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## OLR Bill Analysis

### sHB 5001

#### **AN ACT CONCERNING RESOURCES AND SUPPORT SERVICES FOR PERSONS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY.**

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**§ 20 — IDD AWARENESS AND ADVOCACY DAY**

*Designates May 23 as "Intellectual and Developmental Disabilities Awareness and Advocacy Day"*

**SUMMARY**

This bill evaluates and expands supports and services for people with intellectual or developmental disabilities (IDD) as described in the section-by-section analysis below.

EFFECTIVE DATE: July 1, 2023, unless noted otherwise below.

**§ 1 — TRANSITION ACADEMY FOR INDEPENDENT LIVING PROGRAM**

*Requires the DDS commissioner to establish, within available appropriations, a Transition Academy for Independent Living program to provide transition support for certain people with IDD*

The bill requires the Department of Developmental Services (DDS) commissioner to establish, within available appropriations, a Transition Academy for Independent Living program to provide transitional tools and life skills development for participants with IDD who are at least 22 years of age. The program must prepare participants to transition from the K-12 education system or living with parents or guardians to living independently or quasi-independently through a DDS-administered residential program.

Under the bill, the program must meet the following requirements:

1. be between three to six months long, depending on the participant's individual needs and the availability of DDS resources;
2. include a residential component for each participant;
3. use current DDS-owned property to the extent possible and appropriate;

4. include family-centered practices for participants with parents or guardians; and
5. include a nonresidential component for parents and guardians to acclimate participants to DDS-administered residential programs.

The bill allows the DDS commissioner to establish multiple campuses to administer the program if they are located across the state and to consider the population density and distribution of likely applicants. He may issue a request for proposals (RFP) for a private provider to operate the program with department oversight, including unannounced site inspections, an evaluation of cost effectiveness, and audits of participant outcomes.

Starting by January 1, 2025, and annually afterwards, the commissioner must report on the program to the Human Services and Public Health committees. The report must include data on the program's utilization and success, including (1) its demand and cost-effectiveness, (2) participants' general demographics and outcomes, and (3) any recommendations to modify or expand it.

## **§ 2 — OPM EVALUATION OF IDD EMPLOYMENT ASSISTANCE PROGRAMS**

*Requires the OPM secretary to (1) analyze existing employee assistance programs for people with IDD and other disabilities, (2) establish financial incentives for businesses to hire them, and (3) create a related workforce plan*

The bill requires the Office of Policy and Management (OPM) secretary to consult with the (1) aging and disability services (ADS), economic and community development (DECD), and labor (DOL) commissioners; (2) Office of Workforce Strategy (OWS); (3) Council on Developmental Disabilities; and (4) Connecticut Business Industry Association to do the following:

1. analyze existing employment assistance programs for people with disabilities, including IDD;
2. establish financial incentives for businesses to employ a greater number of these people; and

3. create a workforce plan that incentivizes businesses to provide training programs, offer modified interviews, and reserve market-rate, full-time jobs.

Under the bill, the OPM secretary must report by July 1, 2024, on the analysis results and any recommendations to the Appropriations; Commerce; Finance, Revenue and Bonding; Human Services; Labor; and Public Health committees.

EFFECTIVE DATE: Upon passage

### **§ 3 — TRANSPORTATION FOR PEOPLE WITH DISABILITIES**

*Requires the OPM secretary to (1) review other states' best transportation practices for people with disabilities and (2) assess transportation accessibility in Connecticut for these people and recommend improvements*

The bill requires the OPM secretary, in consultation with the ADS, DDS, and transportation (DOT) commissioners and the Council on Developmental Disabilities, to do the following:

1. review other states' best transportation practices for people with disabilities;
2. assess statewide and local transportation accessibility and expansion opportunities for these people; and
3. develop recommendations on ways the state can provide more cost-effective, efficient, and reliable transportation for people with disabilities, including IDD.

Under the bill, the secretary must report by July 1, 2024, on the results of the review and recommendations to the Appropriations, Human Services, Public Health, and Transportation committees.

