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Use and Operation of the Child Abuse and Neglect Registry

Secs. 17a-101-1—17a-101-10.

Repealed, November 7, 2008.

Circumstances Requiring Immediate Removal of a Child from his/her Home 96-Hour Hold

Sec. 17a-101-11. Scope of regulations

Sections 17a-101-11 to 17a-101-13 inclusive pertain to the circumstances requiring immediate removal of a child from his home pursuant to Section 17a-101 of the General Statutes and the procedures to be followed in such cases.

(Effective February 1, 1994)

Sec. 17a-101-12. Circumstances requiring immediate removal

Under the following circumstances, the Commissioner in accordance with Section 17a-101-13 may immediately remove a child from his surroundings for a period not to exceed 96 hours.

(a) Presence of serious physical illness or serious physical injury.

(1) When there is probable cause to believe that immediate removal of the child and custody of a child is necessary to prevent either the child's imminent death or imminent and serious danger to the child's physical well-being, and

(2) The child's parent(s) or caretaker(s) is unable or unwilling to protect the child from such imminent death or imminent and serious danger to the child's physical well-being.

(b) Presence of immediate physical danger from surroundings.

(1) When the risk to the child appears created solely because the child has been left unattended at home, and the child's parent(s) or caretaker(s) has not returned or sufficient time has elapsed to indicate that the parent(s) or caretaker(s) does not intend to return.

(c) Child unattended outside the home and all other circumstances involving immediate physical danger to a child from surroundings.

(1) When there is probable cause to believe that immediate removal of the child and custody of the child is necessary to prevent either the child's imminent death or imminent serious danger to the child's physical well-being, and

(2) The child's parent(s) or other such caretaker(s) is unable or unwilling to protect the child from such imminent death or serious injury.

(d) Treatment by Christian Science Practitioner.

For the purpose of these regulations, the treatment of any child by a Christian Science Practitioner in lieu of treatment by a licensed practitioner of the healing arts shall not of itself constitute maltreatment.

(Effective February 1, 1994)

Sec. 17a-101-13. Procedures for immediate removal

(a) Persons authorized to remove a child.

The Commissioner of the Department of Children and Families or his designee may authorize any employee of his Department or any law enforcement officer to remove a child when the conditions of Section 17a-101-12 are met.

(b) Procedures prior to removal.

Prior to the immediate removal of a child the authorized Department of Children and Families employee shall

(1) investigate the situation and evaluate it on the basis of regulation 17a-101-12;
(2) determine if the child or family is listed in the Child Abuse and Neglect Registry. If time does not permit this investigation prior to removal, it shall be accomplished within 24 hours after the time of removal.

(3) obtain approval of the Commissioner of Department of Children and Families or his designee for the removal.

(c) **Procedures upon removal.** If the Commissioner of Department of Children and Families or his designee authorizes the employee to remove the child without the consent of the child's parent or guardian and the employee determines that immediate removal is required, the employee shall

(1) notify the parent(s), guardian, or caretaker(s) of the determination and the reason for it within 24 hours;

(2) cooperate with and accompany the designated law officer authorized to remove the child, or request the local law enforcement officials to accompany the employee if necessary.

(3) Placement Planning for the child shall give consideration to

(A) relatives who are reliable caretakers;

(B) licensed foster home;

(C) state-owned shelter care facilities or licensed, contracted child-caring facilities;

(D) hospital—if required.

(4) Make every attempt to place siblings together and maintain family ties.

(d) **Procedures during the 96-hour hold.**

Upon removal, the employee shall within 96 hours either:

(1) return the child to his parent(s), guardian or caretaker(s) with appropriate follow-up services, or

(2) assist the parent(s) or guardian in voluntarily placing the child in some other mutually acceptable living arrangement, or

(3) if the parent(s) or guardian refuses to place the child voluntarily, petition the Superior Court—Juvenile Matters for commitment of the child and an order for temporary custody.

(Effective February 1, 1994)