



2023 Acts Affecting People With Disabilities

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Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting people with disabilities during the 2023 regular session. OLR's other Acts Affecting reports, including Acts Affecting Seniors and Acts Affecting Health Professions, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the act are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <https://www.cga.ct.gov/>.

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Autism Spectrum Disorder (ASD)

Autism Medicaid Waiver Program Expansion

New legislation requires the Department of Social Services (DSS) to expand the Medicaid waiver program for people with autism spectrum disorder to reduce the number of people on the waiting list to receive program services. It also requires the new statewide coordinator of ASD programs and services to annually report to the legislature on waiting list length and changes ([PA 23-137](#), § 5, effective July 1, 2023).

Autism Spectrum Disorder Advisory Council

A new law authorizes the Autism Spectrum Disorder Advisory Council to (1) identify strategies and methods to improve outreach and service coordination for racial minority groups and (2) identify and recommend updates to existing state guidelines for early screening and intervention ([PA 23-101](#), § 22, effective July 1, 2023).

ASD Program Coordinator Position

A new law requires the Office of Policy and Management (OPM) to establish, by October 1, 2023, a new position for a statewide coordinator of state-provided programs and services for people with ASD ([PA 23-137](#), § 14, effective upon passage).

OPM as the Lead Autism Agency

This year, the legislature made OPM, rather than DSS, the lead agency to coordinate functions of several state agencies responsible for providing services to people diagnosed with ASD. The new law requires OPM to serve as the lead state agency for (1) the federal Combating Autism Act and (2) applying for funds and performing related responsibilities concerning ASD as state or federal law authorizes. DSS remains the state agency for administering Medicaid state plan services and the Medicaid waiver program for people with ASD ([PA 23-204](#), §§ 261-263, 278-281 & 443, most provisions effective July 1, 2023).

Pilot Program for People With ASD

A new law requires DSS to establish a two-year pilot program in partnership with a hospital to provide nonresidential outpatient day services for people with autism spectrum disorder. The legislation requires DSS to prescribe qualifications for a hospital to participate in the program and the services the participating hospital must offer, and the hospital must start providing services by October 1, 2024 ([PA 23-137](#), § 18, effective July 1, 2023).

Benefits Programs

Achieving a Better Life Experience (ABLE) Program Changes

A new law makes several changes to the state’s ABLE program, which allows people to retain assets to offset disability-related expenses without affecting eligibility for means-tested public programs (e.g., Medicaid). The act generally (1) authorizes a personal income tax deduction up to \$5,000 for individuals or \$10,000 for joint filers for contributions made to ABLE accounts; (2) establishes a tax credit for contributions employers make into employees’ ABLE accounts, capped at \$2,500 per employee per year; (3) exempts ABLE accounts from claims by the state against the estates of Medicaid beneficiaries; and (4) requires the state treasurer to designate an ABLE program outreach director ([PA 23-137](#), §§ 56-59, effective January 1, 2024, for the tax provisions and October 1, 2023, for the outreach director and Medicaid beneficiary estates provisions).

HUSKY C Eligibility

The legislature expanded eligibility for HUSKY C, which provides Medicaid coverage to people who are age 65 or older, blind, or living with a disability. The act sets income eligibility at 105% of the federal poverty level (FPL) (\$1,276 per month for an individual in 2023) instead of 143% of the Temporary Family Assistance cash benefit amount (currently, \$700 per month for an individual) ([PA 23-204](#), § 302, effective October 1, 2024).

State Administered General Assistance (SAGA)

The budget and implementer act raises the asset limits for SAGA from \$250 to \$500 for individuals and \$500 to \$1,000 for married couples. SAGA generally provides cash assistance to single or married childless individuals who have very low incomes, do not qualify for other cash assistance programs, and are considered “transitional” or “unemployable” ([PA 23-204](#), § 271, effective October 1, 2023).

Court Orders and Judicial Procedure

Presentencing Psychiatric Exams

By law, if a court believes that a defendant convicted of certain offenses has psychiatric disabilities and is a danger to self or others, it may order the Department of Mental Health and Addiction Services (DMHAS) commissioner, before sentencing, to examine the defendant using qualified hospital personnel. Under prior law, this applied only to defendants convicted of (1) specified sex offenses or (2) an offense that may carry the penalty of imprisonment at the Connecticut Correctional Institution at Somers (known as the Osborn Correctional Institution since 1994). A new law broadens the court’s authority by allowing it to order a defendant’s examination for an offense

that may result in imprisonment at any Connecticut correctional institution, not just Osborn ([PA 23-47](#), § 2, effective October 1, 2023).

Support Orders for Adult Children With Disabilities

Starting October 1, 2023, a new law increases the age limit under which a court may issue support orders for adult children with certain disabilities, from 21 to 26.

Existing law allows the court to make appropriate support orders for children under the age limit who (1) have an intellectual disability, a mental disability, or who are physically disabled and (2) live with a parent who they primarily depend on for support. The new law's age limit (i.e., up to age 26) applies to support orders entered on or after October 1, 2023, as (1) part of a divorce, legal separation, or annulment decree or (2) an initial support order not claiming one of these decrees. In cases entered before this date, the court may make the support orders only until the child attains age 21 ([PA 23-137](#), § 64, effective October 1, 2023).

