



General Assembly

February Session, 2002

**Raised Bill No. 5638**

LCO No. 1993

Referred to Committee on Human Services

Introduced by:

(HS)

**AN ACT CONCERNING SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES.**

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

1 Section 1. (NEW) (*Effective from passage*) Not later than July 1, 2002,  
2 the Department of Mental Retardation, in consultation with the Office  
3 of Protection and Advocacy for Persons with Disabilities, shall  
4 implement a sequential plan to administer services for all persons with  
5 disabilities, as defined by the Americans with Disabilities Act, in the  
6 most integrated setting for such persons. The plan shall serve a  
7 balanced number of persons with varying types and severity of  
8 disabilities, and include all ages, races and ethnic backgrounds to  
9 assure an equitable distribution of services among such persons. The  
10 plan objectives shall include, but not be limited to, (1) not later than  
11 January 1, 2003, the department shall identify all persons with  
12 disabilities who are receiving services at a restrictive setting, including,  
13 but not limited to, nursing homes, psychiatric facilities and  
14 intermediate care facilities for persons with mental retardation, and  
15 offer such persons the opportunity to receive services in a more  
16 integrated setting, (2) (A) not later than July 1, 2003, no less than fifty

17 persons with disabilities shall be discharged from institutional settings  
18 to a community living arrangement chosen by such persons, (B) not  
19 later than July 1, 2004, an additional one hundred persons with  
20 disabilities shall be so discharged, and (C) not later than July 1, 2005,  
21 an additional two hundred and fifty persons with disabilities shall be  
22 so discharged, (3) not later than July 1, 2003, the department shall  
23 implement initiatives to eliminate by July 1, 2008, all waiting lists for  
24 community services for noninstitutionalized persons, (4) not later than  
25 July 1, 2003, the department shall implement procedures and services  
26 to prevent the discharge of persons with disabilities from state or  
27 private hospitals to shelters or other inappropriate settings, (5) not  
28 later than July 1, 2003, the department shall implement procedures and  
29 services to terminate unnecessary admissions of persons with  
30 disabilities to nursing homes, (6) the department shall develop  
31 initiatives to increase the housing options for persons with disabilities  
32 in accordance with the objectives of the plan, (7) the department shall  
33 develop initiatives to increase access to employment and  
34 transportation for persons with disabilities, (8) the department shall  
35 define initiatives to provide personalized community supports and  
36 services to persons with disabilities who are at risk for inappropriate  
37 institutionalization, and (9) the department shall develop an initiative  
38 to allow funds allocated for a person's institutional placement to be  
39 reallocated to pay for said person's community supports and services.

40 Sec. 2. (NEW) (*Effective July 1, 2002*) There is established the  
41 Connecticut Community Integration Council to monitor the  
42 implementation of the plan developed pursuant to section 1 of this act.  
43 The council shall be comprised of fifteen members, a majority of whom  
44 shall be persons with disabilities or family members of persons with  
45 disabilities, appointed by the Governor. The chairperson of the council  
46 shall be a person with a disability. Said council shall be within the  
47 Office of Policy and Management for administrative purposes only.  
48 Commencing in September, 2002, the council shall meet monthly to  
49 conduct such business deemed necessary and appropriate to oversee  
50 the community integration plan. Not later than January 1, 2003, and

51 annually thereafter, the council shall report, in accordance with section  
52 11-4a of the general statutes, on its findings and recommendations to  
53 the joint standing committees of the General Assembly having  
54 cognizance of matters relating to human services and public health.

55 Sec. 3. (NEW) (*Effective July 1, 2002*) The Office of Policy and  
56 Management shall submit monthly reports to the Connecticut  
57 Community Integration Council regarding state compliance with  
58 section 1 of this act, specific outcome information and longitudinal  
59 data regarding the health status, activities earnings and quality of life  
60 of persons provided with community services.

61 Sec. 4. Section 17b-605a of the general statutes is repealed and the  
62 following is substituted in lieu thereof (*Effective from passage*):

63 (a) The Commissioner of Social Services shall seek a waiver from  
64 federal law to establish a personal care assistance program for persons  
65 ages eighteen through sixty-four with disabilities funded under the  
66 Medicaid program. Such a program shall be limited to a specified  
67 number of slots available for eligible program recipients and shall be  
68 operated by the Department of Social Services within available  
69 appropriations. Such a waiver shall be submitted to the joint standing  
70 committees of the General Assembly having cognizance of matters  
71 relating to appropriations and the budgets of state agencies and  
72 human services in accordance with section 17b-8 no later than January  
73 1, 1996.

74 (b) The Commissioner of Social Services shall amend the waiver  
75 specified in subsection (a) of this section to enable persons eligible for  
76 or receiving medical assistance under section 17b-597 to receive  
77 personal care assistance. Such amendment shall not be subject to the  
78 provisions of section 17b-8 provided such amendment shall consist  
79 only of modifications necessary to extend personal care assistance to  
80 such persons.

