



General Assembly

January Session, 2001

Raised Bill No. 731

LCO No. 2865

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING GOVERNMENT PERFORMANCE MEASUREMENT.

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

1 Section 1. (NEW) The Secretary of the Office of Policy and
2 Management shall establish a program for the purpose of measuring
3 the performance of all budgeted state agencies. The secretary shall: (1)
4 Assure that each budgeted state agency develops biennially a strategic
5 business plan that (A) identifies the relevant benchmarks defined by
6 the Connecticut Progress Council pursuant to section 4-67r of the
7 general statutes, and (B) includes goals, objectives and performance
8 measures for each program, service and state grant administered or
9 provided by the agency; (2) assure that the goals, objectives and
10 performance measures included in each budgeted state agency's
11 strategic business plan address performance information needs
12 identified by the joint standing committees of the General Assembly
13 having cognizance of matters relating to appropriations and
14 government administration and elections, and the joint standing
15 committee having cognizance of matters relating to the agency; (3)
16 assure that each budgeted state agency collects data on the

17 performance measures and benchmarks included in the agency's
18 strategic business plan; (4) assure that an annual report is prepared by
19 each budgeted state agency on the programs, services and state grants
20 administered or provided by the agency based on an analysis of the
21 benchmark and performance measurement data included in the
22 agency's strategic business plan and, beginning September 1, 2003, and
23 annually thereafter, assure that such report is submitted to the
24 Legislative Program Review and Investigations Committee; and (5)
25 assure that the Legislative Program Review and Investigations
26 Committee and the joint standing committees of the General Assembly
27 having cognizance of matters relating to appropriations and
28 government administration and elections, and the joint standing
29 committee having cognizance of matters relating to the agency have
30 access to the benchmark and performance measurement data.

31 Sec. 2. Subsection (a) of section 2-53g of the general statutes is
32 repealed and the following is substituted in lieu thereof:

33 (a) The Legislative Program Review and Investigations Committee
34 shall: (1) Direct its staff and other legislative staff available to the
35 committee to conduct program reviews and investigations to assist the
36 General Assembly in the proper discharge of its duties; (2) establish
37 policies and procedures regarding the printing, reproduction and
38 distribution of its reports; (3) review staff reports submitted to the
39 committee and, when necessary, confer with representatives of the
40 state departments and agencies reviewed in order to obtain full and
41 complete information in regard to programs, other activities and
42 operations of the state, and may request and shall be given access to
43 and copies of, by all public officers, departments, agencies and
44 authorities of the state and its political subdivisions, such public
45 records, data and other information and given such assistance as the
46 committee determines it needs to fulfill its duties. Any statutory
47 requirements of confidentiality regarding such records, data and other
48 information, including penalties for violating such requirements, shall
49 apply to the committee, its staff and its other authorized

50 representatives in the same manner and to the same extent as such
51 requirements and penalties apply to any public officer, department,
52 agency or authority of the state or its political subdivisions. The
53 committee shall act on staff reports and recommend in its report, or
54 propose, in the form of a raised committee bill, such legislation as may
55 be necessary to modify current operations and agency practices; (4)
56 consider and act on requests by legislators, legislative committees,
57 elected officials of state government and state department and agency
58 heads for program reviews. The request shall be submitted in writing
59 to the Program Review and Investigations Committee and shall state
60 reasons to support the request. The decision of the committee to grant
61 or deny such a request shall be final; (5) conduct investigations
62 requested by joint resolution of the General Assembly, or, when the
63 General Assembly is not in session, (A) requested by a joint standing
64 committee of the General Assembly or initiated by a majority vote of
65 the Program Review and Investigations Committee and approved by
66 the Joint Committee on Legislative Management, or (B) requested by
67 the Joint Standing Committee on Legislative Management. In the event
68 two or more investigations are requested, the order of priority shall be
69 determined by the Legislative Program Review and Investigations
70 Committee; (6) retain, within available appropriations, the services of
71 consultants, technical assistants, research and other personnel
72 necessary to assist in the conduct of program reviews and
73 investigations; (7) originate, and report to the General Assembly, any
74 bill it deems necessary concerning a program, department or other
75 matter under review or investigation by the committee, in the same
76 manner as is prescribed by rule for joint standing committees of the
77 General Assembly; [and] (8) review audit reports after issuance by the
78 Auditors of Public Accounts, evaluate and sponsor new or revised
79 legislation based on audit findings, provide means to determine
80 compliance with audit recommendations and receive facts concerning
81 any unauthorized, illegal, irregular or unsafe handling or expenditures
82 of state funds under the provisions of section 2-90; (9) analyze and
83 comment on the annual reports submitted to the committee pursuant