Education, Schools, and Transition Services

Administrative Hearings for Special Education Disputes

New legislation makes various changes in the special education administrative hearing laws. Specifically, it modifies the order in which the parties must testify, requiring that the party responsible for providing special education to the student testify before any other party does. It also requires that the hearing officers' decisions be "promptly indexed and published." Lastly, it allows any party to request that the mediation services coordinator appoint a mediator but does not require this request to be written or signed as under prior law ([PA 23-137](#), § 47, effective July 1, 2023).

Age for Special Education Eligibility

This year the legislature passed a law that aligns the state's special education statutes to a federal court ruling requiring boards of education to provide special education until (1) an eligible student graduates high school or (2) the end of the school year when the eligible student reaches age 22 ([PA 23-137](#), §§ 32-37, effective July 1, 2023).

Charter School Enrollment Criteria

A new law generally prohibits charter schools from asking about or considering an applicant student's need for or receipt of special education and related services. It also prohibits these schools from considering need for these services as part of their enrollment lottery criteria ([PA 23-150](#), § 14, effective July 1, 2023).

Conservatorship and Guardianship Resources

A new law requires local and regional boards of education to give information about decision-making supports, including the process for establishing guardianship, conservatorship, or other decision-making alternatives, at the first planning and placement team (PPT) meeting when a student reaches age 14 and then annually. Students eligible for special education and their parents, guardians, or surrogate parents must receive this information.

Additionally, the State Department of Education (SDE) must develop a plain language, online resource with information and resources about decision-making options once the student reaches age 18. The department must develop the resource by July 1, 2024, and consult with Connecticut disability rights advocacy groups in doing so ([PA 23-137](#), §§ 39 & 41, effective July 1, 2023).

Coordination of Transition Services

This year, the legislature passed a law addressing transition services for students who (1) receive special education and related services in public school and then graduate or age out of the system and (2) receive early intervention services under the state's Birth to Three program and then transition into public schools.

On a statewide level, the act requires SDE to employ a transition services coordinator for state agency-provided services. It also requires agencies that must have a memorandum of understanding (MOU) by law with SDE to provide education, health care, and transition services to each do the following: (1) appoint a liaison to the department's statewide coordinator and (2) update the MOUs at least every five years to account for current programs, services, and best practices. Additionally, it requires the Department of Developmental Services (DDS) and Department of Aging and Disability Services (ADS) to employ enough staff, within available appropriations, to provide these services. Also, beginning by July 1, 2024, SDE must annually report to the applicable state agencies the number of students statewide who (1) received transition services information as part of a PPT meeting or (2) may qualify for services ([PA 23-137](#), §§ 26, 28 & 42-44, effective July 1, 2023).

On a local level, the act requires each (1) board of education to appoint a districtwide transition services coordinator and (2) PPT to coordinate these services at two points in an eligible student's high school career ([PA 23-137](#), §§ 31 & 40, effective July 1, 2023).

Dual Instruction Via Remote Learning

A new law allows dual instruction as part of remote learning when needed to implement a student's individualized education program (IEP) or 504 plan. Under the act, "remote learning" is instruction

using one or more internet-based software platforms as part of a remote learning model, and “dual instruction” is simultaneous instruction by a teacher to students in-person in the classroom and students engaged in remote learning ([PA 23-150](#), § 12, effective July 1, 2023).

Individualized Education Program Review by Paraprofessionals

A new law requires school paraprofessionals, or any other paraprofessional providing special education or related services to a student, to review a student’s IEP with a supervisor, as needed. Prior law allowed paraprofessionals to review IEPs without a supervisor being present ([PA 23-159](#), § 12, effective July 1, 2023).

Interpreters and Translated Documents at PPT Meetings

This session the legislature passed a law that aligns state statutes with federal requirements requiring interpreters at PPT meetings and translated IEP documents to ensure student, parent, and guardian understanding. Under this new law, local and regional boards of education must provide these interpreters and translated documents upon request. This includes registered interpreters for persons who are deaf, hard of hearing, or deafblind. Language interpreters may appear in person, be available by phone, or through an online platform or application approved by the State Board of Education ([PA 23-137](#), § 39, effective July 1, 2023).

Mediation Services for Special Education Disputes

A new law requires SDE to expand its mediation services, which are offered in place of boards of education and families proceeding directly to an administrative hearing to resolve special education disputes. The new law requires SDE to employ a mediation services coordinator to coordinate and oversee mediation services and approved mediators. It also establishes training and continuing education requirements for mediators.

Additionally, the act requires the state’s mediation services coordinator to create (1) an online resource explaining the mediation process and (2) a notice of available mediation services. Boards of education must provide this notice to parents, guardians, and surrogate parents in writing at the beginning of the school year, and it must be read aloud at the end of the first planning and placement team meeting of each school year.

Lastly, the act allows parties to request mediation services from the state coordinator and requires the coordinator to notify relevant parties and provide any necessary language translation services ([PA 23-137](#), §§ 45-46, effective July 1, 2023).

Online Listing of Transition Services

A new law requires the State Education Resource Center (SERC) to develop and maintain an online listing that describes in plain language the transition resources, services, and programs that state agencies provide. The listing must also include the eligibility requirements and application deadlines for each one. Beginning in the 2024-25 school year, SDE's statewide transition services coordinator must post a link to this listing on SDE's website and notify each board of education about it. Boards must annually distribute this notice to students and families at PPT meetings for students in grades 6-12 ([PA 23-137](#), § 29, effective January 1, 2024).

School Employees and 504 Plans

Students with mental or physical disabilities who receive school accommodations under the federal Rehabilitation Act of 1973 have them memorialized in a written plan, commonly known as a "504 plan." This year, the legislature enacted a law prohibiting boards of education from disciplining any employee who discusses or makes recommendations about student services or accommodation during a 504 plan meeting ([PA 23-150](#), § 16, effective July 1, 2023).

