



# House of Representatives

General Assembly

**File No. 455**

January Session, 2023

Substitute House Bill No. 6729

*House of Representatives, April 5, 2023*

The Committee on Public Health reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES' RECOMMENDATIONS REGARDING THE MEMBERSHIP OF VARIOUS ADVISORY BOARDS AND COUNCILS.***

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

1 Section 1. Section 17a-470 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 Each [state hospital,] state-operated facility [or the Whiting Forensic  
4 Hospital] for the treatment of persons with psychiatric disabilities or  
5 persons with substance use disorders, or both, [ except the Connecticut  
6 Mental Health Center, may] shall have an advisory board appointed by  
7 the superintendent or director of the facility for terms to be decided by  
8 such superintendent or director. The superintendent or director shall  
9 appoint persons with lived experience with a behavioral health disorder  
10 to the advisory board. In any case where the present number of  
11 members of an advisory board is less than the number of members  
12 designated by the superintendent or director of the facility, [he] the

13 superintendent or director shall appoint additional members to such  
14 board in accordance with this section in such manner that the terms of  
15 an approximately equal number of members shall expire in each odd-  
16 numbered year. The superintendent or director shall fill any vacancy  
17 that may occur for the unexpired portion of any term. No member [may]  
18 shall serve more than two successive terms plus the balance of any  
19 unexpired term to which [he] the member had been appointed. The  
20 superintendent or director of the facility shall be an ex-officio member  
21 of the advisory board. Each member of an advisory board of a state-  
22 operated facility within the Department of Mental Health and Addiction  
23 Services assigned a geographical territory shall be a resident of the  
24 assigned geographical territory. Members of said advisory boards shall  
25 receive no compensation for their services but shall be reimbursed for  
26 necessary expenses involved in the performance of their duties. At least  
27 one-third of such members shall be from regional behavioral health  
28 action organizations, established pursuant to section 17a-484f, and at  
29 least one-third shall be members of the catchment area councils, as  
30 provided in section 17a-483, for the catchment areas served by such  
31 facility, except that members serving as of October 1, 1977, shall serve  
32 out their terms.

33 Sec. 2. Section 17a-471a of the general statutes is repealed and the  
34 following is substituted in lieu thereof (*Effective from passage*):

35 (a) The Commissioner of Mental Health and Addiction Services, in  
36 consultation and coordination with the advisory council established  
37 under subsection (b) of this section, shall develop policies and set  
38 standards related to clients residing on the Connecticut Valley Hospital  
39 campus and to the discharge of such clients from the hospital into the  
40 adjacent community. Any such policies and standards shall [assure]  
41 ensure that no discharge of any client admitted to Whiting Forensic  
42 Hospital under commitment by the Superior Court or transfer from the  
43 Department of Correction shall take place without full compliance with  
44 sections 17a-511 to 17a-524, inclusive, 17a-566 to 17a-575, inclusive, 17a-  
45 580 to 17a-603, inclusive, and 54-56d.

46 (b) There is established a Connecticut Valley Hospital Advisory  
47 Council that shall advise the Commissioner of Mental Health and  
48 Addiction Services on policies concerning, but not limited to, building  
49 use, security, clients residing on the campus and the discharge of clients  
50 from the campus into the adjacent community. In addition, the advisory  
51 council shall periodically review the implementation of the policies and  
52 standards established by the commissioner in consultation with the  
53 advisory council. The council shall be composed of six members  
54 appointed by the mayor of Middletown, six members appointed by the  
55 Commissioner of Mental Health and Addiction Services and one  
56 member who shall serve as chairperson appointed by the Governor. On  
57 and after January 1, 2024, at least two members appointed by the  
58 Commissioner of Mental Health and Addiction Services shall have lived  
59 experience with a behavioral health disorder.

60 Sec. 3. Subsection (a) of section 17a-450a of the general statutes is  
61 repealed and the following is substituted in lieu thereof (*Effective from*  
62 *passage*):

