospitals are having today that are negatively impacting hospitals as a result of some actions by DSS and processes set up by DSS.



Uniform Law Commission
NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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Barry C. Hawkins
Commissioner, Connecticut

Testimony of Barry C. Hawkins
Connecticut Uniform Law Committee
In Support of Raised H.B. 6973
Uniform Interstate Family Support Act of 2008
March 17, 2015
Human Services Committee

Co-Chair Moore, Co-Chair Abercrombie, and Members of the Committee:

My name is Barry C. Hawkins. I am a resident of Bridgeport, Connecticut and practice law as a Partner in the firm of Shipman & Goodwin LLP, in its Stamford office. I am a Uniform Law Commissioner for the State of Connecticut, serving in that position since 1999, at the pleasure of the Governor.

The Uniform Law Commission (ULC) has a long history of developing uniform acts intended to ensure the more universal recognition and enforcement of child support orders.

Since 1998, the Uniform Interstate Family Support Act (UIFSA) has been the law of every state in the country. Since its initial adoption in 1992, UIFSA has provided uniform rules for the enforcement of family support orders in the states, and has served as the basis for interstate establishment and enforcement of support obligations. UIFSA is used daily in the numerous interstate cases which are processed through the child support system in the United States.

In an age of globalization, the international expansion of consistent rules for enforcement of child support, such as those provided under UIFSA, seems a natural development and one which the ULC believes will be advantageous to all American citizens. In 2007, the United States signed the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. The Convention will provide a mechanism whereby support orders of Courts of the United States will be recognized and enforced in other countries. Although Courts in the United States, as a general matter, already recognize and enforce the orders of foreign Courts, the reverse is not always the case.

In time, it is anticipated that the Convention will be adopted by many other countries. This will help assure acceptance of American Court orders in other lands. No longer will American citizens have to re-litigate support matters in a distant country or forego support altogether.

The establishment, enforcement, and modification of family support orders are basically matters of state law. Thus, UIFSA was deemed a logical vehicle for implementing the provisions of the Convention that impact state law. The ULC was well positioned to carry out this approach because of its experience with the subject matter and its mission of fostering uniformity in state law.

The ULC worked closely with representatives of the federal government and child support organizations to draft amendments that would implement the Convention provisions without imposing burdensome changes to existing state practices. Accordingly, the changes made to UIFSA in 2008 were limited to only those necessary to accommodate the Convention.

Congress, as an important part of the 2014 Preventing Sex Trafficking and Strengthening Families Act, is now requiring that all states update their version of UIFSA to reflect changes made to the act by the ULC as of 2008. Specifically, the new federal law requires that all states enact the 2008 version of UIFSA by the end of their 2015 legislative session in order to continue receiving federal funds supporting state child support programs. Simply stated, Connecticut must adopt the 2008 Amendments or lose valuable federal funding.

Recognizing the importance of the changes for international child support orders, twelve states have already enacted UIFSA 2008. It is expected that all remaining states will enact the updated version of UIFSA by the end of this year. We are not aware that anyone is opposing enactment of HB6973.

I urge a positive vote on HB 6973 to update Connecticut's version of UIFSA. Doing so will improve the enforcement of American child support orders abroad, ensuring that more children residing in the United States will receive the financial support due from parents, wherever the parents reside.

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

STATE OF CONNECTICUT
JUDICIAL BRANCH

EXTERNAL AFFAIRS DIVISION

231 Capitol Avenue
Hartford, Connecticut 06106
(860) 757-2270 Fax (860) 757-2215

Testimony of Stephen N. Ment
Human Service Committee Public Hearing
March 17, 2015

House Bill 6973, An Act Adopting The Uniform Interstate Family Support Act of 2008

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in support of House Bill 6973, An Act Adopting the Uniform Interstate Family Support Act of 2008. This bill is principally designed to promote efficient child support services in interstate matters, and improved services in international child support cases. It is unanimously supported by the Department of Social Services (DSS), the Office of the Attorney General, and the Judicial Branch.

As members of the Committee may be aware, this bill responds to federal legislation signed by the President in 2014 which required states to adopt the 2008 Uniform Interstate Family Support Act (UIFSA) verbatim. Failure to do so would have significant consequences, as it would jeopardize the 66% federal reimbursement that Connecticut receives for all child support expenditures.

In addition, the bill also contains sections specific to Connecticut. For example, it re-instates language currently in statute (but removed by the model act) that outlines the Judicial Branch's Support Enforcement Services (SES) authority in interstate cases and provides that SES may perform clerical and administrative duties on behalf of the Family Support Magistrate Division. Similarly, the bill re-instates due process protections for Connecticut residents when direct income withholdings are issued from other states.

The Judicial Branch wishes to thank representatives of DSS for their leadership on this bill, and for all of its efforts in bringing it before the Committee today. We urge approval of this significant and necessary legislation. Thank you for the opportunity to submit written testimony in support of this bill.



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page 1



*Testimony before the Human Services Committee
Roderick L. Bremby, Commissioner
March 17, 2015*

Good afternoon, Senator Moore, Representative Abercrombie and distinguished members of the Human Services Committee. My name is Roderick Bremby and I am the Commissioner of the Department of Social Services. I am pleased to be before you today to testify on one bill raised on behalf of the Department. In addition, I offer remarks on several other bills on today's agenda that impact the Department.

SB271
HB1960

Bill Raised on Behalf of DSS:

H.B. No. 6973 (RAISED) AN ACT ADOPTING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT OF 2008

This bill adopts the 2008 revisions to the Uniform Interstate Family Support Act (UIFSA), as recommended by the National Conference of Commissioners on Uniform State Laws and required by Public Law 113-183, the Preventing Sex Trafficking and Strengthening Families Act.

Connecticut adopted UIFSA 2001 in Public Act 07-247 effective January 1, 2008. UIFSA 2008 includes provisions to incorporate the Hague Convention on International Recovery of Child Support and Other Forms of Family Maintenance. This multilateral treaty, consented to by the Senate in 2010, provides for the structured exchange of information and consistent enforcement of international cases of child support.

It is important for the Department to note that under Public Law 113-183, verbatim adoption of UIFSA is required as IV-D State Plan requirement to continue to receive federal funding for the IV-D child support enforcement program. Currently, the IV-D child support enforcement program receives 66 percent federal reimbursement for all costs. The cost of the program in FFY 2014 is \$79 million, including a federal match of over \$52 million. Failure of the state to maintain an approved IV-D State Plan also puts Temporary Assistance for Needy Families (TANF) block grant funds at risk. In FFY 14 funds for the TANF block grant totaled \$266.8 million. The state must adopt the act by July 2015 in order to remain compliant with federal requirements.

We ask for your support on this bill.