Special Education Complaints Filed With the State

A new law requires SDE to post online summaries of (1) special education complaints filed with the department and (2) corrective actions required by the department. Before posting these decisions and documents online, SDE must redact any personally identifiable student information ([PA 23-150](#), § 15, effective July 1, 2023).

Special Education Services Information for Students and Parents

Under a new law, SDE must develop an informational handout for students explaining IEPs, 504 plans, and associated student rights in the classroom. Boards of education must give eligible students and their parents, guardians, or surrogate parents information about their rights and resources (1) immediately when the student is formally identified as requiring special education, and at each subsequent planning and placement team meeting, and (2) at the beginning of each school year ([PA 23-137](#), §§ 51 & 52, effective July 1, 2023).

Special Education Task Force

The legislature expanded the charge and membership of the task force studying special education services and funding. Specifically, it passed a law requiring that the task force focus on special education services delivery and eligibility in addition to funding as prior law required. It also added eight members to the task force, bringing its total membership to 23. The act also extends the task

force's termination date from January 1, 2024, to July 1, 2025, or when it submits the report, whichever is later ([PA 23-150](#), § 13, effective upon passage).

Transitional Life Skills College Program

New legislation requires DDS to create a plan to establish a Transitional Life Skills College program to provide transitional tools and life skills development for participants with intellectual or developmental disabilities (IDD) who are at least age 22 and transitioning from (1) the K-12 education system or (2) living with parents or guardians to living independently or quasi-independently through a DDS-administered residential program. Among other things, the plan for the program must include both residential and nonresidential components and family involvement ([PA 23-137](#), § 1, effective July 1, 2023).

Transition From Early Intervention to Public School

A new law requires individual service coordinators for Birth to Three program participants to help facilitate the children's transition to public school special education services. Within three months before an eligible child's third birthday, the child's individual service coordinator must (1) notify the child's parent or guardian so that they may meet to discuss the contact information for the person who administers or coordinates special education services for the child's public school district and (2) give the child's individualized family service plan to the public school district's special education coordinator ([PA 23-137](#), § 50, effective July 1, 2023).

Transition Services Training Programs

Under a new law, SDE must create two training programs specific to transition services by July 1, 2024. For the first program, SDE's Bureau of Special Education must develop and annually update an on-demand, online training program on special education and transition services' legal requirements and best practices. For the second program, SDE must work with DDS, ADS, and Regional Educational Service Centers (RESCs) to develop a training program for educators, school paraprofessionals, and district transition coordinators on public transition programs. RESCs must provide this program at no cost for attendees ([PA 23-137](#), §§ 27 & 30-31, various effective dates).

Homecare

Family Caregivers Under DDS Waivers

A new law requires the DDS commissioner to amend DDS-administered Medicaid waivers to authorize compensation for family caregivers who provide care to waiver participants. This requirement applies to the three home- and community-based Medicaid waivers administered by DDS that serve people with intellectual disabilities: the Comprehensive Supports Waiver, the

Individual and Family Support Waiver, and the Employment and Day Supports Waiver ([PA 23-137](#), § 60, as amended by [PA 23-204](#), effective upon passage).

Homemaker-Companion Agencies and Consumer Complaints

A new law requires the Department of Consumer Protection (DCP) to post on its website a guide detailing the process for consumers to file complaints against a homemaker-companion agency. The agency must also give consumers a printed copy of the guide with their contract or service plan ([PA 23-48](#), §§ 13 & 14, various effective dates).

Homemaker-Companion Agencies and Rate Changes

A new law generally requires these agencies to give at least 60 days' written notice to a client or their representative before changing a service rate. It also generally requires an agency, at least 10 days before unilaterally stopping services, to notify the client how he or she (1) may transition to alternative care and (2) will be reimbursed for any prepaid services. The new law also increases DCP's oversight of agencies when they change ownership or cease operations ([PA 23-99](#), §§ 18 & 19, effective October 1, 2023).

Reducing Medicaid Waiver Program Waitlists

New legislation requires DDS to reduce the waiting list for services in DDS-administered Medicaid waiver programs. It also requires the new statewide coordinator of IDD programs and services (other than ASD) to annually report to the legislature on the length of and changes to the waiting lists ([PA 23-137](#), § 3, effective July 1, 2023).

Housing

Hotels and Motels as Emergency Housing

Under prior law, DSS could use state funds to pay for emergency housing in hotels or motels for SAGA recipients only during disasters or other catastrophic events. A new law repeals this limitation, conforming to current practice ([PA 23-204](#), § 443, effective upon passage.)

Municipal Affordable Housing Plans

This session, the legislature expanded the existing municipal affordable housing planning requirement by enacting a new law requiring plans submitted to OPM after October 1, 2023, to specify how the municipality will improve affordable housing unit accessibility for people with an intellectual disability or other developmental disabilities. By law, each municipality must adopt an affordable housing plan and submit a copy to OPM by June 1, 2022, and then at least once every five years. In addition to the new accessibility requirement, the plan must detail how the

municipality will increase its number of affordable housing developments ([PA 23-137](#), § 55, effective October 1, 2023).

Required Notice of Protected Tenant Status

State law provides more protections against evictions and rent increases to certain “protected tenants” (i.e., generally those at least age 62 or with a disability) residing in a (1) building or complex consisting of five or more separate dwelling units, (2) mobile manufactured home park (including certain conversion tenants), or (3) dwelling unit in a common interest community where the landlord owns five or more units.