EFFECTIVE DATE: Upon passage

### **§ 4 — REDUCING DDS MEDICAID WAIVER PROGRAM WAITLISTS**

*Requires the DSS commissioner to, within available appropriations, reduce the waiting lists for services in DDS-administered Medicaid waiver programs*

The bill requires the social services (DSS) commissioner, in consultation with the DDS commissioner and within available

appropriations, to reduce the waiting lists for services in DDS-administered Medicaid waiver programs. By January 1, 2024, she must report to the Appropriations, Human Services, and Public Health committees on the number of people (1) removed from the waiting lists and are receiving home and community-based services and (2) remaining on the waiting lists.

## **§ 5 — REDEFINING IDD AND SERVICE ELIGIBILITY**

*Requires the OPM secretary to (1) develop and recommend new statutory definitions for IDD, (2) identify related programs that may need to be updated based on the new definitions, and (3) recommend qualifying criteria for serving these people*

The bill requires the OPM secretary, in consultation with the ADS, DDS, education (SDE), public health (DPH), and DSS commissioners and the Council on Developmental Disabilities, to (1) develop and recommend new statutory definitions for IDD and (2) identify related programs for people with these disabilities that may need to be changed or redesignated in accordance with any new definitions. The secretary must also recommend qualifying criteria for serving these people, including possibly removing a qualifying intelligence quotient (IQ). In developing the recommendations, the secretary and state officials must solicit and take into account input from people with IDD and their families and caregivers.

Under the bill, the secretary must report by January 1, 2024, to the Appropriations, Education, Human Services, and Public Health committees on the recommended statutory definitions, programs redesignations, and qualifying criteria for services. The report must include a summary of the input obtained and how it was incorporated into the recommendations.

EFFECTIVE DATE: Upon passage

## **§ 6 — AUTISM MEDICAID WAIVER PROGRAM EXPANSION**

*Requires the DSS commissioner, within available appropriations, to expand the Medicaid waiver program for people with autism spectrum disorder to allow at least 600 people on a waiting list to receive services*

The bill requires the DSS commissioner, in consultation with the OPM secretary and within available appropriations, to expand the

Medicaid waiver program for people with autism spectrum disorder (ASD) to allow at least 600 people on a waiting list to receive program services.

By January 1, 2024, the commissioner must report to the Appropriations and Human Services committees on the waiver expansion and recommendations to further reduce the waiting list.

### **§§ 7 & 8 — INCREASING HUSKY C ASSET & INCOME LIMITS**

*Requires the DSS commissioner to increase HUSKY C asset and income limits*

The bill requires the DSS commissioner to increase the HUSKY C program's asset limit from (1) \$1,600 to \$3,600 for an individual and (2) \$2,400 to \$5,400 for a married couple. (HUSKY C provides Medicaid services to people ages 65 or older or ages 16 to 65 who are blind or living with a disability.)

Under the bill, the commissioner must allow anyone whose income exceeds HUSKY C program limits, but who otherwise qualifies, to qualify by spending down their excess income on incurred medical bills as federal law allows.

The bill also increases the HUSKY C monthly income limit to \$1,465, instead of 143% of the Temporary Family Assistance cash assistance benefit (currently \$700 for an individual and \$946 for a two-person household).

Under the bill, the commissioner may seek federal approval for a Medicaid waiver or state plan amendment to implement these provisions.

### **§ 9 — DESPP MISSING PERSONS CLEARINGHOUSE**

*Expands the scope of the DESPP's missing persons information clearing house to include information on missing people with IDD*

By law, the Department of Emergency Services and Public Protection (DESPP) administers a missing persons information clearinghouse that is a repository of information to help law enforcement agencies locate missing persons ages 65 and older or ages 18 and older with a mental impairment. The bill expands the clearinghouse to also include

information on missing people with IDD.

As under current law, the clearinghouse must collect, process, maintain, and disseminate this information if a report prepared by DESPP has been filed by the missing person's relative, guardian, conservator, attorney, health care representative, or nursing home administrator. In practice, any police department may prepare the report for clearinghouse action.