63 (a) The Department of Mental Health and Addiction Services shall  
64 constitute a successor department to the Department of Mental Health.  
65 Whenever the words "Commissioner of Mental Health" are used or  
66 referred to in the following general statutes, the words "Commissioner  
67 of Mental Health and Addiction Services" shall be substituted in lieu  
68 thereof and whenever the words "Department of Mental Health" are  
69 used or referred to in the following general statutes, the words  
70 "Department of Mental Health and Addiction Services" shall be  
71 substituted in lieu thereof: 4-5, 4-38c, 4-77a, 4a-12, 4a-16, 5-142, 8-206d,  
72 10-19, 10-71, 10-76d, 17a-14, 17a-26, 17a-31, 17a-33, 17a-218, 17a-246, 17a-  
73 450, 17a-451, 17a-453, 17a-454, 17a-455, 17a-456, 17a-457, 17a-458, 17a-  
74 459, [17a-460,] 17a-464, 17a-465, 17a-466, 17a-467, 17a-468, 17a-470, as  
75 amended by this act, 17a-471, 17a-472, 17a-473, 17a-474, 17a-476, 17a-  
76 478, 17a-479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-498, 17a-499, 17a-  
77 502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-513, 17a-519, 17a-528, 17a-  
78 560, 17a-561, 17a-562, 17a-565, 17a-581, 17a-582, 17a-675, 17-836a, 17b-  
79 28, 17b-59a, 17b-222, 17b-223, 17b-225, 17b-359, 17b-694, 19a-82, 19a-495,

80 19a-498, 19a-507a, 19a-576, 19a-583, 20-14i, 20-14j, 21a-240, 21a-301, 27-  
81 122a, 31-222, 38a-514, 51-51o, 52-146h and 54-56d.

82 Sec. 4. Section 17a-460 of the general statutes is repealed. (*Effective*  
83 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	17a-470
Sec. 2	<i>from passage</i>	17a-471a
Sec. 3	<i>from passage</i>	17a-450a(a)
Sec. 4	<i>from passage</i>	Repealer section

**PH**      *Joint Favorable Subst.*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill, which makes changes to certain advisory boards as well as technical, conforming and other changes, has no fiscal impact.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sHB 6729*****AN ACT CONCERNING THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES' RECOMMENDATIONS REGARDING THE MEMBERSHIP OF VARIOUS ADVISORY BOARDS AND COUNCILS.*****SUMMARY**

By law, “state-operated facilities” are hospitals and facilities the Department of Mental Health and Addiction Services (DMHAS) operates in whole or part that provide treatment for people with psychiatric disabilities, substance use disorders, or both (CGS § 17a-458) (see BACKGROUND).

This bill requires all state-operated facilities to have an advisory board that includes members with lived experience with behavioral health disorders. The bill eliminates the Connecticut Mental Health Center (CMHC) Advisory Board and instead subjects the center to its advisory board requirements for all other state-operated facilities. The bill also requires the existing Connecticut Valley Hospital Advisory Council to include, on and after January 1, 2024, at least two members appointed by the DMHAS commissioner with lived experience with behavioral health disorders.

Under current law, the DMHAS commissioner appoints six members of the 13-member Connecticut Valley Hospital Advisory Council. Existing law, unchanged by the bill, requires the council to advise DMHAS on topics such as building use, security, and clients residing at the facility and their discharge.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: Upon passage, except the advisory board

requirements for state-operated facilities are effective October 1, 2023.

## **ADVISORY BOARDS FOR STATE-OPERATED FACILITIES**

Current law allows (1) state-operated facilities to have an advisory board and (2) the superintendents or directors of these facilities to, in accordance with certain statutory requirements, appoint the board and set terms for members. The bill instead requires (1) facilities to have these advisory boards and (2) superintendents or directors to appoint members that include people with lived experience with behavioral health disorders.

Under current law, CMHC is not allowed to have a superintendent- or director-appointed advisory board and instead has a nine-member CMHC Advisory Board that the DMHAS commissioner appoints (see BACKGROUND). The bill eliminates this CMHC Advisory Board and subjects the center to the advisory board requirements for state-operated facilities discussed above.

## **BACKGROUND**

### ***State-Operated Facilities and Advisory Boards***

By law, state-operated facilities generally include, but are not limited to, the Capitol Region Mental Health Center, the Connecticut Valley Hospital (including its Addictions and General Psychiatric divisions), the Whiting Forensic Hospital, the Connecticut Mental Health Center, the Franklin S. DuBois Center, the Greater Bridgeport Community Mental Health Center, and River Valley Services (CGS § 17a-458).

An advisory board is required to (1) periodically meet with the facility superintendent or director to advise on the facility's programs and policies; (2) act as a liaison between the facility and residents of its assigned geographic area; and (3) issue reports to the governor and DMHAS commissioner on facility conditions and recommendations for changes or improvements (CGS § 17a-471).

### ***Connecticut Mental Health Center Advisory Board***

CMHC is a community mental health center that DMHAS operates

in collaboration with the Yale Department of Psychiatry. Under current law, the CMHC Advisory Board is composed of nine members the DMHAS commissioner appoints. Of these appointments, two each must be nominated by the Yale-New Haven Health System and Yale University. The advisory board is tasked with advising and assisting the health center’s director and may recommend policies and practices.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 37 Nay 0 (03/20/2023)