

OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200
Hartford, CT 06106 ◊ (860) 240-0200
<http://www.cga.ct.gov/ofa>

sHB-5001

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

As Amended by House "A" (LCO 8934), House "B" (LCO 8943)
House Calendar No.: 496

OFA Fiscal Note

State Impact: See Below

Municipal Impact: See Below

The bill results in (1) total General Fund costs of \$7.6 million in FY 24 and \$22.3 million in FY 25 across various agencies, (2) total Special Transportation Fund costs of \$300,000 in FY 24 and \$100,000 in FY 25, and (3) General Fund revenue loss of up to \$1.1 million annually beginning in FY 25. The fiscal impacts are detailed by section below.

Section 1 requires the Department of Developmental Services (DDS) to produce a plan to establish a Transitional Life Skills College program for persons with intellectual disability or other developmental disabilities who are at least 22 years of age by January 1, 2025. This provision does not result in a fiscal impact as the agency has the expertise to develop the plan.

Section 2 requires the Office of Policy and Management (OPM) to consult with other agencies to perform an assessment of employment assistance programs for persons with disabilities, create a workforce plan, and write a report by January 1, 2025. This results in a cost of \$50,000 in both FY 24 and FY 25 to OPM. It is not anticipated that this cost will continue in FY 26.

Additionally, Section 2 requires OPM to establish financial incentives for businesses to provide increased employment opportunities, which may result in a cost or revenue loss to the state depending on the structure of the incentives, in FY 25 or beyond.

Section 3 requires DDS in consultation with the Department of Social Services (DSS) to reduce the waiting list for DDS residential services. The DDS waiting list for individuals with no residential services was 685 individuals as of January 1, 2023. The average annual per person cost of residential services for this group ranges from \$47,000 for in home supports to \$112,000 for support in a group home. The cost per individual varies by the assessed level of need (LON). Providing additional individuals with residential services may also increase costs for rental assistance in DDS and room and board costs related to group homes in DSS.

The actual cost to reduce the waiting list is dependent upon the number of individuals funded for services and the time period in which services are provided. The annualized cost to fully fund all 685 individuals on the wait list is approximately \$50 million, which would likely be incurred gradually as individuals are able to access services over the next several years. There may also be additional capital costs to purchase or renovate group homes that cannot be quantified at this time. DDS community residential services are covered under the Home and Community Based Services Waiver and the state receives 50% federal Medicaid reimbursement which is deposited to the General Fund.

sHB 6659, the FY 24 and FY 25 budget bill, as favorably reported by the Appropriations Committee, appropriates \$4.3 million in FY 24 and \$16.8 million in FY 25 in DDS and DSS to support over 260 individuals on the DDS waiting list with priority given to those with caregivers aged 65 and over.

Section 4 requires OPM to consult with other agencies to do the following for people with disabilities: (1) develop new statutory definitions for IDD, (2) identify relevant programs that may need to be

changed due to the new definitions, (3) evaluate the level-of-need assessment tool used by state agencies, (4) assess alternative tools, models or ways to capture and individual's service needs, including methods used by other states, and (5) submit a report by January 1, 2025. This results in a cost of \$100,000 to OPM in both FY 24 and FY 25. It is not anticipated that this cost will continue in FY 26.

Section 5 results in a cost to DSS to expand the Medicaid waiver for persons with autism spectrum disorder and reduce the associated waiting list, which totaled 2,005 individuals as of February 28, 2023. The average annual state cost for an individual on the autism waiver is approximately \$10,000 per person. The state will incur additional staffing costs for case managers (annual salary of \$78,300, plus associated fringe benefits of \$33,500), at a ratio of approximately one case manager for every 40 waiver clients.

The actual cost to reduce the waiting list is dependent upon the number of individuals funded for services and the time period in which services are provided. These costs would likely be incurred gradually as individuals are able to access services over the next several years.

sHB 6659, the FY 24 and FY 25 budget bill, as favorably reported by the Appropriations Committee, appropriates \$117,500 in FY 24 and \$1.6 million in FY 25 to support the autism waiver.

Section 6 adds persons with IDD to the Department of Emergency Services and Public Protection's (DESPP) missing persons information clearing house which results in a form update that has no fiscal impact.