#### **§ 10 — BONDS FOR LOCAL VOLUNTARY IDD REGISTRATION SYSTEMS**

*Authorizes the State Bond Commission to authorize up to \$1 million in state general obligation bonds for DESPP to provide grants to municipalities and local police departments to establish and implement a registration system for residents with IDD*

The bill authorizes the State Bond Commission to authorize up to \$1 million in state general obligation (GO) bonds for DESPP to provide grants to municipalities and local police departments to establish and implement a local voluntary registration system for residents with IDD. The bonds are subject to standard issuance procedures and have a maximum term of 20 years.

#### **§ 11 — DATA ON DDS WAITLISTS AND IDD SERVICES RECIPIENTS**

*Requires DDS to maintain data on the number of state residents (1) estimated to have IDD, (2) receiving DDS- or SDE- administered services, and (3) on waiting lists for DDS-administered Medicaid waiver programs*

The bill requires the DDS commissioner, in consultation with the SDE commissioner, to maintain in a readily accessible format data on the number of people (1) estimated in the state with IDD, (2) receiving services from DDS- or SDE-administered programs, and (3) on waiting lists for DDS-administered Medicaid waiver programs, by program.

Under the bill, the DDS commissioner must annually report on this data annually by December 15 to the Appropriations, Human Services, and Public Health committees.

EFFECTIVE DATE: Upon passage

#### **§ 12 — BEHAVIORAL HEALTH & HUMAN SERVICES CAREER PIPELINE PROGRAM**



*Requires OWS to establish a Behavioral Health and Human Services Career Pipeline program to ensure highly trained providers are available to serve the needs of state residents with IDD, physical disabilities, mental illness, or behavioral health conditions*

The bill requires OWS, in collaboration with the ADS, DDS, DSS, and SDE commissioners, to establish a Behavioral Health and Human Services Career Pipeline program to ensure a sufficient number of highly trained providers are available to serve the needs of state residents with intellectual, developmental, or physical disabilities; mental illness; or behavioral health conditions.

Under the bill, OWS must consult with the DDS, mental health and addiction services (DMHAS), and DSS commissioners to determine (1) the greatest needs for behavioral health and human services providers in programs they administer and (2) barriers to hiring and retaining qualified providers.

The bill also requires OWS to assist the following entities:

1. local and regional boards of education to enhance existing partnerships or establish new partnerships with behavioral health and human services providers and
2. higher education institutions to provide a pathway to a diploma, credential, certificate, or license and a job providing behavioral health or human services.

Under the bill, OWS, in collaboration with the ADS and SDE commissioners, must develop a strategic workforce plan that includes (1) a strategy to increase the number of state residents pursuing careers in behavioral health or human services, (2) salaries and working conditions conducive to retaining an adequate number of these providers to serve state residents, and (3) funding needed to support the career pipeline program.

The bill requires OWS to report on the plan by November 1, 2023, to the Education, Human Services, Labor, and Public Health committees.

### **§ 13 — RIGHTS OF PEOPLE UNDER DDS SUPERVISION**

*Requires the DDS commissioner to review the rights of people placed or treated under the commissioner's supervision in public or private facilities to determine whether modifications are needed*

Existing law grants people placed or treated under the DDS commissioner's supervision in public or private facilities certain rights, such as the right to (1) prompt, sufficient, and appropriate medical and dental treatment; (2) be free from unnecessary or excessive physical restraint; and (3) communicate freely and privately with any person of their choosing (CGS § 17a-238).

The bill requires the DDS commissioner to review these rights to determine whether additions or changes are needed to ensure that these people are afforded all rights due to them and may seek a remedy in court for a violation of their rights.

Under the bill, the commissioner must report to the Human Services and Public Health committees by December 1, 2023, on his recommendations for (1) any changes necessary to these statutory rights and (2) any action needed to ensure that the rights of all people with IDD are protected, regardless of whether they are placed or treated under the commissioner's supervision.

EFFECTIVE DATE: Upon passage

#### **§ 14 — STATE AGENCY ONLINE DATA PORTAL**

*Requires DAS to develop an online portal to share information between agencies serving people with IDD, physical disabilities, or ASD*

The bill requires the Department of Administrative Services (DAS) to develop an online portal to securely share information between agencies serving people with intellectual, developmental, or physical disabilities and people with ASD.