84 to section 1 of this act; (10) analyze and comment on the performance
85 and benchmark data obtained pursuant to section 1 of this act; and (11)
86 beginning January 1, 2004, and annually thereafter, distribute reports
87 and data submitted by the Secretary of the Office of Policy and
88 Management with the committee's comments on the reports and data
89 to the joint standing committees of the General Assembly having
90 cognizance of matters relating to appropriations and government
91 administration and elections, and the joint standing committee having
92 cognizance of matters relating to the agency.

93 Sec. 3. (NEW) Whenever the Auditors of Public Accounts conduct
94 an audit pursuant to section 2-90 of the general statutes, the auditors
95 shall determine if: (1) The strategic business plan required under
96 section 1 of this act is current; (2) the strategic business plan required
97 under section 1 of this act contains all the required elements; (3) the
98 data pertaining to the performance measures and benchmarks
99 required by section 1 of this act are being collected; and (4) the data
100 being collected is reliable and valid.

101 Sec. 4. Not later than one hundred eighty days after the effective
102 date of this section, the Secretary of the Office of Policy and
103 Management shall establish a schedule whereby each budgeted state
104 agency shall biennially develop a strategic business plan pursuant to
105 section 1 of this act. The schedule established by the Secretary of the
106 Office of Policy and Management shall require at least twenty per cent
107 of the budgeted state agencies to develop such a plan by July 1, 2003,
108 and shall require that not later than July 1, 2006, all budgeted state
109 agencies are biennially developing such strategic business plans.

110 Sec. 5. Section 17a-2 of the general statutes is repealed and the
111 following is substituted in lieu thereof:

112 (a) There shall be a Department of Children and Families which
113 shall be a single budgeted agency consisting of the institutions,
114 facilities programs now existing within the department, any programs
115 and facilities transferred to the department, and such other

116 institutions, facilities and programs as may hereafter be established by
117 or transferred to the department by the General Assembly.

118 (b) Said department shall constitute a successor department to the
119 Department of Children and Youth Services, for the purposes of
120 sections [2c-2b,] 4-5, 4-38c, 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-
121 259, 7-127c, 8-206d, 10-8a, 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-
122 76g, 10-94g, 10-253, 17-86a, 17-294, 17-409, 17-437, 17-572, 17-578, 17-
123 579, 17-585, 17a-1 to 17a-89, inclusive, 17a-90 to 17a-209, inclusive, 17a-
124 218, 17a-277, 17a-450, 17a-458, 17a-463, 17a-474, 17a-560, 17a-511, 17a-
125 634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78, 19a-125, 19a-216, 20-
126 14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-705, inclusive, 45a-
127 706 to 45a-770, inclusive, 46a-28, 46a-126, 46b-15 to 46b-19, inclusive,
128 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199, 54-203 and in
129 accordance with the provisions of sections 4-38d and 4-39.

