



General Assembly

January Session, 2021

Raised Bill No. 6637

LCO No. 4488



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

**AN ACT CONCERNING STATE-WIDE MENTAL HEALTH SERVICES
FOR DEAF, DEAF-BLIND AND HARD OF HEARING PERSONS.**

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

1 Section 1. (NEW) (*Effective July 1, 2021*) (a) As used in this section and
2 sections 2 to 5, inclusive, of this act:

3 (1) "Deaf person" means a person who has a hearing loss which is so
4 severe that the person has difficulty in processing linguistic information
5 through hearing, with or without amplification or other assistive
6 technology;

7 (2) "Deaf-blind person" means a person who has both a hearing loss
8 and a visual loss that present challenges in (A) processing linguistic
9 information through hearing and sight, and (B) functioning
10 independently as a sighted person without training;

11 (3) "Hard of hearing person" means a person who has a hearing loss,
12 whether permanent or fluctuating, which may be corrected by
13 amplification or other assistive technology or means but presents
14 challenges in processing linguistic information through hearing;

15 (4) "American Sign Language" or "ASL" means the visual language
16 used by deaf and hard of hearing persons in the United States and
17 Canada, with semantic, syntactic, morphological and phonological rules
18 distinct from the English language;

19 (5) "English-based manual or sign system" means a sign system that
20 uses manual signs in English language word order, sometimes with
21 added affixes that are not present in ASL;

22 (6) "Oral, aural or speech-based system" means a communication
23 system which uses a deaf or hard of hearing person's speech or residual
24 hearing abilities, with or without the assistance of technology or cues;

25 (7) "Language, communication mode or style" means one or more of
26 the following: (A) ASL, (B) English-based manual or sign systems, (C)
27 minimal sign language system to communicate with persons who use
28 home-based signs, idiosyncratic signs or a sign system or language from
29 another country, (D) oral, aural or speech-based systems with or
30 without assistive technology, and (E) tactile method ASL or protactile
31 ASL as used by deaf-blind persons;

32 (8) "Primary language, communication mode or style" means the
33 language, communication mode or style which is preferred by and most
34 effective for a particular person, or as determined by an appropriate
35 language assessment undertaken by persons proficient in the language,
36 communication mode or style being assessed;

37 (9) "Culturally and linguistically affirmative mental health services"
38 means the provision of a full continuum of mental health services to a
39 deaf, deaf-blind or hard of hearing person through an appropriately
40 licensed mental health professional fluent in the primary language,
41 communication mode or style and cultural needs of the person requiring
42 such services; and

43 (10) "Accessible mental health services" means the provision of a full
44 continuum of mental health services with the use of auxiliary aids and
45 services necessary for a deaf, deaf-blind or hard of hearing person to

46 communicate with appropriately qualified mental health professionals
47 who are not fluent in the primary language, communication mode or
48 style of the person requiring such services, including, but not limited to,
49 qualified interpreters utilizing the language or communication mode
50 used by such person, written communications or assistive listening
51 devices.

52 Sec. 2. (NEW) (*Effective July 1, 2021*) (a) There is established a bill of
53 rights for deaf, deaf-blind and hard of hearing persons in need of mental
54 health services. The rights afforded such persons, pursuant to
55 subsection (b) of this section, shall be available to such persons only to
56 the extent that such rights are implemented in accordance with other
57 provisions of the general statutes, state policies, procedures and
58 regulations, federal law, the Constitution of the state and the
59 Constitution of the United States.

60 (b) A deaf, deaf-blind or hard of hearing person has a right to:

61 (1) Culturally and linguistically affirmative mental health services
62 that accommodate the unique needs of such person;

63 (2) Accessible mental health services delivered in such person's
64 primary language, communication mode or style;

65 (3) Specialized mental health services when necessary that provide
66 appropriate and fully accessible counseling and therapeutic options
67 using an appropriate oral, aural or speech-based system tailored to the
68 unique needs of such person;

69 (4) Express his or her opinion in determining the extent, content and
70 purpose of mental health treatment or services that accommodate the
71 unique needs of such person;

72 (5) Programs offering access to a full continuum of services,
73 including, but not limited to, all modes of therapy and evaluations;

74 (6) Programs informed by appropriate research, curricula, staff and
75 outreach; and

76 (7) Express his or her views concerning the development and
77 implementation of state and regional programs for the mental health
78 service needs of such person.

79 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) The Commissioner of Mental
80 Health and Addiction Services, in consultation with the Commissioners
81 of Developmental Services, Social Services, Children and Families,
82 Aging and Disability Services and Education and the director of the
83 Bureau of Education and Services for the Blind within the Department
84 of Aging and Disability Services, shall establish a state-wide mental
85 health services program for deaf, deaf-blind and hard of hearing
86 persons that delivers services in accordance with the provisions of
87 section 2 of this act and this section.

