



General Assembly

January Session, 2015

Raised Bill No. 6714

LCO No. 3224



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

**AN ACT CONCERNING MEDICAID FUNDING TO PROVIDE OR
EXPAND PHYSICAL ACTIVITY PROGRAMS FOR PERSONS WITH
AUTISM SPECTRUM DISORDER.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 17a-215c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a Division of Autism Spectrum Disorder
4 Services within the Department of Developmental Services.

5 (b) The Department of Developmental Services shall adopt
6 regulations, in accordance with chapter 54, to define the term "autism
7 spectrum disorder", establish eligibility standards and criteria for the
8 receipt of services by any resident of the state diagnosed with autism
9 spectrum disorder, regardless of age, and data collection, maintenance
10 and reporting processes. The commissioner may implement policies
11 and procedures necessary to administer the provisions of this section
12 prior to adoption of such regulations, provided the commissioner shall
13 publish notice of intent to adopt such regulations not later than twenty

14 days after implementation of such policies and procedures on the
15 department's Internet web site and the eRegulations System. Any such
16 policies and procedures shall be valid until such regulations are
17 adopted.

18 (c) The Division of Autism Spectrum Disorder Services may, within
19 available appropriations, research, design and implement the delivery
20 of appropriate and necessary services and programs for all residents of
21 the state with autism spectrum disorder. Such services and programs
22 may include the creation of: (1) Autism-specific early intervention
23 services for any child under the age of three diagnosed with autism
24 spectrum disorder; (2) education, recreation, habilitation, vocational
25 and transition services for individuals age three to twenty-one,
26 inclusive, diagnosed with autism spectrum disorder; (3) services for
27 adults over the age of twenty-one diagnosed with autism spectrum
28 disorder; and (4) related autism spectrum disorder services deemed
29 necessary by the Commissioner of Developmental Services.

30 (d) The Department of Developmental Services shall serve as the
31 lead state agency for the purpose of the federal Combating Autism
32 Act, P.L. 109-416 and for applying for and receiving funds and
33 performing any related responsibilities concerning autism spectrum
34 disorder which are authorized pursuant to any state or federal law.

35 (e) On or before February 1, 2009, and annually thereafter, the
36 Department of Developmental Services may make recommendations
37 to the Governor and the joint standing committee of the General
38 Assembly having cognizance of matters relating to public health
39 concerning legislation and funding required to provide necessary
40 services to persons diagnosed with autism spectrum disorder.

41 (f) The Division of Autism Spectrum Disorder Services shall
42 research and locate possible funding streams for the continued
43 development and implementation of services for persons diagnosed
44 with autism spectrum disorder but not with intellectual disability. The

45 division shall take all necessary action, in coordination with the
46 Department of Social Services, to secure Medicaid reimbursement for
47 home and community-based individualized support services for adults
48 diagnosed with autism spectrum disorder but not with intellectual
49 disability. Such action may include applying for a Medicaid waiver
50 pursuant to Section 1915(c) of the Social Security Act, in order to secure
51 the funding for such services.

52 (g) The Division of Autism Spectrum Disorder Services shall, within
53 available appropriations: (1) Design and implement a training
54 initiative that shall include training to develop a workforce; and (2)
55 develop a curriculum specific to autism spectrum disorder in
56 coordination with the Board of Regents for Higher Education.

57 (h) The case records of the Division of Autism Spectrum Disorder
58 Services maintained by the division for any purpose authorized
59 pursuant to subsections (b) to (g), inclusive, of this section shall be
60 subject to the same confidentiality requirements, under state and
61 federal law, that govern all client records maintained by the
62 Department of Developmental Services.

63 (i) The Commissioner of Social Services, in consultation with the
64 Commissioner of Developmental Services, may seek approval of an
65 amendment to the state Medicaid plan or a waiver from federal law,
66 whichever is sufficient and most expeditious, to establish and
67 implement a Medicaid-financed home and community-based program
68 to provide community-based services and, if necessary, housing
69 assistance, to adults diagnosed with autism spectrum disorder but not
70 with intellectual disability.

71 (j) The Commissioner of Social Services, in consultation with the
72 Commissioner of Developmental Services, shall seek approval of (1) an
73 amendment to the state Medicaid plan, (2) a waiver from federal law,
74 or (3) programmatic changes within existing Medicaid waiver
75 programs to provide or expand (A) physical activity programs to

76 promote the physical health and well-being of persons diagnosed with
77 autism spectrum disorder, and (B) transportation for such persons to
78 and from such programs.

79 [(j)] (k) On or before January 1, [2008] 2015, and annually thereafter,
80 the Commissioner of Social Services, in consultation with the
81 Commissioner of Developmental Services, and in accordance with the
82 provisions of section 11-4a, shall [submit a] report to the joint standing
83 committee of the General Assembly having cognizance of matters
84 relating to public health [,] on: (1) [the] The status of any amendment
85 to the state Medicaid plan or waiver from federal law as described in
86 subsection (i) of this section and on the establishment and
87 implementation of the program authorized pursuant to subsection (i)
88 of this section, and (2) the status of any amendment to the state
89 Medicaid plan, waiver from federal law or programmatic changes in
90 existing Medicaid waiver programs as described in subsection (j) of
91 this section and on the establishment and implementation of the
92 program authorized pursuant to subsection (j) of this section.

93 [(k)] (l) The Autism Spectrum Disorder Advisory Council,
94 established pursuant to section 17a-215d, shall advise the
95 Commissioner of Developmental Services on all matters relating to
96 autism.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17a-215c

Statement of Purpose:

To seek Medicaid funding to provide or expand physical activity programs to promote the health and well-being of persons with autism spectrum disorder.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]