130 (c) Whenever the words "Commissioner of Children and Youth
131 Services", "Department of Children and Youth Services", or "Council
132 on Children and Youth Services" are used in sections [2c-2b,] 4-5, 4-38c,
133 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-259, 7-127c, 8-206d, 10-8a,
134 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-94g, 10-253, 17-86a, 17-294,
135 17-409, 17-437, 17-572, 17-578, 17-579, 17-585, 17a-1 to 17a-89, inclusive,
136 17a-90 to 17a-209, inclusive, 17a-218, 17a-277, 17a-450, 17a-458, 17a-463,
137 17a-474, 17a-511, 17a-634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78,
138 19a-125, 19a-216, 20-14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-
139 705, inclusive, 45a-706 to 45a-770, inclusive, 46a-28, 46a-126, 46b-15 to
140 46b-19, inclusive, 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199,
141 54-203, the words "Commissioner of Children and Families",
142 "Department of Children and Families", and "Council on Children and
143 Families" shall be substituted respectively in lieu thereof.

144 Sec. 6. Section 17a-247a of the general statutes is repealed and the
145 following is substituted in lieu thereof:

146 As used in sections 17a-247b to 17a-247e, inclusive; [, and

147 subdivision (31) of subsection (a) of section 2c-2b:]

148 (1) "Abuse" means the wilful infliction by an employee of physical
149 pain or injury or the wilful deprivation of services necessary to the
150 physical and mental health and safety of a department client.

151 (2) "Authorized agency" means any agency authorized in
152 accordance with the general statutes to conduct abuse and neglect
153 investigations and responsible for issuing or carrying out protective
154 services for persons with mental retardation.

155 (3) "Commissioner" means the Commissioner of Mental Retardation.

156 (4) "Department" means the Department of Mental Retardation.

157 (5) "Department client" means a person who is eligible for, and
158 receives services or funding from, the department.

159 (6) "Employee" means any individual employed (A) by the
160 department, or (B) by an agency, organization or individual that is
161 licensed or funded by the department.

162 (7) "Employer" means (A) the department, or (B) an agency,
163 organization or individual that is licensed or funded by the
164 department.

165 (8) "Neglect" means the failure by an employee, through action or
166 inaction, to provide a department client with the services necessary to
167 maintain such client's physical and mental health and safety.

168 (9) "Protective services" has the same meaning as provided in
169 section 46a-11a.

170 (10) "Registry" means a centralized data base containing information
171 regarding substantiated abuse or neglect.

172 (11) "Substantiated abuse or neglect" means a determination by an
173 authorized agency, following an investigation conducted or monitored

174 by such agency, that (A) abuse or neglect of a department client has
175 occurred, or (B) there has been a criminal conviction of a felony or
176 misdemeanor involving abuse or neglect.

177 Sec. 7. Subsection (a) of section 17a-450a of the general statutes is
178 repealed and the following is substituted in lieu thereof:

179 (a) The Department of Mental Health and Addiction Services shall
180 constitute a successor department to the Department of Mental Health.
181 Whenever the words "Commissioner of Mental Health" are used or
182 referred to in the following general statutes, the words "Commissioner
183 of Mental Health and Addiction Services" shall be substituted in lieu
184 thereof and whenever the words "Department of Mental Health" are
185 used or referred to in the following general statutes, the words
186 "Department of Mental Health and Addiction Services" shall be
187 substituted in lieu thereof: [2c-2b,] 4-5, 4-38c, 4-60i, 4-77a, 4a-12, 4a-16,
188 5-142, 8-206d, 10-19, 10-71, 10-76d, 13b-38n, 17a-14, 17a-26, 17a-31, 17a-
189 33, 17a-218, 17a-246, 17a-450, 17a-451, 17a-452, 17a-453, 17a-454, 17a-
190 455, 17a-456, 17a-457, 17a-458, 17a-459, 17a-460, 17a-463, 17a-464, 17a-
191 465, 17a-466, 17a-467, 17a-468, 17a-470, 17a-471, 17a-472, 17a-473, 17a-
192 474, 17a-476, 17a-478, 17a-479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-
193 484, 17a-498, 17a-499, 17a-502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-
194 513, 17a-519, 17a-528, 17a-560, 17a-561, 17a-562, 17a-565, 17a-576, 17a-
195 581, 17a-582, 17a-675, 17b-28, 17b-222, 17b-223, 17b-225, 17b-359, 17b-
196 420, 17b-694, 19a-82, 19a-495, 19a-498, 19a-507a, 19a-507c, 19a-576, 19a-
197 583, 20-14i, 20-14j, 21a-240, 21a-301, 22a-224, 27-122a, 31-222, 38a-514,
198 46a-28, 51-51o, 52-146h and 54-56d.