Section 7 requires DESPP to (1) develop and distribute a form to record information for persons with IDD to municipal police departments and (2) establish a grant-in-aid program to assist municipalities in implementing a local voluntary public safety registration system to incorporate such persons' information in a searchable electronic database maintained by the department and made available to all police officers and public safety answering points, resulting in a potential cost to the state and municipalities, varying

based on the extent to which police departments will need to adjust their current systems and processes.¹ The cost of the program is contingent upon the provision of a funding source for the grant-in-aid program.

Section 8 requires emergency dispatchers to conduct a search, when practicable, of the electronic database made available to public safety answering points pursuant to section 7, resulting in no fiscal impact.

Section 10 requires the Departments of Developmental Services, Children and Families, and Emergency Services and Public Protection to jointly develop guidelines and best practices for awareness programming resulting in no fiscal impact to the state as the agencies have the expertise to fulfill the requirements. If a municipality decides to adopt this programming, they will have a potential cost for staffing and training.

Section 11 requires the Department of Administrative Services (DAS) to procure and DESPP to distribute sensory kits to up to 75 municipalities, resulting in a potential one-time cost of up to \$36,000 starting in FY 24 and through the first quarter of FY 25. Each kit will cost up to \$40 and it is estimated that up to 900 kits may be distributed. The actual cost will vary depending on how many municipalities apply for kits. Costs may be reduced through bulk purchase orders and if private donations are made.

Section 12 requires the Office of Workforce Strategy (OWS) to establish a Human Services Career Pipeline program. Additionally, the bill requires OWS to develop a plan regarding (1) the workforce needs in the human services sector and (2) the funding amount needed for the Human Services Career Pipeline program.

It is anticipated that OWS, in consultation with other relevant state agencies, will be able to develop the plan within existing resources and report back the necessary level of funding required for the pipeline

¹At least 30 municipalities in the state already have similar forms and processes in place to incorporate this information into their records and dispatching procedures.

program.

Section 13 requires DDS to review the rights for persons with IDD and ensure they have remedy to seek redress for violations of these rights and does not result in a fiscal impact as DDS has expertise to do this.

Section 14 requires OPM in consultation with DAS, DDS, DSS, ADS, DMHAS, SDE, DOC, OEC, and DCF to develop a plan for the use of an online portal to share information across agencies. The plan must be submitted by July 1, 2024. This results in a one-time cost of \$50,000 to OPM in FY 24.

Section 15 establishes two new positions in OPM to coordinate programs and services provided by state agencies for (1) individuals with autism spectrum disorder and (2) individuals who have developmental disabilities or an intellectual disability other than autism spectrum disorder. This results in a cost of \$180,428 to OPM in FY 24 and FY 25 for the two positions and corresponding fringe benefit costs of \$77,259 to OSC in FY 24 and FY 25.

Section 16 requires the Connecticut Sentencing Commission to study the experience of people with IDD or ASD who are in the criminal justice system and is not anticipated to result in a fiscal impact.

Section 17 requires DAS to establish a pool of funds in FY 25 to allow private providers to apply for financial assistance to comply with certain fire regulation requirements. The cost of the program is contingent upon the provision of a funding source for the financial assistance program.

Section 19 designates May 23 as “Intellectual and Developmental Disabilities Awareness and Advocacy Day” to promote awareness and advocacy for people with IDD and require exercises observing the day as designated by the Governor at both the State Capitol and in local and regional school districts. Various state agencies and school districts may incur minimal costs for engaging in the exercises designated by the Governor. The level of costs for affected agencies and municipalities will

be dependent upon the location, nature, and size of exercises.

Section 20 results in a cost to the Department of Social Services (DSS) in FY 24 and FY 25 to establish a two-year pilot program in partnership with a hospital to provide nonresidential outpatient day services for persons with autism spectrum disorder. DSS must select a hospital not later than September 1, 2024, and the hospital must start providing services not later than October 1, 2024. The cost of the pilot is dependent upon the scope of the program and funding available.