A new law requires landlords, beginning January 1, 2024, to give a written notice summarizing these protections to any tenant that rents, or enters or renews an agreement to rent, one of the units described above. The housing commissioner must create this one-page, plain-language notice summarizing protected tenants’ rights and post it on the department’s website by December 1, 2023. The notice must be available in both English and Spanish ([PA 23-207](#), § 10, effective October 1, 2023).

Supportive Housing Grants for Nonprofits

A new law requires the DDS commissioner to establish a program to provide grants to qualifying private nonprofits for supportive housing for people with an intellectual disability or other developmental disabilities, including autism spectrum disorder. It also requires the commissioner to prioritize nonprofits that reserve at least 50% of a housing site’s initial residential capacity for individuals with these disabilities who are on a supportive housing waiting list DDS or DSS maintains.

Under the act, the DDS commissioner must (1) develop and publish guidelines for awarding grants under the program and a uniform application form and (2) post these materials on the DDS website by July 1, 2024. Beginning January 1, 2025, he must annually report to the Housing, Human Services, and Public Health committees, on how grant funds were awarded and spent under the program ([PA 23-137](#), § 53, effective July 1, 2023).

Intellectual or Developmental Disability (IDD) Advocacy and Services

IDD Awareness and Advocacy Day

New legislation 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 in recognition ([PA 23-137](#), § 17, effective upon passage).

New IDD Program Coordinator Position

A new law requires OPM to establish, by October 1, 2023, a staff position for a coordinator to identify state-provided programs and services for people with IDD and help state agency commissioners coordinate them ([PA 23-137](#), § 14, effective upon passage).

Redefining IDD and Service Eligibility

Legislation passed this session requires OPM 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, (3) evaluate whether IQ should be used in the definitions, and (4) evaluate the level-of-need assessment tool used by state agencies serving people with IDD. Among other things, the evaluation must examine IDD definitions, best practices, and assessment tools in other states. The law also requires state officials to solicit and consider input from people with IDD and their families and caregivers when conducting the evaluation ([PA 23-137](#), § 4, effective upon passage).

Long-Term Care Facilities, Hospitals, and Other Facilities

Advisory Boards for Mental Health Treatment Facilities

New legislation requires, rather than allows, all DMHAS-operated facilities that provide treatment for people with psychiatric disabilities, substance use disorders, or both to have an advisory board. The new law also requires the superintendent or director of each facility to appoint at least two members with lived experience with behavioral health disorders to their respective boards ([PA 23-121](#), § 1, effective October 1, 2023).

Community and Child-Care Residences

This session, the legislature made several changes in laws governing where certain community and child-care residential facilities (i.e., certain group homes for adults or children, respectively, who have disabilities) may be located. Among other things, these changes:

1. increase the size, from those housing six people to those housing eight people, of these residences (and certain hospice residences) that are protected from zoning regulations treating them differently than single family homes;
2. modify the definition of “community residence” (to no longer use the term “mentally ill”) that applies to a public health provision and restriction on zoning regulations allowing for multi-family dwellings; and

3. exempt certain community and child-care residences from prohibitions on their locating within 1,000 feet from one another ([PA 23-137](#), §§ 65-68, effective October 1, 2023, as amended by [PA 23-204](#), effective upon passage).

DMHAS Grant Program for Mental Health Services

By law, DMHAS, in collaboration with regional behavioral action organizations, administers a grant program for hospitals, municipalities, and nonprofit organizations to expand or maintain their psychiatric or mental health services. A new law allows grant funds to be used for building construction or renovation, which prior law prohibited ([PA 23-204](#), § 289, effective upon passage).

Maternal Mental Health Toolkit and Perinatal Mood and Anxiety Disorder Training

A new law requires the Department of Public Health (DPH), in consultation with DMHAS and certain other organizations, to develop a maternal mental health toolkit for providers and patients, including on perinatal mood and anxiety disorders. By October 1, 2023, DPH must make the toolkit available on its website.

Starting October 1, 2023, the act also requires hospitals to include training in perinatal mood and anxiety disorders as part of their regular training to staff members who directly care for women who are pregnant or in the postpartum period ([PA 23-97](#), §§ 25 & 26, effective upon passage, except October 1, 2023 for the training requirement).

State Supplement Program (SSP) Benefit Start Date

By law, SSP gives cash assistance to people who are age 65 and older, living with a permanent disability, or blind and either (1) receive federal Supplemental Security Income (SSI) benefits or (2) would be eligible for SSI, but for excess income. For people living in residential care homes or rated housing facilities, DSS must pay SSP benefits to the home or facility. The budget and implementer act aligns the start date for program benefits with the date an applicant became a resident in a residential care home or rated housing, but no earlier than 90 days before DSS received the SSP application ([PA 23-204](#), § 272, effective October 1, 2023).

Police and Public Safety

Collaboration Between Police Officers and Social Workers

Existing law requires that the Department of Emergency Services and Public Protection (DESPP) and each municipal police department submit to the Police Officer Standards and Training Council (POST) an evaluation of the feasibility and potential impact of social workers responding to calls for

assistance (either remotely or in person) or joining a police officer on calls where a social worker's experience and training could provide help ([PA 20-1, July Special Session](#), § 18). A new law requires POST, by January 1, 2024, to (1) examine these evaluations and any programs and strategies used in Connecticut or other jurisdictions on police officer and social worker collaborations and (2) issue guidance to law enforcement units with recommendations on how police officers may collaborate with social workers ([PA 23-104](#), § 2, effective July 1, 2023).