88 (b) The state-wide mental health services program shall include, but
89 not be limited to:

90 (1) Regional service centers or options that provide for culturally and
91 linguistically affirmative mental health services and accessible mental
92 health services to deaf, deaf-blind and hard of hearing persons,
93 including the provision of sign language interpreting, video relay
94 telecommunications, captioning, telehealth and telemedicine services;

95 (2) Monitoring of all mental health programs to ensure that deaf,
96 deaf-blind and hard of hearing persons of all ages are adequately
97 served;

98 (3) An adequate allocation of state resources and funding to ensure
99 that such program provides appropriate mental health services to deaf,
100 deaf-blind and hard of hearing persons; and

101 (4) In geographical areas where there are insufficient mental health
102 professionals adequately trained in any language, communication
103 mode or style necessary to treat deaf, deaf-blind or hard of hearing
104 persons, the development and implementation of strategies to address
105 the treatment needs of such persons.

106 (c) The Commissioners of Mental Health and Addiction Services,
107 Developmental Services, Social Services, Children and Families, Aging
108 and Disability Services and Education shall assign not less than one staff
109 member from each respective agency to implement the provisions of
110 this section. Each such staff member shall possess (1) a thorough
111 understanding of the mental health needs of deaf, deaf-blind and hard
112 of hearing persons; (2) competency in ASL and knowledge of the culture
113 specific to the deaf, deaf-blind and hard of hearing community; (3) a
114 master's degree in a behavioral health or related clinical field and
115 preferably state licensure in a behavioral health or a related clinical field;
116 and (4) not less than three years of experience providing mental health
117 services to deaf, deaf-blind and hard of hearing persons.

118 (d) In implementing the provisions of this section, the Commissioner
119 of Mental Health and Addiction Services, in consultation with the
120 Commissioners of Developmental Services, Social Services, Children
121 and Families, Aging and Disability Services and Education and the
122 director of the Bureau of Education and Services for the Blind within the
123 Department of Aging and Disability Services, shall:

124 (1) Ensure the provision of appropriate consultation, training and
125 technical assistance to mental health service providers in various
126 settings such as inpatient, outpatient and residential programs serving
127 deaf, deaf-blind and hard of hearing persons with mental health needs,
128 addiction or substance abuse issues;

129 (2) Maximize the use of state resources and joint planning, including,
130 but not limited to, developing, assigning and distributing mental health
131 programming and funds or grants to public and private providers to
132 achieve optimum service delivery within the system of care;

133 (3) Develop and oversee various agency and service providers
134 responsible for the state-wide delivery of mental health services to deaf,
135 deaf-blind and hard of hearing persons;

136 (4) Establish state-wide mental health standards of care for deaf, deaf-
137 blind and hard of hearing persons, including, but not limited to,

138 standards for (A) proficiency of direct mental health service providers
139 in ASL and any other language or mode of communication, (B) in-
140 person and video remote interpretation in mental health settings, and
141 (C) qualified professionals to conduct mental health and cognitive
142 diagnostic testing of deaf, deaf-blind and hard of hearing persons,
143 including, but not limited to, requirements that such professionals be
144 appropriately credentialed mental health professionals with the
145 requisite level of fluency in ASL or the primary language,
146 communication, mode or style of such persons, or work with a qualified
147 ASL interpreter where necessary; and

148 (5) Develop and implement policies, procedures and regulations, in
149 accordance with the provisions of chapter 54 of the general statutes, for
150 a deaf, deaf-blind or hard of hearing person, or a parent or legal
151 guardian of such person to (A) file a complaint when appropriate
152 mental health services and related interpreting services are not
153 provided, and (B) decline services that do not accommodate the unique
154 needs of such person.

155 Sec. 4. (NEW) (*Effective July 1, 2021*) (a) The Commissioner of Mental
156 Health and Addiction Services, in consultation with the Commissioners
157 of Developmental Services, Social Services, Children and Families,
158 Aging and Disability Services and Education and the director of the
159 Bureau of Education and Services for the Blind within the Department
160 of Aging and Disability Services shall establish an advisory committee
161 for the state-wide mental health program for deaf, deaf-blind and hard
162 of hearing persons established pursuant to section 3 of this act. The
163 committee shall address the mental health service needs of deaf, deaf-
164 blind and hard of hearing persons, including, but not limited to, (1)
165 identifying gaps in the provision of services, necessary resources and
166 funding, and (2) assisting in long-range planning to serve the mental
167 health needs of such persons.

168 (b) The advisory committee shall consist of eight deaf, deaf-blind or
169 hard of hearing consumers of mental health services and seven agency
170 and service provider representatives. The chairpersons of the advisory

171 committee shall be chosen by the Commissioner of Mental Health and
172 Addiction Services. The committee shall meet not less than twice
173 annually and make recommendations periodically to the commissioner.

174 Sec. 5. (*Effective July 1, 2021*) The sum of one hundred thousand
175 dollars is appropriated to the Department of Mental Health and
176 Addiction Services, from the General Fund, for the fiscal year ending
177 June 30, 2022, for startup costs relating to the establishment of a state-
178 wide mental health services program for persons who are deaf, deaf-
179 blind or hard of hearing pursuant to section 3 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	New section
Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>July 1, 2021</i>	New section
Sec. 5	<i>July 1, 2021</i>	New section

Statement of Purpose:

To establish a state-wide mental health services program to provide mental health services tailored to the specialized needs of deaf, deaf-blind and hard of hearing persons.

[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.]