



General Assembly

**Substitute Bill No. 6637**

January Session, 2021



**AN ACT CONCERNING A MENTAL HEALTH BILL OF RIGHTS FOR DEAF, DEAFBLIND 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*) As used in this section, section  
2 2 of this act and sections 4-61aa, 46a-27, 46a-28 and 46a-29 of the general  
3 statutes, as amended by this act:

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

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

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

16 (4) "American Sign Language" or "ASL" means the visual language

17 used by deaf and hard of hearing persons in the United States and  
18 Canada, with semantic, syntactic, morphological and phonological rules  
19 distinct from the English language;

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

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

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

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

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

44 (10) "Accessible mental health services" means the provision of a full  
45 continuum of mental health services with the use of auxiliary aids and  
46 services necessary for a deaf, deafblind or hard of hearing person to  
47 communicate with appropriately qualified mental health professionals

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

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

61 (b) A deaf, deafblind or hard of hearing person has a right to:

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

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

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

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

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

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

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

80 Sec. 3. Subsection (a) of section 4-61aa of the general statutes is  
81 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
82 *2021*):

83 (a) For purposes of this section, "state Americans with Disabilities Act  
84 coordinator" means the person appointed by the Governor to coordinate  
85 state compliance with the federal Americans with Disabilities Act of  
86 1990. There is established a committee to advise the state Americans  
87 with Disabilities Act coordinator. The state Americans with Disabilities  
88 Act coordinator shall appoint the members of the committee, which  
89 shall be chaired by said coordinator, or his designee, and include at least  
90 one representative of each of the following:

- 91 (1) The Board of Education and Services to the Blind;
- 92 (2) The Advisory Board for Persons Who are Deaf, [or] Hard of  
93 Hearing or Deafblind;
- 94 (3) The Department of Aging and Disability Services;
- 95 (4) The Department of Mental Health and Addiction Services;
- 96 (5) The Department of Developmental Services;
- 97 (6) The Labor Department;
- 98 (7) The Department of Administrative Services; and
- 99 (8) The Commission on Human Rights and Opportunities.

100 Sec. 4. Section 46a-27 of the general statutes is repealed and the  
101 following is substituted in lieu thereof (*Effective July 1, 2021*):

102 The Advisory Board for Persons Who are Deaf, [or] Hard of Hearing

103 or Deafblind is hereby created to advocate, strengthen and advise the  
104 Governor and the General Assembly concerning state policies affecting  
105 persons who are deaf, [or] hard of hearing or deafblind and their  
106 relationship to the public, industry, health care and educational  
107 opportunity. The board shall:

108 (1) Monitor services for persons who are deaf, [or] hard of hearing or  
109 deafblind;

110 (2) Periodically meet with the Commissioners of Public Health, Social  
111 Services, Mental Health and Addiction Services, Education,  
112 Developmental Services, and Children and Families and the Labor  
113 Commissioner, or the commissioners' designees, to discuss best  
114 practices and gaps in services for persons who are deaf, [or] hard of  
115 hearing or deafblind;

116 (3) Refer persons with complaints concerning the qualification and  
117 registration of interpreters for persons who are deaf, [or] hard of hearing  
118 or deafblind to the entity designated pursuant to section 46a-10b;

119 (4) Make recommendations for (A) technical assistance and resources  
120 for state agencies in order to serve persons who are deaf, [or] hard of  
121 hearing or deafblind; (B) public policy and legislative changes needed  
122 to address gaps in services; and (C) the qualifications and registration of  
123 interpreters pursuant to section 46a-33a. The board shall submit such  
124 recommendations, in accordance with section 11-4a, to the Governor  
125 and the joint standing committee of the General Assembly having  
126 cognizance of matters relating to human services.

127 Sec. 5. Subsection (a) of section 46a-28 of the general statutes is  
128 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
129 *2021*):

130 (a) The Advisory Board for Persons Who are Deaf, [or] Hard of  
131 Hearing or Deafblind shall consist of the following sixteen members  
132 appointed by the Governor: (1) The consultant appointed by the State  
133 Board of Education in accordance with section 10-316a, or the

134 consultant's designee; (2) the president of the Connecticut Council of  
 135 Organizations Serving the Deaf, or the president's designee; (3) the  
 136 president of the Connecticut Association of the Deaf, or the president's  
 137 designee; (4) the president of the Connecticut Registry of Interpreters  
 138 for the Deaf, or the president's designee; (5) the Commissioner of Aging  
 139 and Disability Services, or the commissioner's designee; (6) the  
 140 executive director of the American School for the Deaf, or the executive  
 141 director's designee; (7) a parent of a student in a predominantly oral  
 142 education program; (8) a parent of a student at the American School for  
 143 the Deaf; (9) a person who is deaf; (10) a person who is hard of hearing;  
 144 (11) a person who is [deaf and blind] deafblind; (12) an interpreting  
 145 professional who serves deaf, [or] hard of hearing or deafblind persons;  
 146 (13) a healthcare professional who works with persons who are deaf,  
 147 [or] hard of hearing or deafblind; (14) the Governor's liaison to the  
 148 disability community; (15) an educator who works with children who  
 149 are deaf, [or] hard of hearing or deafblind; and (16) the director of the  
 150 Connecticut Chapter of We the Deaf People. The Commissioner of  
 151 Aging and Disability Services, the Governor's liaison to the disability  
 152 community and a member chosen by the majority of the board shall be  
 153 the chairpersons of the advisory board.

154       Sec. 6. Subsection (b) of section 46a-29 of the general statutes is  
 155 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 156 *2021*):

157       (b) The Commissioner of Education shall assign one vocational  
 158 rehabilitation consultant to act as a liaison staff member of the Advisory  
 159 Board for Persons Who are Deaf, [or] Hard of Hearing or Deafblind.

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>	4-61aa(a)
Sec. 4	<i>July 1, 2021</i>	46a-27

Sec. 5	<i>July 1, 2021</i>	46a-28(a)
Sec. 6	<i>July 1, 2021</i>	46a-29(b)

**HS**      *Joint Favorable Subst.*