Community-Based Group Homes Plan for Reentering Individuals

A new law requires the DDS commissioner, in collaboration with the housing and correction commissioners, to create a plan for a comprehensive program for community-based group homes for people with intellectual disabilities reentering society from the correctional system. Under the act, the program must provide these individuals supportive services, at least including (1) assistance with daily living tasks, (2) transportation assistance, (3) medical care, and (4) job training. The act requires the DDS commissioner, by January 1, 2024, to submit the plan to the Housing, Human Services, Public Health, and Public Safety and Security committees ([PA 23-137](#), § 54, effective October 1, 2023).

Crisis Intervention Training for Police Officers

Under existing law, each police basic or review training program conducted or administered by POST, the State Police, or a municipal police department must include POST-developed curricula for police officers on interacting with people who (1) have mental or physical disabilities or (2) are deaf, hard of hearing, or deaf-blind. A new law requires POST, by July 1, 2024, to add to these curricula crisis intervention strategies for police officers to use when interacting with people with mental illness in crisis ([PA 23-104](#), § 1, effective July 1, 2023).

Emergency Medical Services for People in Peace Officer Custody or in Direct Contact With a Peace Officer

A new law gives anyone who experiences an emergency medical condition or is medically unstable the right to be provided emergency medical services if this occurs while the person is (1) in direct audio or video contact with a peace officer or (2) under a peace officer's custody or control.

It correspondingly requires a peace officer to immediately request emergency medical services for any such person, whether the person communicates to the officer that he or she is in this situation or officer observes that to be the case. However, the act exempts a peace officer from this requirement if he or she (1) has made a reasonable determination that the person is not in this situation and (2) knows that the person was seen by a medical professional within the last 24

hours and was released from care after the medical professional made the same determination ([PA 23-192](#), effective October 1, 2023).

Emergency Services Awareness Programs

Under a new law, DDS, DESPP, and the Department of Children and Families (DCF) must, by December 31, 2023, jointly develop guidelines and best practices for municipalities to create and implement emergency services awareness programs for children and adults with an autism spectrum disorder, cognitive impairments, nonverbal learning disorders, and intellectual and other developmental disabilities. The departments must publish the guidelines and best practices on their respective websites by January 1, 2024 ([PA 23-137](#), § 9, effective upon passage).

Expansion of the Missing Persons Clearinghouse

New legislation expands the scope of DESPP's missing persons clearinghouse to include information to help law enforcement agencies locate missing persons with intellectual or developmental disabilities, in addition to people age 65 and older or age 18 and older with a mental impairment ([PA 23-137](#), § 6, effective July 1, 2023).

Firearm Possession or Credentials Following Commitment Under a Physician's Emergency Certificate

A new law bars people from obtaining a handgun carry permit, handgun eligibility certificate, or long gun eligibility certificate if, on or after October 1, 2023, they were committed to a psychiatric hospital under a physician's emergency certificate (PEC) within the prior six months for psychiatric treatment and not just for alcohol or drug abuse. It also extends existing criminal penalties for unlawful possession of handguns or other firearms, electronic defense weapons, or ammunition to people possessing these items if they were committed to a hospital within the prior six months under a PEC as specified above. The act makes conforming changes related to psychiatric commitments under PECs and the responsibilities of psychiatric hospitals, DESPP, and DMHAS ([PA 23-89](#), §§ 4-11, effective October 1, 2023).

Firearm Risk Protection Orders and Risk Warrants

The state's "red flag" law allows courts to (1) prevent people who may pose a danger to themselves or other people from acquiring firearms or other deadly weapons (through a risk protection order) and (2) authorize the temporary seizure of these weapons that the person already possesses (through a risk warrant). This year, the legislature enacted certain changes to this law, such as (1) allowing a single police officer to apply for a risk protection order that does not include a risk warrant, instead of requiring two as under prior law, and (2) limiting the existing process to

adults and creating a new, separate risk warrant process for children (under age 18) who possess firearms or other deadly weapons and pose an imminent risk of injuring other people ([PA 23-89](#), §§ 1-3, most provisions effective upon passage).

Local Voluntary Public Safety Registration System for Children With IDD

A new law creates a voluntary public safety registration system that municipal police departments may implement for parents and guardians of children with IDD, including autism spectrum disorder, cognitive impairments, and nonverbal learning disorders. It requires DESPP to develop a form that municipal police departments may distribute to these parents and guardians to collect specified information that can help emergency services personnel (i.e., police, firefighting, medical, ambulance, and others) interact with the children. Participating municipal police departments must record the information collected in a database that police officers and emergency dispatchers can access in specified situations ([PA 23-137](#), §§ 7 & 8, as amended by [PA 23-204](#), § 170, effective upon passage).

The FY 24-25 bond act authorizes \$800,000 in state general obligation bonds for this local voluntary public safety registration system ([PA 23-205](#), § 95, effective July 1, 2023).

Sensory Kits for Emergency Services Personnel

By January 1, 2024, a new law requires the Department of Administrative Services to develop and acquire sensory kits for DESPP to distribute to emergency services personnel who interact with children and adults with autism spectrum disorder, cognitive impairments, or nonverbal learning disorders. The kits must (1) help these children and adults manage emotions and anxiety while interacting with emergency services personnel and during emergencies to which they respond and (2) include noise-canceling headphones, dark tinted glasses, and anxiety-reducing tactile objects or toys. Municipalities seeking these kits must apply to DESPP by September 1, 2025 ([PA 23-137](#), § 10, effective upon passage).