199 Sec. 8. Subsection (b) of section 17a-456 of the general statutes is
200 repealed and the following is substituted in lieu thereof:

201 (b) Whenever the term "Board of Mental Health" is used or referred
202 to in the following sections of the general statutes, the term "Board of
203 Mental Health and Addiction Services" shall be substituted in lieu
204 thereof: [2c-2b,] 17a-457, 17a-460, 17a-467, 17a-473, 17a-564.

205 Sec. 9. Section 19a-13 of the general statutes is repealed and the
206 following is substituted in lieu thereof:

207 As used in [subsection (a) of section 2c-2b,] this chapter and
208 chapters 368v, 369 to 375, inclusive, 378 to 381, inclusive, 383 to 388,
209 inclusive, 398 and 399 unless the context otherwise requires:

210 (1) "Certificate" includes the whole or part of any Department of
211 Public Health permit which the department is authorized by the
212 general statutes to issue and which further: (A) Authorizes practice of
213 the profession by certified persons but does not prohibit the practice of
214 the profession by others, not certified; (B) prohibits a person from
215 falsely representing that [he] the person is certified to practice the
216 profession unless the person holds a certificate issued by the
217 department; (C) requires as a condition to certification that a person
218 submit specified credentials to the department which attest to
219 qualifications to practice the profession;

220 (2) "Emerging occupation or profession" means a group of health
221 care providers whose actual or proposed duties, responsibilities and
222 services include functions which are not presently regulated or
223 licensed or which are presently performed within the scope of practice
224 of an existing licensed or otherwise regulated health occupation or
225 profession;

226 (3) "License" includes the whole or part of any Department of Public
227 Health permit, approval or similar form of permission required by the
228 general statutes and which further requires: (A) Practice of the
229 profession by licensed persons only; (B) that a person demonstrate
230 competence to practice through an examination or other means and
231 meet certain minimum standards; (C) enforcement of standards by the
232 department or regulatory board or commission;

233 (4) "Public member" means an elector of the state who has no
234 substantial financial interest in, is not employed in or by, and is not
235 professionally affiliated with, any industry, profession, occupation,

236 trade or institution regulated or licensed by the board or commission
237 to which [he] the elector is appointed, and who has had no
238 professional affiliation with any such industry, profession, occupation,
239 trade or institution for three years preceding [his] the elector's
240 appointment to the board or commission;

241 (5) "Registration" means the required entry upon a list maintained
242 by the Department of Public Health of the name of a practitioner or the
243 address of a place where a practice or profession subject to the
244 provisions of [subsection (a) of section 2c-2b,] this chapter and
245 chapters 368v, 369 to 375, inclusive, 378 to 381, inclusive, 383 to 388,
246 inclusive, 398 and 399 may be engaged in;

247 (6) "Complaint" means a formal statement of charges issued by the
248 Department of Public Health.

249 Sec. 10. Subdivision (4) of subsection (a) of section 19a-14 of the
250 general statutes is repealed and the following is substituted in lieu
251 thereof:

252 (4) Adopt, with the advice and assistance of the appropriate board
253 or commission, and in accordance with chapter 54, any regulations
254 which are consistent with protecting the public health and safety and
255 which are necessary to implement the purposes of [subsection (a) of
256 section 2c-2b,] this chapter [,] and chapters 368v, 369 to 375, inclusive,
257 378 to 381, inclusive, 383 to 388, inclusive, 398 and 399.

258 Sec. 11. Sections 2c-1 to 2c-12, inclusive, of the general statutes are
259 repealed.

260 Sec. 12. This act shall take effect July 1, 2001.

Statement of Purpose:

To provide standards concerning government performance measurement.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]