#### **§ 15 — OFFICE OF THE HEALTHCARE ADVOCATE CAREGIVER POINT OF CONTACT**

*Requires the Healthcare Advocate to establish a new position within his office to serve as a point of contact for caregivers of adults with IDD, physical disabilities, or ASD who need help obtaining state services*

By October 1, 2023, the bill requires the Healthcare Advocate to establish a new position within his office to serve as a point of contact

for caregivers of adults with intellectual, developmental, or physical disabilities or ASD who need help assessing, applying for, and obtaining state services. The advocate, within available appropriations, must hire a person who meets his prescribed qualifications for the position.

EFFECTIVE DATE: Upon passage

## **§ 16 — CONNECTICUT SENTENCING COMMISSION STUDY**

*Requires the Connecticut Sentencing Commission to study the experience of people with IDD or ASD who are in the criminal justice system*

The bill requires the Connecticut Sentencing Commission to study the experience of people with IDD or ASD who are in the criminal justice system. The study must include (1) incarceration rates of people with IDD and ASD compared to their overall population in the state and (2) other states' best practices.

Under the bill, the commission must report the study results, including recommendations for sentencing considerations for these people, to the Human Services, Judiciary, and Public Health committees by July 1, 2024.

## **§ 17 — OHS STATE-WIDE COORDINATOR FOR DISABILITY AND ASD PROGRAMS AND SERVICES**

*Requires OHS to establish a new position to serve as statewide coordinator of state agency programs and services for people with IDD, physical disabilities, or ASD*

The bill requires the Office of Health Strategy's (OHS) executive director to establish a new position within her office to serve as statewide coordinator of state agency programs and services for people with intellectual, developmental, or physical disabilities or ASD.

Under the bill, the coordinator must make recommendations to the executive director on strategies to improve services offered to these communities and service gaps. The bill authorizes the executive director to hire, within available appropriations, a person who meets her prescribed qualifications for the position.

## **§ 18 — EVALUATING LEVEL OF NEED ASSESSMENT TOOLS**

*Requires the DDS commissioner to evaluate the level-of-need assessment tool used by state agencies that serve people with IDD*

The bill requires the DDS commissioner, in consultation with the SDE and DPH commissioners and the Council on Developmental Disabilities, to evaluate the level-of-need assessment tool used by state agencies that serve people with IDD. The evaluation must do the following:

1. analyze best practices and other states' assessment tools;
2. assess alternative tools, models, or ways to capture a person's service needs;
3. evaluate how funding levels for services and programs are determined for each person; and
4. determine which states are executing similar programs via self-direct care.

Under the bill, the DDS commissioner must report the study results to the Human Services and Public Health committees by July 1, 2024.

## **§ 19 — BONDS FOR GROUP HOME COMPLIANCE WITH FIRE REGULATIONS**

*Authorizes the State Bond Commission to authorize up to \$1 million in state GO bonds for DESPP to provide financial assistance to private group home providers to comply with certain fire regulations; requires DESPP to assess the level of need for these funds and review other states' fire regulations*

The bill authorizes the State Bond Commission to authorize up to \$1 million in state GO bonds for DESPP to create a funding pool to allow private providers to apply for financial assistance to comply with the fire regulation requirement that group homes be equipped with a 5,000-gallon water tank. The bonds are subject to standard issuance procedures and have a maximum term of 20 years

Additionally, the bill requires DESPP, in consultation with OPM, the Connecticut Council of Small Towns, and the Connecticut Builders Trade Association to assess the level of need for these funds and review other states' fire regulations for group homes, including the New England states, California, and Colorado, to determine whether any

changes are necessary to Connecticut regulations.

**§ 20 — IDD AWARENESS AND ADVOCACY DAY**

*Designates May 23 as “Intellectual and Developmental Disabilities Awareness and Advocacy Day”*

The bill designates May 23 as “Intellectual and Developmental Disabilities Awareness and Advocacy Day” to promote awareness of and advocacy for people with IDD. It requires suitable exercises to be held at the Capitol and in public schools (1) on this day, or (2) if that day is not a school day, on the school day before this day or another day the local or regional board of education prescribes.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute Change of Reference - APP  
Yea 21 Nay 0 (03/21/2023)

Appropriations Committee

Joint Favorable  
Yea 52 Nay 0 (04/20/2023)