Provider Recruitment and Retention

Human Services Career Pipeline Program

New legislation requires the Office of Workforce Strategy (OWS) to establish a Human Services Career Pipeline Program to ensure there is a sufficient human services workforce to serve the needs of residents who are elderly or have intellectual or developmental disabilities, physical disabilities, cognitive impairment, or mental illness. The program must include (1) training and

certification for CPR, first aid, and medication administration and (2) job placement and retention incentives in the human services job sector after completing the program.

Additionally, the law requires OWS to consult with the labor commissioner and develop a plan for the program that includes (1) a strategy to increase the number of people pursuing human services careers; (2) recommended salary and working conditions needed to retain enough human services providers to serve state residents; and (3) the program's estimated funding needs ([PA 23-137](#), § 11, effective July 1, 2023).

Interstate Compacts

New laws enter Connecticut into two health care-related interstate compacts, the Physical Therapy Licensure Compact and the Counseling Compact. The former provides a process authorizing physical therapists or physical therapy assistants properly credentialed in one member state to practice across state boundaries, without requiring licensure in each state. The latter provides a similar process for professional counselors. Under these compacts, member states must grant the "privilege to practice" or "compact privilege," respectively, to people holding a valid, unencumbered license in the appropriate profession and who otherwise meet the compact's eligibility requirements ([PA 23-97](#), §§ 16 & 17 and [PA 23-195](#), §§ 12 & 13, effective July 1, 2023).

Personal Care Attendant Career Pathways Program

A new law requires DSS, by January 1, 2024, to establish a personal care attendant (PCA) career pathways program, including both basic skills and specialized skills pathways, to improve PCAs' quality of care and incentivize their recruitment and retention in the state. The commissioner must (1) develop or identify the training curriculum for each pathway, in consultation with a hospital's or health care organization's labor management committee and (2) report on the program by January 1, 2025, to the Human Services and Public Health committees ([PA 23-97](#), § 11, effective July 1, 2023).

Wage Increases for State-Contracted IDD Service Providers

This session, the legislature authorized state-contracted providers who received rate increases in FYs 22-23 for wage and benefit increases for employees providing services to people with IDD to use these funds in FY 23 for wage increases for certain intermediate care facility employees ([PA 23-198](#) and [PA 23-204](#), § 288, effective upon passage).

Service Animals

Terminology and Harness Requirements for Service Animals

Under prior law, a dog owner or keeper had to restrain their dog when near a person with a disability who is with a guide dog that is licensed, under the person’s control, and wearing a harness or orange leash and collar that readily identifies the dog as a guide dog.

A new law updates the law to replace the term “guide dog” with “service animal.” It also eliminates the requirement that the animal wear a harness or orange leash and collar, but still requires it to be readily identified as a service animal ([PA 23-17](#), § 9, effective upon passage).

Studies, Taskforces, Reviews, and Reports

Connecticut Sentencing Commission Study

A new law requires the Connecticut Sentencing Commission to study the experiences of people with intellectual or developmental disabilities, including autism spectrum disorder, who are in the criminal justice system. Among other things, the study must include incarceration rates for these people compared to their overall population in the state and an examination of pre-sentencing behavioral assessments. To complete the study, the law grants the commission access to databases in the statewide criminal justice technology system and any offender-based tracking systems ([PA 23-137](#), § 15, effective July 1, 2023).

Dementia and IDD Study

A new law requires the ADS commissioner to study the higher prevalence of Alzheimer’s disease, dementia, and other related disorders in people with IDD and determine whether public or private programs adequately address this higher prevalence. ADS must report its findings to the Aging, Appropriations, and Human Services committees by June 1, 2024 ([PA 23-137](#), § 19, effective upon passage).

Medicaid Home- and Community-Based Services Waivers

The budget and implementer act included a reporting requirement that applies to 1915(c) Medicaid waivers. The act requires the DSS commissioner to report on how it implemented certain emergency amendments to the home- and community waivers related to the COVID-19 pandemic. The report is due January 1, 2024, to the Appropriations and Human Services committees ([PA 23-204](#), § 60, effective upon passage).

Psychosis Task Force

A new law creates a 10-member task force to study various issues relating to the treatment of childhood and adult psychosis. The task force must report its findings and recommendations to the Public Health Committee by January 1, 2024 ([PA 23-97](#), § 28, effective upon passage).

Rights of People Under DDS Supervision

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). A new law passed this session requires DDS to review these rights and determine whether modifications are needed ([PA 23-137](#), § 12, effective upon passage).

Timely Repair of Complex Rehabilitation Technology

This session the legislature created a task force to study minimum standards for the timely repair of complex rehabilitation technology, such as manual and power wheelchairs and accessories and other specialized equipment. Among other things, the study must assess barriers to timely repair, review how repairs are paid for and by whom, and make policy recommendations to improve the independence and quality of life of people using complex rehabilitation technology in the state ([SA 23-22](#), effective upon passage).

Substance Use Disorder

Drug Use Harm Reduction Centers

A new law requires the DMHAS, by July 1, 2027, to create a pilot program consisting of harm reduction centers where people with substance use disorder can access counseling, receive and use fentanyl or xylazine test strips, and receive various other services. These centers must be established in three municipalities the DMHAS commissioner chooses, subject to their chief elected officials' approval. The centers must employ licensed providers with experience treating people with substance use disorders.