Section 21 requires the Department of Aging and Disability Services (ADS), in consultation with other agencies, to study the higher prevalence of Alzheimer's disease and dementia in persons with intellectual and developmental disabilities and determine whether state programs adequately address such higher prevalence resulting in a potential cost of up to \$10,000 in FY 24. To undertake the study, the Department will need to hire a graduate fellow from a Connecticut based institution in FY 24 to assist with the research, data collection, and drafting of the report.

Section 22 requires DOT, in collaboration with DDS and transit districts, to study the demand and need for various transportation services for persons with an intellectual disability or other developmental disabilities, including, but not limited to, autism spectrum disorder, and to submit the results to the Transportation, Human Services, and Public Health Committees by January 1, 2025. DOT currently conducts similar studies that are required by federal transportation law, and it is expected that DOT would leverage its expertise through those efforts as part of this study. However, some amount of additional work would be needed, and it is estimated that such a study would cost up to \$200,000 in FY 24.

Section 23 requires DOT, in collaboration with DDS and DSS, to study methods to provide nonmedical transportation services to and from work, educational facilities, stores and other places for persons with an intellectual disability, and to submit the results to the Transportation and Human Services Committees by July 1, 2025. This

section is expected to result in a one-time cost of \$100,000 for consultant services.

Section 24 requires DOT and each transit district to jointly develop a plan to modernize and maintain bus stops and shelters throughout the state and submit a report on such plan to the Transportation Committee by July 1, 2024. The bill requires consideration of several factors, including some that are outside the existing expertise of DOT, and results in a one-time cost of up to \$75,000 in FY 24 for a consultant or temporary staff to develop the plan. Further, this section requires that, beginning in FY 25, each bus stop or shelter that is constructed shall be in accordance with the plan and the ADA.

Section 25 requires DDS to establish a pilot program to provide nonmedical transportation services to persons with an intellectual disability in the northwestern region of the state. The cost associated with the pilot program will be dependent on the following variables: number of riders, distance covered and scope of service (times/days/eligible destinations).

Section 26 requires DOT to develop a notice concerning certain travel training program and does not result in a fiscal impact.

Section 27 requires the Department of Motor Vehicles, in consultation with ADS, DDS, DMHAS, and DSS, to develop a video presentation and resources for public passenger endorsement applicants and results in a cost of up to \$25,000 in FY 24 for development of the materials.

Section 28 results in an annual cost of approximately \$307,000 beginning in FY 24 to the State Department of Education (SDE) by requiring the agency to hire a Transition Services Coordinator and Assistant Transition Services Coordinator to work with parents, students, and local and regional school districts to assist special education students ages 18 to 22 transitioning out of the public school system.

To fulfill this requirement, it is anticipated that SDE will need to hire an Associate Education Consultant and an Education Manager for total annual costs of \$215,000 in salaries and \$92,000 in fringe benefits.

Section 29 requires the State Department of Education (SDE) to develop a training program concerning special education and transition services. It is anticipated that the staff hired by SDE pursuant to the amendment would fulfill this requirement.

Section 30 requires the Office of Early Childhood, and the Departments of Developmental Services, Aging and Disability Services, Children and Families, Social Services, and Corrections to appoint liaisons to the State Department of Education's transition coordinator. This has no fiscal impact.

Section 31 requires the State Education Resource Center (SERC) to develop and maintain an easily accessible list of resources to assist families with transition services. The section also specifies where links to the resource established by SERC must be posted and requires SDE to ensure the list is up to date. It is anticipated that the staff hired by SDE pursuant to the amendment would fulfill this requirement.

Section 32 requires the State Department of Education (SDE) to develop, and regional educational service centers (RESCs) to provide, a training program for transition coordinators and staff employed by local and regional school districts. It is anticipated that the staff hired by SDE pursuant to the amendment would develop the training.

Depending on the extent of the training that SDE prescribes, the RESCs may incur costs to provide it to local and regional school districts at no cost to the districts beginning in FY 25. Any cost is anticipated to be minimal, associated with the purchase of any materials.

Section 33 requires each local and regional board of education to appoint a transition coordinator and requires the coordinator to provide transition resources to parents of students receiving special education services. This has no fiscal impact, as the bill allows for such person to

be an existing employee. Section 34 also requires certain educators and paraprofessionals to take a training established by the amendment. This has no fiscal impact.

