

*Regulations of Connecticut State Agencies*

TITLE 17b. Social Services

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*Agency*

**Department of Social Services**

*Subject*

**Hospital-based Acknowledgment of Paternity**

*Inclusive Sections*

**§§ 17b-27-1—17b-27-8**

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**Hospital-based Acknowledgment of Paternity**

**Sec. 17b-27-1. Definitions**

As used in sections 17b-27-1 through 17b-27-7, inclusive:

(1) “Acknowledgment of paternity” means the form prescribed by the Department of Public Health for the purpose of establishing the legal paternity of a child born to unmarried parents, as provided in subsection (a) of section 46b-172 of the Connecticut General Statutes. The acknowledgment of paternity includes the affirmation of paternity, the waiver, and the notice of rights and responsibilities.

(2) “Affirmation of paternity” means the signed and sworn portion of the acknowledgment of paternity in which the mother names the biological father of her child and consents to such acknowledgment of paternity.

(3) “Birthing institution” means a hospital that has an obstetric care unit or provides obstetric services, or a birthing center associated with a hospital.

(4) “Commissioner” means the commissioner of the Department of Social Services, a designee, or authorized representative.

(5) “Department” means the Department of Social Services or any bureau, division, or agency of the Department of Social Services.

(6) “Notice of rights and responsibilities” means the portion of the acknowledgment of paternity that contains the written notice to the mother and the putative father of the alternatives to, the legal consequences of, and the rights and responsibilities that arise from signing such acknowledgment, including the right to rescind the acknowledgment, as required by subdivision (a) (1) of Section 46b-172 of the Connecticut General Statutes.

(7) “Protocol” means the standards and procedures established by a birthing institution to comply with Sections 17b-27-1 to 17b-27-7, inclusive, of the Regulations of Connecticut State Agencies.

(8) “Waiver” means the portion of the acknowledgment of paternity that is signed and sworn to by the putative father wherein such father voluntarily acknowledges that he is the biological father of the child, accepts the obligation to support such child, and waives his rights to a trial, a lawyer to represent him, and a genetic test to determine paternity.

(Effective August 21, 1995; Amended June 8, 1998)

**Sec. 17b-27-2. Protocol requirement**

**(a) In general**

Each birthing institution shall develop and follow a protocol for the voluntary acknowledgment of paternity during the period immediately before or after the birth of a child to an unmarried woman in such institution.

**(b) Submittal**

The protocol developed under subsection (a) of this section shall be in writing and submitted to the commissioner. An amended protocol document shall be submitted no later than 60 days after the adoption of a significant change to an existing protocol.

**(c) Required components**

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*Department of Social Services*

The written protocol submitted in accordance with subsection (b) of this section shall specify, at a minimum, how, when, and by whom each of the following services shall be provided:

- (1) distribution of the informational materials specified in section 17b-27-3 of the Regulations of Connecticut State Agencies to the mother and the putative father;
- (2) provision of the forms and notices specified in section 17b-27-4 of the Regulations of Connecticut State Agencies to the mother and the putative father;
- (3) consultation regarding paternity establishment as required by section 17b-27-5 of the Regulations of Connecticut State Agencies;
- (4) provision of an opportunity for the mother and the father to sign an acknowledgment of paternity, as provided in section 17b-27-6 of the Regulations of Connecticut State Agencies, in the birthing institution in the presence of a notary public; and
- (5) forwarding of the completed acknowledgment of paternity to the paternity registry, as provided in section 17b-27-7 of the Regulations of Connecticut State Agencies.

(Effective August 21, 1995; Amended June 8, 1998)

**Sec. 17b-27-3. Informational materials**

The birthing institution shall distribute to both the mother and the putative father, if he is present in such institution, written informational materials about paternity establishment. Such materials shall include, but not be limited to, those developed by the department and provided to such birthing institutions specifically for the operation of the hospital-based acknowledgment of paternity program. The department shall provide such informational materials to any birthing institution upon request.

(Effective August 21, 1995; Amended June 8, 1998)

**Sec. 17b-27-4. Forms and notices**

The birthing institution shall provide to both the mother and the putative father, if he is present in such institution, the forms and notices necessary to voluntarily affirm and acknowledge paternity, respectively. The department shall provide such forms and notices to any birthing institution upon request. All of the required forms and notices are included in the acknowledgment of paternity form prescribed by the Department of Public Health pursuant to subdivision (a) (3) of Section 46b-172 of the Connecticut General Statutes.

(Effective August 21, 1995; Amended June 8, 1998)

**Sec. 17b-27-5. Consultation**

The birthing institution shall provide to both the mother and the putative father, if he is present in such institution, the opportunity to speak with staff, either by telephone or in person, who are trained to clarify information and answer questions about paternity establishment.

(Effective August 21, 1995; Amended June 8, 1998)

**Sec. 17b-27-6. Affirmation and acknowledgment opportunity**

**(a) In general**

The requirements of this section shall be satisfied if the birthing institution provides the required services, including notarization, prior to the mother's discharge, if practicable, or, if not practicable, within 10 calendar days thereafter.

**(b) Affirmation procedure**

The birthing institution shall provide to each unmarried mother the opportunity to voluntarily sign an affirmation of paternity in such institution. The birthing institution shall provide an oral and written notice of rights and responsibilities to the mother before the mother signs an affirmation of paternity. The mother's sworn signature on the affirmation of paternity shall be sufficient to ensure that she is informed, competent to understand and agree to an affirmation of paternity, and that such affirmation is voluntary and free from coercion.

**(c) Acknowledgment procedure**

The birthing institution shall provide to each putative father the opportunity to voluntarily sign an acknowledgment of paternity in such institution. The birthing institution shall provide an oral and written notice of rights and responsibilities to such father before the father signs an acknowledgment of paternity. The father's sworn signature on the waiver shall be sufficient to ensure that he is informed, competent to understand and agree to an acknowledgment of paternity, and that such acknowledgment is voluntary and free from coercion.

(Effective August 21, 1995; Amended June 8, 1998; Amended May 24, 2004)

**Sec. 17b-27-7. Filing**

The birthing institution shall promptly forward the acknowledgment of paternity completed in accordance with section 17b-27-6 of the Regulations of Connecticut State Agencies to the paternity registry established and maintained by the Department of Public Health in accordance with section 19a-42a of the Connecticut General Statutes.

(Effective August 21, 1995; Amended June 8, 1998; Amended July 10, 2000)

**Sec. 17b-27-8. Repealed**

Repealed June 8, 1998.