DMHAS must establish the centers in consultation with DPH, but the centers are not subject to DPH regulation until after the pilot program ends ([PA 23-97](#), §§ 3 & 4, effective upon passage).

Encouragement to Obtain Opioid Antagonists

Under a new law, prescribing practitioners, when prescribing an opioid, must encourage the patient to obtain an opioid antagonist. If the patient is a minor, the prescriber must also encourage the

patient's custodial parent, guardian, or other person with legal custody to get an opioid antagonist, if they are present when the prescription is being issued ([PA 23-97](#), § 6, effective October 1, 2023).

Evaluations and Reports Related to Parenting and Substance Use Disorder

A new law requires DCF, DMHAS, and DSS to evaluate or report on various supports, programs, and related issues for parents, other child caregivers, or pregnant individuals with substance use disorder. For example, it requires them to (1) evaluate substance use disorder programs for people who are child caregivers and related treatment barriers and make a plan to implement treatment programs with specified components; and (2) report on access for parents involved with DCF, when applicable, to appropriate substance use disorder treatment in the state, to prevent children's removal from their parents, when possible, and support reunification when removal is necessary ([PA 23-97](#), §§ 29-34, effective upon passage).

Use of Opioid Settlement Funds to Equip Police With Opioid Antagonists

The FY 24-25 budget and implementer act expands the purposes for which the Opioid Settlement Fund may be used to include providing municipal police departments funding to equip officers with opioid antagonists. Under the act, priority for these funds must be given to departments that do not currently have a supply of them ([PA 23-204](#), § 184, effective July 1, 2023).

Opioid Antagonist Bulk Purchase Fund and EMS Provision of Opioid Antagonist Kits

A new law creates an Opioid Antagonist Bulk Purchase Fund as a separate, nonlapsing General Fund account. Starting by January 1, 2024, DMHAS, in collaboration with DPH, must use the account's funds to provide opioid antagonists to municipalities, EMS organizations, and other eligible entities and for EMS personnel to provide this medication to certain members of the public.

Relatedly, it requires EMS personnel to give kits with opioid antagonists and a related one-page fact sheet to certain patients (such as those showing symptoms of opioid use disorder) or their family members, caregivers, or friends ([PA 23-97](#), § 5, effective October 1, 2023).

Opioid Settlement Fund Advisory Committee

A new law increases, from 37 to 45, the membership of the Opioid Settlement Fund Advisory Committee. It does so by (1) increasing the number of governor-appointed municipal representatives from 17 to 21; (2) adding two members with experience supporting infants and children affected by

the opioid crisis, appointed by the DMHAS commissioner; and (3) adding the Public Health Committee chairpersons or their designees (the designees must have experience living with a substance use disorder or have a family member with such a disorder). By law, the committee ensures (1) Opioid Settlement Fund moneys are allocated and spent on specified substance use disorder abatement purposes and (2) robust public involvement, accountability, and transparency in allocating and accounting for the fund's moneys ([PA 23-97](#), § 35, effective July 1, 2023).

Transportation and Parking

Accessible Parking Advisory Council

A new law creates an Accessible Parking Advisory Council within the Department of Motor Vehicles (DMV) and tasks the council with, among other things, (1) developing a strategy to deter, detect, and prevent fraud and misuse related to placard issuance and (2) making educational materials available to medical professionals on placards' proper issuance and use. The council includes the DMV and aging and disability commissioners; two DMV commissioner-appointed licensed physicians, physician assistants, or advanced practice registered nurses who certify placard applications in the course of their employment; a representative of a disability advocacy organization; a municipal planner; two accessible parking users or advocates; and a municipal police officer. The council must report to the legislature annually by January 1, starting in 2025 ([PA 23-40](#), § 36, effective upon passage).

Accessible Parking Placard Changes

A new law requires DMV to check DPH's state death registry at least monthly (rather than periodically as under prior law) and cancel placards issued to deceased people identified in the registry, codifying current DMV practice. It also requires that windshield parking placards bear the words "Accessibility Parking Permit" instead of "parking permit for persons with disabilities," but specifies that any otherwise valid placards remain so until they expire ([PA 23-40](#), §§ 33-35, effective October 1, 2023).

Modernizing Bus Stops and Shelters

Under a new law, the Department of Transportation (DOT) and each transit district must jointly develop plans to modernize and maintain bus stops and shelters. The plans must, among other things, ensure that all bus stops and shelters are constructed and maintained in compliance with the Americans with Disabilities Act's (ADA) physical accessibility guidelines. The plans are due July 1, 2024. The new law also requires that, beginning July 1, 2024, each bus stop or shelter that DOT or a transit district constructs must be built according to the plans and in compliance with the ADA guidelines ([PA 23-137](#), § 22, effective upon passage).

Northwest Nonmedical Transportation Services Pilot Program

A new law requires DDS to create a pilot program to provide nonmedical transportation services for people with an intellectual disability in the northwestern region of Connecticut. The services must (1) include transportation to and from work, educational facilities, stores, and other places located within a 20-mile radius of the residence of a person with an intellectual disability and (2) be provided at least two days per week so long as one of those days is on the weekend or includes evening hours. By December 1, 2023, the department must issue a request for proposals (RFP) to select a transportation provider to implement the program, and must begin reporting annually on the program by January 1, 2025 ([PA 23-137](#), § 23, effective upon passage).

Notice on DOT-Funded Travel Training Programs

Under a new law, by January 1, 2024, DOT must (1) create a notice about the training programs it funds that provide instruction on safely using commuter railroad systems and public transit services and (2) give the notice to DDS and SERC. DDS must then give this notice to its service providers and the center must publish the notice on its website ([PA 23-137](#), § 24, effective upon passage).