Sections 34 through 39 extend the obligation of local and regional school districts to provide special education services to students that are age 22. This conforms statute to existing judicial directive.

Section 40 requires the State Education Resource Center to study each transition program provided by a local and regional school district and RESC and produce a report by February 1, 2024. SERC could incur costs of up to \$300,000 to hire a consultant to conduct the study.

Sections 41 and 42 result in costs annually beginning in FY 24 to local and regional school districts to (1) provide a translator for a planning and placement team meeting if needed, and (2) provide materials, translated if needed, concerning available resources for special education and transition services. Translation services typically cost between \$125-\$175 per hour, with a two-hour minimum. As an illustration, the Hartford school district typically has over 1,000 planning and placement team meetings per year. If 25%² of those meetings required a translator, at the required two-hour minimum, the cost to the district would vary from \$62,500 to \$87,500 annually.

The provision of this section requiring local and regional school districts to provide translated or non-translated materials may result in minimal printing costs.

Section 43 requires the State Department of Education (SDE) to develop an online resource for parents regarding guardianship or conservatorship. It is anticipated that the staff hired by SDE pursuant to the amendment would fulfill this requirement.

Section 44 requires the State Department of Education (SDE) to report to the departments of Developmental Services, Social Services,

² This is the percentage of Hartford's October 1, 2022 ECS student count classified as English Learners.

and Aging and Disability Services the aggregate number of students who had planning and placement team meetings during which information was given about the services those agencies provide. It is anticipated that the staff hired by SDE pursuant to the amendment would fulfill this requirement.

Section 45 requires the Department of Developmental Services (DDS) to employ transition advisors to provide transition services for children requiring special education who may be eligible to receive services from the department. It is anticipated that DDS may need to hire approximately nine transition advisors at a half year cost of \$373,500 in FY 24 and a fully annualized cost of \$765,000 in FY 25, with corresponding State Comptroller fringe benefit costs of \$159,933 in FY 24 and \$327,573 in FY 25.

Section 46 requires the Department of Aging and Disability Services (ADS) to employ vocational rehabilitation counselors to provide transition services for children requiring special education who may be eligible to receive services from the department. It is anticipated that ADS may need to hire approximately 14 counselors at a partial year cost of \$345,000 in FY 24 and a fully annualized cost of \$925,000 in FY 25, with corresponding fringe benefit costs of \$147,729 in FY 24 and \$396,085 in FY 25.

Section 47 results in annual costs of approximately \$307,000 beginning in FY 24 for the State Department of Education to hire at least two staff members to fulfill the mediation services responsibilities established by the bill. It is anticipated that SDE will need to hire an Associate Education Consultant and an Education Manager for a total annual cost of \$215,000 in salaries and \$92,000 in fringe benefits.

Sections 48 and 49 make procedural changes to the hearing and mediation processes and requires the State Department of Education (SDE) to publish information about mediation on its Web site. This results in no fiscal impact as it is anticipated SDE has the resources to fulfill this requirement.

Section 50 results in costs of \$718,000 in FY 24 and \$737,000 in FY 25 and annually thereafter. It requires the State Department of Education to employ at least five auditors to annually conduct audits beginning in FY 25 of special education programs in randomly selected school districts.

This cost includes \$503,000 in salary costs and \$215,000 in fringe benefits in FY 24 and \$516,000 in salary costs and \$221,000 in fringe benefits in FY 25.

Section 51 expands training that must be offered by local and regional school districts to its educator staff to include laws regarding PPTs and Section 504 plans. This has no fiscal impact as it is anticipated that districts can complete this requirement with existing resources.

Section 52, which requires the Office of Early Childhood (OEC)'s individual service coordinators to meet with families to provide and discuss the contact information for the person responsible for the administration or coordination of special education services for the school district in which such child resides and provide such school district employee responsible for special education services with the individualized family service plan for the child, results in no fiscal impact because OEC already has the resources and expertise to do so.

Section 53 requires the State Department of Education to develop a handout about what it means to have an individualized education plan, and to make the handout available to local and regional school districts and online. This has no fiscal impact, as it is anticipated that SDE can meet the requirement with existing resources.