81 (c) The Commissioner of Social Services shall amend the waiver

82 specified in subsection (a) of this section to enable all persons with  
83 disabilities, as defined by the Americans with Disabilities Act, to be  
84 eligible for services established pursuant to subsection (a) of this  
85 section.

86 Sec. 5. Section 17b-106 of the general statutes, as amended by section  
87 56 of public act 01-2 of the June special session and section 129 of  
88 public act 01-9 of the June special session, is repealed and the following  
89 is substituted in lieu thereof (*Effective July 1, 2002*):

90 (a) On July 1, 1985, the Commissioner of Social Services shall  
91 increase the adult payment standards for the state supplement to the  
92 federal Supplemental Security Income Program by four and  
93 three-tenths per cent over the standards for the fiscal year ending June  
94 30, 1985, provided the commissioner shall apply the appropriate  
95 disregards. Notwithstanding the provisions of any regulation to the  
96 contrary, effective July 1, 1994, the commissioner shall reduce the  
97 appropriate unearned income disregard for recipients of the state  
98 supplement to the federal Supplemental Security Income Program by  
99 seven per cent, provided if sufficient funds are available within  
100 accounts in the Department of Social Services and are transferred to  
101 the old age assistance account, the aid to the blind account and the aid  
102 to the disabled account, the commissioner shall increase the unearned  
103 income disregard for recipients of the state supplement to the federal  
104 Supplemental Security Income Program to a level not to exceed that in  
105 effect on June 30, 1994. On July 1, 2002, and annually thereafter, the  
106 commissioner shall increase the unearned income disregard for  
107 recipients of the state supplement to the federal Supplemental Security  
108 Program by the percentage increase, if any, in the most recent calendar  
109 year average in the consumer price index for urban consumers over  
110 the average for the previous calendar year. On July 1, 1989, and  
111 annually thereafter, the Commissioner of Social Services shall increase  
112 the adult payment standards over those of the previous fiscal year for  
113 the state supplement to the federal Supplemental Security Income  
114 Program by the percentage increase, if any, in the most recent calendar

115 year average in the consumer price index for urban consumers over  
116 the average for the previous calendar year, provided the annual  
117 increase, if any, shall not exceed five per cent, except that the adult  
118 payment standards for the fiscal years ending June 30, 1993, June 30,  
119 1994, June 30, 1995, June 30, 1996, June 30, 1997, June 30, 1998, June 30,  
120 1999, June 30, 2000, June 30, 2001, June 30, 2002, and June 30, 2003,  
121 shall not be increased. Effective October 1, 1991, the coverage of excess  
122 utility costs for recipients of the state supplement to the federal  
123 Supplemental Security Income Program is eliminated.

124 (b) Effective July 1, 1998, the Commissioner of Social Services shall  
125 provide a state supplement payment for recipients of Medicaid and the  
126 federal supplemental security income program who reside in long-  
127 term care facilities sufficient to increase their personal needs allowance  
128 to fifty dollars per month. Such state supplement payment shall be  
129 made to the long-term care facility to be deposited into the personal  
130 fund account of each such recipient. Effective July 1, 1999, and  
131 annually thereafter, the commissioner shall increase such allowance to  
132 reflect the annual inflation adjustment in Social Security income, if any.  
133 For the purposes of this subsection, "long-term care facility" means a  
134 licensed chronic and convalescent nursing home, a chronic disease  
135 hospital, a rest home with nursing supervision, an intermediate care  
136 facility for the mentally retarded or a state humane institution.

137 Sec. 6. (NEW) (*Effective July 1, 2002*) The Commissioner of Social  
138 Services shall develop a housing component to the state supplement to  
139 the federal Supplemental Security Program. The housing component  
140 shall be at least equal to the fair market housing standard established  
141 by the federal Department of Housing and Urban Development.

142 Sec. 7. (NEW) (*Effective July 1, 2002*) The Commissioner of Social  
143 Services shall apply for any federal funding available for treatment of  
144 persons diagnosed with, or at risk for Autism Spectrum disorder, as  
145 defined in the most recent edition of the American Psychiatric  
146 Association's "Diagnostic and Statistical Manual of Mental Disorders".

147 Sec. 8. (NEW) (*Effective from passage*) The sum of \_\_\_\_ dollars is  
148 appropriated to the Office of Policy and Management, from the  
149 General Fund, for the fiscal year ending June 30, 2003, for use by the  
150 council established pursuant to section 2 of this act.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>
Sec. 7	<i>July 1, 2002</i>
Sec. 8	<i>from passage</i>

**Statement of Purpose:**

To develop and implement programs that will better the lives of persons with developmental disabilities.

*[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.]*