Study on Nonmedical Transportation Services for People With an Intellectual Disability

A new law requires DOT to study ways to provide nonmedical transportation services to and from work, educational facilities, stores, and other places for people with an intellectual disability. The methods studied must include, among other things, (1) issuing an RFP for providing these services to people with an intellectual disability whose transportation needs are not currently served by public transportation; (2) providing incentives, such as DDS grants or payments or a business tax credit, to employers who arrange or pay for transportation to and from work for their employees with IDD; and (3) providing incentives, such as a DDS payment or tax credit, to employees who arrange for transportation to and from work for their coworkers with IDD. The study must include certain cost and feasibility analyses and is due by July 1, 2025 ([PA 23-137](#), § 21, effective upon passage).

Study on Transportation Needs for People With IDD

New legislation requires DOT to study the demand and need for statewide and local transportation services for people with IDD, including autism spectrum disorder. Among other things, the study must address (1) expanding operating hours for commuter rail and state-funded public transit services; (2) determining the daily transportation needs of people with IDD and how accessible using transit services is for them; and (3) a specific analysis of each transit district's services that

identifies underserved locations, specific routes for possible expansion, and associated costs. The study is due January 1, 2025 ([PA 23-137](#), § 20, effective upon passage).

Transportation for Nursing Home Residents

A new law authorizes nursing homes to transport nonambulatory residents to their family members' homes under certain conditions if the nursing home has available vehicles. The transportation must be approved by a physician, physician's assistant, or APRN and the family member must live within 15 miles of the nursing home. The act also requires DSS to report to the Council on Medical Assistance Program Oversight by October 1, 2023, on whether this transportation need is a health-related social need and any potential federal funding ([PA 23-186](#), § 5, effective July 1, 2023).

Video on Interacting With People With Disabilities

A new law requires DMV, in consultation with DDS, DSS, ADS, DMHAS, and DSS, to create a video that instructs and gives best practices on ways to appropriately interact with people with disabilities who may be receiving services from the departments. They must post their video and any other training resources on ways to appropriately interact with people with IDD on their respective websites. Beginning January 1, 2024, before issuing or renewing a driver's license with a public passenger endorsement, DMV must require applicants to watch the video ([PA 23-137](#), § 25, effective October 1, 2023).

Workforce and Employment

Evaluation of Employee Assistance Programs

Under a new law, OPM must (1) analyze existing employee assistance programs for people with disabilities, including intellectual and developmental disabilities; (2) recommend financial incentives for businesses to hire people with disabilities; and (3) create a related workforce plan that incentivizes businesses to provide training programs, offer modified interviews, and reserve market-rate, full-time jobs for people with disabilities ([PA 23-137](#), § 2, effective upon passage).

JobsCT Tax Rebate Program

A new law decreases, from 25 to 15, the number of new full-time equivalent employees (FTEs) that a business must create and maintain to be eligible for the JobsCT tax rebate program if at least one of these FTEs is an individual with intellectual disability. By law, the rebate amount is based on a percentage of the state income tax paid by the new FTEs. Generally, it equals 25% of the income tax paid, but the new legislation allows businesses to receive a 50% rebate for income tax paid by FTEs who are individuals with intellectual disability.

Additionally, the new legislation requires the Department of Economic and Community Development (DECD) commissioner to post information on its website by January 1, 2024, about the JobsCT program, including information about rebates available for employing individuals with intellectual disability. DECD must post this information by January 1, 2024 ([PA 23-137](#), § 61, effective January 1, 2024, and applicable to tax years starting on or after that date).

Worker’s Compensation and Related Matters

A new law makes various changes affecting workers’ compensation and related matters. It requires the Workers’ Compensation Commission chairperson, in setting standards for approving employer or insurer medical plans, to include whether the plan has an administrative process allowing employees to seek certain information about the medical and health care services recommended by the plan’s providers (e.g., their appropriateness and payment).

The act also requires the Judiciary Committee chairpersons or their designees to convene a working group to review the level of partial permanent disability payments available to injured employees under the workers’ compensation laws, to assess if the law adequately protects all injured employees. The groups must report to specified committees by February 1, 2024 ([PA 23-32](#), October 1, 2023, except the working group provisions are effective upon passage).

Miscellaneous

Beverage Container Recycling Grant Program

A provision in the act implementing the state budget requires, within available appropriations, any organization that serves people with intellectual and developmental disabilities to be eligible to participate in the state’s beverage container recycling grant program. By law, this program provides forgivable grants for new and proposed expansions of beverage container redemption centers. The funds may be used for things like infrastructure, technology, and initial operating expenses ([PA 23-204](#), § 63, effective July 1, 2023).

Cannabis Ombudsman

This year, the legislature established, within available appropriations, an Office of the Cannabis Ombudsman, to represent the interests of qualifying patients and caregivers and identify, investigate, and resolve complaints made by them or on their behalf, among other things ([PA 23-79](#), § 49, effective upon passage).

Medical Marijuana Patient Caregivers

A new law expands who may serve as a caregiver for a medical marijuana qualifying patient by allowing those who have been convicted of a violation of any law related to the illegal manufacture, sale, or distribution of controlled substances to serve in this role.

Additionally, it also allows caregivers with a grandparent or spousal relationship with the patient to care for more than one qualifying patient at a time ([PA 23-79](#), § 12, effective July 1, 2023).

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