Section 54 requires local and regional school districts to provide families with the Parents' Guide to Special Education in Connecticut, and other documents developed by the State Department of Education. This results in minimal printing costs to local and regional school districts.

Section 55 establishes a DDS grant program for supportive housing

development for persons with intellectual disability or other developmental disabilities and allows not more than \$5 million to be expended in any one of DDS's three service regions. The cost of the program is contingent upon the provision of a funding source for the grant program.

Section 57 requires DDS in collaboration with the Departments of Housing and Correction to create a plan for a program for community-based group homes for persons with an intellectual disability reentering society from the correctional system and is not anticipated to result in a fiscal impact because the agencies have the expertise to develop the plan.

Section 58 requires municipal affordable housing plans to address affordable housing unit accessibility for individuals with developmental disabilities. This has no fiscal impact as it expands requirements for a plan that is already required by statute, and it is anticipated that municipalities have sufficient resources to address this aspect.

Section 59 requires the State Treasurer to designate a director of outreach for the ABLE program, which results in a cost to the State Treasurer of \$91,048 in FY 24 and \$121,397 annually beginning in FY 25 associated with hiring one executive assistant (\$85,000 annual salary and \$36,397 fringe benefit cost).

Section 60 establishes a personal income tax deduction for ABLE account contributions, which results in a General Fund revenue loss of approximately \$100,000 annually beginning in FY 25. This is based on data from the Office of the State Treasurer indicating contributions totaled \$1,421,902 in FY 22 and \$610,477 in FY 21.

Section 61 establishes a tax credit for businesses making contributions to employees' ABLE accounts. This results in a General Fund revenue loss of up to \$1 million annually beginning in FY 25.

Sections 60 and 61 also result in a one-time cost of up to \$75,000 to

the Department of Revenue Services in FY 24 only associated with programming updates to the CTax tax administration system and myconneCT online portal, and form modification.

Section 62 specifies that, to the extent allowed under federal law, the state cannot conduct estate recoveries against funds originating from ABLE accounts of Medicaid beneficiaries, which has no fiscal impact.

Section 63 requires DSS to amend the Medicaid waiver programs administered by DDS, contingent on approval by the Center for Medicare and Medicaid Services (CMS) to authorize compensation for family caregivers providing personal care assistance (PCA) services to participants in the programs. The fiscal impact of this provision is dependent upon the compensation of PCA services approved by CMS and the extent to which DDS consumers: (1) shift from a more costly community-based services or (2) utilize previously unspent funding in their individual authorized budgets on family PCA services.

Section 64 expands the JobsCT tax credit for individuals with intellectual disability. This does not result in any fiscal impact as it retains the existing aggregate credit cap of \$40 million annually.

Section 65 allows the administrative services commissioner to give a price preference when purchasing goods and services from a business that has a workforce consisting of at least 10% of individuals with intellectual disability. To the extent the Department of Administrative Services provides these businesses a price preference of up to 10%, this results in a potential cost to various state agencies.

Section 66 results in a cost of approximately \$150,000 annually to the Department of Economic and Community Development (DECD) to establish and administer a workforce development program that will provide grants to nonprofits that employ individuals with intellectual disability. It is anticipated that DECD will require one full time position at a cost of \$135,700 (\$95,000 salary and \$40,700 fringe costs) and \$14,000 for general expenses to administer the program. The administrative cost of the program is contingent upon the provision of a funding source

for the grant program.

Section 68 expands the length of time for which child support may be ordered at the discretion of a judge for children who are intellectually disabled and does not have a fiscal impact. The additional years are unlikely to pose a cost to the child support enforcement division of the Judicial Department due to the relatively small number of cases to be impacted.

Sections 69 - 72 make changes to the zoning and establishment statutes for community residences. This is not anticipated to have any fiscal impact to the departments of Children and Families, Developmental Services and Mental Health and Addiction Services which are the state agencies that fund or provide such community residences.

House "A" strikes the underlying bill and its fiscal impact and replaces it with language whose fiscal impact is described above.

House "B" strikes four sections of House "A" and removes a combined \$17 million in General Obligation bonds and its associated debt service payments.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.